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The Homeland Security News Briefing

TO: THE SECRETARY AND SENIOR STAFF

DATE: TUESDAY, MARCH 7, 2017 5:00 AM EST

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Leading DHS News:

MEDIA ANALYSES: TRUMP'S NEW IMMIGRATION ORDER MORE LIKELY TO WIN COURT APPROVAL. President Trump's new immigration order received widespread media coverage, including reports on all three major network newscasts. On cable, meanwhile, the story was overshadowed by commentary on the Trump Tower wiretapping controversy. While the underlying tone in much of the analysis remained hostile toward Trump's new order, reports also cast it as an improvement over his first attempt (which was blocked by the courts) and as more likely to pass legal muster. Democrats and

immigration advocates, on the other hand, were not persuaded. The New York Times (3/6, Thrush, Subscription Publication, 13.9M), for example, notes Senate Minority Leader Schumer described the order as a "watered-down ban" as well as "mean-spirited and un-American," and Roll Call (3/6, Bowman, 63K) quoted ACLU legal director David Cole as warning, "President Trump, we'll see you in court." Yet the Los Angeles Times (3/6, Savage, 4.52M), in a story typical of the tenor of the coverage, says the "revised travel ban retreats on nearly every issue that triggered chaos in airports and lawsuits in federal courts across the nation." Likewise, the CBS Evening News (3/6, story 3, 2:20, Pelley, 11.17M) called the new order a "sharp contrast" to the first "both in substance and its rollout," and NBC Nightly News (3/6, story 2, 2:35, Holt, 16.61M) said it was "far more reserved."

Along similar lines, the Washington Post (3/6, Nakamura, Zapotosky, 11.43M) says "the new guidelines mark a dramatic departure from Trump's original ban," the AP (3/6, Caldwell, Colvin) that the order "eliminates some of the most contentious aspects" of the previous version, Politico (3/6, Gerstein, McCaskill, 2.46M) that it included "significant concessions," and Vox (3/6, Lind, 1.15M) that while "Trump is by nature loath to admit a mistake...it's hard not to read the changes to the executive order as an admission that the rollout of the original travel ban was a legal and political disaster."

ABC World News Tonight (3/6, story 4, 2:20, Vega, 14.63M) said "travel ban 2.0 rescinds the original, now stalled in courts, addressing some of the red flags raised by opponents," but the Washington Times (3/6, Miller, Noble, 272K) cautions that "a new round of court challenges appeared unavoidable." Reuters (3/6, Holland, Ainsley) reports that though "immigration advocates said the new ban still discriminated against Muslims...legal experts said it would...be harder to challenge because it affects fewer people living in the United States and allows more exemptions to protect them." The new order, notes Reuters, "takes effect on March 16," and "keeps a 90-day ban on travel to the United States by citizens of Iran, Libya, Syria, Somalia, Sudan and Yemen." However, "it applies only to new visa applicants, meaning some 60,000 people whose visas were revoked under the previous order will now be permitted to enter." Moreover, says the Los Angeles Times (3/6, Savage, 4.52M), the order "will not apply to foreign students, engineers, tourists and relatives who are traveling to this country or temporarily traveling aboard." At any rate, NPR (3/6, Domonoske, 1.92M) reported, "Administration officials left open the possibility that other countries could be added to future visa-issuance bans, or that countries currently on the list could be removed."

Roll Call (3/6, Ratnam, 63K) reported that "unlike the Jan. 27 order, Monday's action does not permanently ban the entry of Syrian refugees," but the Washington Post (3/6, Nakamura, Zapotosky, 11.43M) indicates that under the new order "the nation's refugee program will be suspended for 120 days, and it will not accept more than 50,000 refugees in a year, down from the 110,000 cap set by the Obama administration." The Spokane (WA) Spokesman-Review (3/6, Alexander, 170K) notes, however, that "Obama's 2016 goal was a historic high: the US has set a refugee cap between 70,000 and 80,000 every year since 2007, according to State Department data."

Federal Computer Week (3/6, 263K) reports the new order also mandates that DHS "expedite the completion and implementation" on a biometric entry-exit system for foreign travelers entering and leaving the US. Officials said CBP is "working diligently to meet that obligation."

The New York Times (3/6, Subscription Publication, 13.9M) features video clips of statements by Secretary Kelly, Secretary Tillerson, and Attorney General Sessions. Kelly is featured saying DHS will enforce the law in a professional and humane manner. USA Today (3/6, Jansen, 5.28M) features answers from the Justice Department to questions about the new travel order, including what countries are named, when the order takes effect, and how the countries were chosen, among others. USA Today (3/6, Durando, 5.28M) also features a list of five "major changes" between the new order and the January 27 order.

Vox (3/6, Lind, 1.15M) stated that the "much more narrowly tailored and thoughtfully considered...ban" is "much more likely to stand up in court," and the Christian Science Monitor (3/6, LaFranchi, 387K) reported that "the new order no longer prioritizes the resettlement of religious minorities – read Christians, by and large – from those six Muslim-majority countries." The Monitor added that "that prioritization was one of the key features of the original order that had critics and some jurists concluding the travel suspension

was actually a Muslim ban that would not pass constitutional muster." An unnamed "senior Department of Homeland Security official" told reporters, "This is not a Muslim ban in any way, shape, or form." The Washington Times (3/6, Noble, 272K), meanwhile, quotes a "senior DOJ official" as saying, "We anticipate most of the challenges should be mooted by this new executive order and the Department of Justice will be filling the appropriate briefs and letters in those existing cases."

Presidential counselor Kellyanne Conway said on Fox News' Fox & Friends (3/6, 831K), "What's different is it has effective date of March 16, and here are the legal permanent residents who were always excluded from it, but that's made much more clear now. ... I think people will see six or seven major points about this executive order that do clarify who is covered." At any rate, USA Today (3/6, Korte, 5.28M) reports, "White House aides say the president still stands behind the original executive order." Said press secretary Sean Spicer, "When you look at how the court adjudicated that, their facts were wrong. ... I think we recognized that we could have been in litigation for up to a year on this, and that would have left the country exposed. We 100% maintain that the executive order as initially drafted is 100% constitutional and legal." But Business Insider (3/6, Relman, 3.42M) noted that "when...Trump first signed an executive order restricting immigration to the US, he was surrounded by advisers and photographers at the Pentagon." Yesterday, however, he signed the "revised version...behind closed doors and without fanfare." Instead, Secretary of State Tillerson, Attorney General Sessions, and Homeland Security Secretary Kelly "held a short media briefing to announce the new ban," in which "they did not take any questions from journalists."

USA Today (3/6, Gomez, 5.28M) quotes Tillerson as saying, "It is the president's solemn duty to protect the American people, and with this order, President Trump is exercising his rightful authority to keep our people safe. ... As threats to our security continue to evolve and change, common sense dictates that we continually reevaluate and reassess the systems we rely upon to protect our country." ABC World News Tonight (3/6, story 4, 2:20, Vega, 14.63M) showed Tillerson saying, "This is part of our ongoing efforts to eliminate vulnerabilities that radical Islamist terrorists can and will exploit for destructive ends." Fox News' Special Report (3/6, 1.53M) showed Tillerson stating, "While no system can be made completely infallible, the American people can have high confidence we are identifying ways to improve the vetting process and thus keep terrorists from entering our country." AFP (3/6, Beatty) reports that Tillerson also described the order "as 'a vital measure' for strengthening national security," while "Sessions added that it 'provides a needed pause' allowing a review of how America deals with travelers from 'countries of concern.'" Added Sessions, "Three of these nations are state sponsors of terrorism," and "others had served as 'safe havens' for terror operatives."

The Military Times (3/6, Shane III, 734K), meanwhile, notes that Kelly said, "We are not immune to terrorist threats, and our enemies often use our own freedoms in generosity against us. ... Today's executive order…will make America more secure and address long overdue concerns about the security of our immigration system." The New York Times (3/6, Thrush, Subscription Publication, 13.9M) reports that Kelly also said yesterday, "If you have a current valid visa to travel, we welcome you," but "unregulated, un-vetted travel is not a universal privilege, especially when national security is at stake."

Roll Call (3/6, Bowman, 63K) reported "Congressional Democrats were quick to condemn...Trump's new executive order," but "there isn't much they can do about it." While "Connecticut Sen. Christopher S. Murphy announced that he would introduce a bill to overturn Trump's new order," with Trump's party in control of the Senate "the Connecticut lawmaker's bill is not likely to move forward." Sen. Mazie Hirono said on CNN Wolf (3/6, 224K), "He made some small changes, apparently, to the very sweeping travel ban that he issued earlier. I haven't studied all of the provisions of it, but it's still basically a Muslim ban. It's still a ban based on one's religion, and every time our country has targeted a minority group for discriminate other treatment, we have been proven to be very, very wrong, and the President is wrong in this instance."

The Detroit Free Press (3/6, Spangler, 1.01M) reports that "Michigan Democrats – including US Reps. John Conyers of Detroit, Debbie Dingell of Dearborn, Dan Kildee of Flint Township, Sander Levin of Royal Oak and Brenda Lawrence of Southfield – argued that the new order changes little." Democratic Rep. Seth Moulton said on CNN's Situation Room (3/6, 554K) that the new order is "a step in the right direction. But let us not be distracted that this order weakens our national security. It does the opposite of

what the President says it will do."

McClatchy (3/6, Ordoñez, Kumar, 74K) describes the new order as "softening some of the most objectionable pieces but still leaving the policy vulnerable to legal challenges," and reports "criticism from groups that help refugees and immigrants was swift." Human Rights First's Eleanor Acer said, "This order is essentially religious discrimination masquerading, once again, in the language of national security. ... Legal wordsmithing cannot obscure the discriminatory intent and impact of the order." Hans van de Weerd, chair of Refugee Council USA, similarly charged that "the order does nothing to improve our national security and will have painful human consequences: It will separate families and leave tens of thousands of people – mostly women and children – exposed to grave danger and despair." To Politico (3/6, Toosi, 2.46M), "Trump's newly revised travel ban may at first seem to be more limited in its reach than his sweeping earlier order suspending refugee admissions and barring entry for citizens of several predominantly Muslim countries." But it "still contains provisions that could ultimately slow travel and immigration to the United States from every corner of the globe," and "could ultimately backfire on Americans wishing to travel abroad, and, for some countries, what appear to be temporary bans could effectively prove permanent."

The AP (3/6, Johnson, Gurman) reports the new order "eases some of the legal questions surrounding the previous order, but critics said it does not answer all of them, including accusations that the measure is a thinly veiled attempt to discriminate against Muslims." Politico (3/6, Gerstein, Dawsey, Palmeri, 2.46M) reports attorneys representing several states, the ACLU and other immigrants' rights groups "are poised to return to court as soon as Monday to challenge whatever new order Trump issues." Politico says the White House has "heavily in preparation for the revised order, including consultation with senior officials at the Justice Department, State Department and the Department of Homeland Security." Newsday (NY) (3/6, 1.3M) reports the new order was criticized by Muslim and immigrant advocates as an "unjustified ban on countries where most people are Muslims." The Los Angeles Times (3/6, 4.52M) reports National Immigration law Center attorney Justin Cox said he sees little "substantive" difference between the new order and the previous one. Cox represents plaintiffs in Darweesh vs. Trump, which is currently pending before a Brooklyn federal judge. Cox added that its "time to go to court" to challenge the new order. The AP (3/6, McCombs) reports Muslim advocates and refugee officials in Utah "said Monday that President Donald Trump's revised travel ban doesn't alleviate their concerns about an initiative they contend unfairly targets refugees and Muslim countries." The Chicago Tribune (3/6, 2.54M) reports the new order "remains an unacceptable ban on Muslims," according to Chicago immigration and refugee activists. Arab American Action Network board member Ahlam Jbara said, "Make no mistake that this is still very much a Muslim ban." Mayor Rahm Emanuel said the order was "nothing more than a wolf in sheep's clothing." Emanuel added that the order is a "betrayal of our nation's values that our government would slam the door on refugees fleeing war, death and unimaginable conditions."

Science Magazine (3/6, Wadman, 410K) reported that "the academic community was not appeased by the changes." Peter McPherson, president of the Association of Public and Land-grant Universities in Washington, DC, said in a statement, "During the 2015–16 school year, more than 15,450 students and over 2100 scholars from the six countries targeted in this ban studied and conducted research at US universities. ... The pipeline of new students and scholars from those countries – many of whom are in the midst of the college application process – is now cut off." Mary Sue Coleman, president of the Association of American Universities, said, "The new order, like its predecessor, poses a fundamental long-term threat to America's global leadership in higher education, research, and innovation."

Iraq Excluded From New Order. The Military Times (3/6, Shane III, 734K) reports "Trump's new executive order on immigration won't block Iraqis from traveling to the United States," and "should allow Iraqi translators and other foreign nationals who helped US troops in overseas war zones to travel to America, although much depends on where they are in existing vetting processes." The Washington Times (3/6, Boyer, Miller, 272K) notes "the administration said Iraq was removed form the list, despite the presence of Islamic State fighters in the country, because of extra steps the Iraq government was taking to share information and assist the US in vetting travelers." NPR (3/6, Domonoske, 1.92M) cited a "senior administration official" who "told reporters...Iraq has agreed to the 'timely repatriation' of Iraqi citizens in the US who are slated for deportation," whereas "as of last summer, Iraq was one of 23 countries considered 'recalcitrant' for refusing to cooperate with the U.S. in deporting their citizens."

Politico (3/6, Gerstein, McCaskill, 2.46M) reported "Iraqi officials angrily protested the inclusion of their country on the original travel ban list," and "Tillerson appeared to allude to that blowback Monday when he publicly paid tribute to Iraq's role in the fight against terrorism," saying, "Iraq is an important ally in the fight to defeat ISIS." The New York Times (3/6, Walsh, Subscription Publication, 13.9M) reports that the decision to exclude Iraq "came after pressure from the State Department and the Pentagon – and as American troops are working closely with Iraqi soldiers in the battle for Mosul." The AP (3/6, Abdul-Zahra, Salaheddin) also reports the White House "removed Iraq from the list under pressure from the State Department and the Defense Department, which had noted the close cooperation between the two countries in battling the IS group." Iraqi Foreign Ministry spokesman Ahmed Jamal told the AP yesterday, "Today our battle in Mosul is a battle that Iraqis are conducting on behalf of the entire world," and "the revision of the travel ban will 'enhance' the US-Iraqi partnership in that fight."

The Washington Post (3/6, Salim, 11.43M) similarly reports that "Iraqi officials on Monday praised the Trump administration's decision...calling it an 'important step in the right direction,'" and said it "reinforces the strategic alliance between Baghdad and Washington in many areas, particularly the fight against terrorism."

Administration: FBI Investigating 300 Refugees For Terror Ties. Bloomberg Politics (3/6, Epstein, Talev, 201K) reports "Trump and his aides repeatedly have described the travel directive as an urgent national security matter." In fact, "Administration officials said the FBI is looking into some 300 individuals admitted to the US as refugees as part of counterterrorism probes," though "a congressional aide said it's unclear whether any of those investigations have turned up anything." Moreover, the Washington Post (3/6, Nakamura, Zapotosky, 11.43M) reports, "a Department of Justice official who briefed reporters earlier in the day could not estimate how many of those refugees were admitted from the six countries listed in the ban." Another Washington Post (3/6, Lee, 11.43M) analysis says that "this 300 figure is meaningless," as "the 300 figure is a tiny fraction of all resettled refugees in the United States." In fact, "since Congress created the Federal Refugee Program through the Refugee Act of 1980, about 3 million refugees have resettled in the United States, according to Pew Research Center."

Meanwhile, CNN's Situation Room (3/6, Blitzer, 554K) reported that during an appearance on CNN, DHS Secretary Kelly was asked how many of those refugees came from the six countries listed in the new executive order. Kelly said, "I don't know how many are from those six," adding that the FBI's investigation hasn't concluded. Wolf Blitzer asked Kelly, "Don't you think you needed that intelligence before you release the travel ban affecting the six majority-Muslim countries?" Kelly responded that the countries on the list are either designated by the State Department as terrorist sponsors, or they "are countries in collapse." Kelly added, "We are now looking at other countries." He said he doesn't "believe the list will be expanded, but there are countries out there that we'll ask, like Iraq has done...to cooperate with us better, to get us the information we need, to safeguard the country."

Fox News (3/6, Herridge, 11.07M) cites FBI Director James Comey as noting in 2015 that there were 900 ongoing terror investigations but that Monday's announcements "marked the first official concrete linkage between the refugee program and terrorism." It cites Homeland Security Secretary John Kelly as also noting, "We must undertake a rigorous review of our visa and refugee vetting programs to increase our confidence in the entry decisions we make for visitors and immigrants to the United States. ... We cannot risk the prospect of malevolent actors using our immigration system to take American lives."

A Washington Post (3/6, Lee, 11.43M) "Fact Checker" piece adds "Administration officials did not provide any information about the investigations, or any context to understand how significant the 300 figure is." The Post says 300 may be a "meaningless" number, noting that it is just a "tiny fraction of all resettled refugees in the United States," but that it could "represent 30 percent or 3 percent (or something entirely different) of total open investigations." What is unclear, it says, is "the full universe of open investigations."

Graham, Corker Praise New Order. USA Today (3/6, Kelly, Collins, 5.28M) reports Sen. Lindsey Graham said on Monday "he believes Trump's revised order is better and will 'pass legal muster.'" Said Graham, "I congratulate the Administration for modifying the original order to ensure that it is prospective in application, protective of those with valid visas and legal status, and exempts Iraqis, as five thousand

Americans are currently fighting alongside them against (the Islamic State). ... I believe the new order will withstand legal challenges as it's drafted in a fashion as to not be a religious ban, but a ban on individuals coming from compromised governments and failed states."

Reuters (3/6, Zengerle), meanwhile, reports that Senate Foreign Relations Committee chairman Bob Corker "said on Monday he was 'very encouraged' by the approach...Trump's administration took to its new immigration executive order, and pleased that Iraq was removed from the list of countries subject to visa restrictions."

Washington State AG: Trump "Has Capitulated On Numerous Key Provisions." The Wall Street Journal (3/6, Meckler, Subscription Publication, 6.37M) that Bob Ferguson, Washington State's attorney general who sued to block the first order, said he was still considering his next legal steps, but weighed in on yesterday's version, declaring, "It is the president's solemn duty to protect the American people, and with the order, President Trump is exercising his rightful authority to keep our people safe. ... By rescinding his earlier executive order, President Trump makes one thing perfectly clear: His original travel ban was indefensible – legally, constitutionally and morally. ... The president has capitulated on numerous key provisions blocked by our lawsuit." Reuters (3/6, Rosenberg, Levine) notes Ferguson also said "he will likely decide on the next litigation steps this week after consulting with state universities and businesses about potential harms." Said Ferguson, "We need to do our homework and be thoughtful about this." The Los Angeles Times (3/6, 4.52M) and the Seattle Times (3/6, 1.05M) report similarly on Ferguson's statements. USA Today (3/6, 5.28M) features video of Ferguson's remarks.

Order Says Government Will Publicize Information About "Honor Killings" In US By Foreign Nationals. Politico (3/6, Toosi, 2.46M) reports that in a line that "leaps out like few others in the revised travel ban...Trump issued Monday," the Administration said "the American government...will start publicizing information about 'acts of gender-based violence against women, including so-called 'honor killings,' in the United States by foreign nationals.'" Politico adds that "the statement is part of a broader section that pledges the US government will begin releasing data on terrorism-related offenses committed by immigrants."

Breitbart (3/6, Munro, 2.02M) reported that "the language bolsters the often-ignored language in the current N-400 citizenship application document, which asks applicants if they have 'EVER advocated (either directly or indirectly) the overthrow of any government by force or violence? Have you EVER persecuted (either directly or indirectly) any person because of race, religion, national origin, membership in a particular social group, or political opinion?'"

LATimes Analysis: Order's "Little-Noticed Provision" Gives Trump Extra "Leverage" In Foreign Dealings. The Los Angeles Times (3/6, Bennett, 4.52M) reports "a little-noticed provision in...Trump's revised restrictions on entry into the country could remake how the US conducts foreign policy, creating leverage for a president who promised to bring his hard-nosed deal-making mind-set to American diplomacy." In the order, "Trump ordered a global review to determine whether citizens from additional countries should be blocked from coming to the US as well," and asked "the departments of State and Homeland Security, along with intelligence agencies, to determine which countries come up short on cooperating with US immigration officials who are vetting travelers who want to enter the country." That "review gives Trump, who spent his adult life working out real estate transactions, the opportunity to demand concessions from more than 190 countries." To the Times, "At stake is the ability of their citizens and nationals to travel to the United States."

Studies Appear To Contradict Order's Rationale. The CBS Evening News (3/6, story 4, 0:35, Pelley, 11.17M) reported that in President Trump's address to Congress last week, he "said the vast majority of individuals convicted of terrorism and terrorism-related offenses since 9/11 came here from outside of our country, and the attorney general repeated that today. But it turns out the facts tell a different story. A study by Fordham University School of Law says 78 percent of ISIS-related prosecutions in the US involve American citizens, and 53 percent of Al Qaeda related cases involve people born in the US." In addition, a Washington Post (3/6, Berman, 11.43M) analysis states that "according to data collected by New America, a Washington-based nonprofit group," the "new ban...has something big in common with the earlier version: It would not have kept out of the United States anyone responsible for a deadly terror

attack since 2001." According to the Post, "There have been 10 fatal attacks tied to Islamist extremist ideology or otherwise deemed international terrorism since 2001 and the people behind those attacks are from none of the banned countries."

Monmouth Poll: Public Opposed Original Order 49%-39%. U.S. News & World Report (3/6, Levy, 1.02M) reported that "according to a new poll from Monmouth University released Monday, just 39 percent of US adults said they believe the original travel ban was a good idea. Meanwhile, 49 percent said the executive order...was a bad idea." The poll, which was "taken before the White House announced the new version of its executive order on Monday, found that approximately the same number – 50 percent – said Trump should have moved on from the ban to other issues, compared with 38 percent who favored his decision to take a second stab at it."

NYTimes Examines Yale Law Group Fight Against Travel Order As Echo Of 1991 Efforts. As part of its "Retro Report" series, the New York Times (3/6, Haberman, Subscription Publication, 13.9M) says former Yale Law School students' help drafting a petition to stop the first immigration executive order implemented by President Trump is an echo of previous efforts by the school's legal experts. Yale law professor Michael Wishnie recalls the 1991 movement he took part in that led to the release of Haitian immigrants from Guantanamo. Anticipating pushback on the newly released immigration policy, Professor Koh, who was also involved in the 1991 effort, said, "your goal is to make the law serve justice, not just make the law serve power."

Editorial Writers Weigh In. Under the headline "Trump's New Travel Ban Is As Arbitrary And Senseless As The First," the Washington Post (3/6, 11.43M) editorializes that "the ban, while doing virtually nothing to deter terrorist attacks in this country, aids the recruitment efforts of the Islamic State and other extremist groups by substantiating their case that anti-Islamic bigotry thrives in the United States." While "the courts will decide whether the order...passes legal muster," it is "already clear...that it remains antithetical to American interests, values, tradition and security."

In an editorial, the Wall Street Journal (3/6, Subscription Publication, 6.37M) describes the order as unnecessary, even as it praises it as more reasonable than the January version. USA Today (3/6, 5.28M), in an editorial, similarly calls the order "an improvement on the original" but "still a disappointment," because "the military and law enforcement need cooperation from Muslims at home and abroad to uncover terror plots and identify targets," and "alienating them with sweeping policies that cast suspicion on entire populations is a dangerous game."

The New York Times (3/6, Subscription Publication, 13.9M) headlines its editorial "President Trump's Muslim Ban Lite," and refers to a "downscaled, but still pernicious, version of the ban," which amounts to "an implicit acknowledgment that the Trump administration stumbled spectacularly in its first major attempt to deliver on a campaign promise."

In its editorial page, the Los Angeles Times (3/6, 4.52M) calls the order "no less misguided and damaging...than the original," and concludes that "Trump's aim here is not to improve national security, but to ostracize. And it will be to Americans' shame if he gets away with it."

The Dallas Morning News (3/6, Email, 1.12M) editorializes that the new order "does nothing to fix the original's existential flaws: It attempts to fix a problem that does not exist, while offending American ideals and making the country less safe in the process." The Morning News says Trump "lacks compelling evidence that this order will make America safer," because refugees are already required to "undergo a vigorous vetting" before entering the US.

In an op-ed for the Washington Post (3/6, 11.43M) "Plum Line" blog, senior writer at the American Prospect Paul Waldman argues the new order appears as though the Administration "put some thought into it, particularly with regard to getting it upheld in court." Waldman opines, however, that the new order is the same as the original version in that it will "do nothing to keep Americans any safer than we already are."

Farhana Khera, the president and executive director of Muslim Advocates, "a civil rights legal

organization," and Johnathan Smith, the group's legal director, write in the New York Times (3/6, Subscription Publication, 13.9M) that the new order "still suffers from a fundamental, and fatal, flaw: It constitutes unlawful religious discrimination. ... The Muslim ban and President Trump's relentless attacks on Islam are not just an assault on thousands of patriotic, innocent Americans – they violate our Constitution and our most fundamental American values and beliefs."

Airbnb, Other Tech Firms Criticize New Travel Order. The Hill (3/6, Neidig, 1.25M) reports that "Airbnb and Uber called out the Trump administration on Monday over the president's new executive order temporarily banning people from six Muslim-majority nations from entering the country." Airbnb CEO Brian Chesky wrote on Twitter, "Barring people from entering our country because of where they're from was wrong the first time around – still wrong." The Hill also points out that "Uber and Airbnb were among the first major tech companies to come out against the new measure in the hours after it was signed Monday morning."

International Business Times (3/6, Dellinger, 814K) also points out that "Lyft and Airbnb offered forceful rebukes of the original executive order in January." IBT says that "at the time, Lyft pledged to donate $1 million to the ACLU, while Airbnb offered free housing to anyone affected by the travel ban."

KELLY SAYS HE IS CONSIDERING SEPARATING CHILDREN FROM PARENTS TO PREVENT ILLEGAL ENTRY. The AP (3/6, Caldwell) reports that DHS Secretary Kelly said in a Monday interview that the department "is considering separating children from parents caught crossing the Mexican border illegally." Kelly said he would "do almost anything to deter the people from Central America getting on this very, very dangerous network." Kelly added that any children who crossed the border would be "well-cared for" by the government. The AP says that DHS officials "have been trying to curb the flow of families since 2014 when a flood of both children and families overwhelmed immigration officials." DHS has tried "launch[ing] a public relations campaign in Central America to warn about the dangers and advise families that there would be no free pass into the United States." The Huffington Post (3/6, Foley, 237K) reports Wolf Blitzer asked Kelly how separating children from parents would look "to the average person." Kelly said, "It's more important to me, Wolf, to try to keep people off of this awful network." The New York Post (3/6, Halper, 3.82M), CNN (3/6, Diaz, 29.79M), The Week (3/6, 2.41M), the Daily Beast (3/6, 1.11M), and TIME (3/6, 6.98M) also report on Kelly's comments on CNN.

Politico (3/6, Conway, 2.46M) says Kelly's statement "is likely to prompt a rebuke from Democrats and immigrant rights advocates." Reuters (3/6, Beech) reports that Rep. Henry Cuellar (D-TX) said, "Bottom line: separating mothers and children is wrong." Rep. Seth Moulton (D-MA) said on CNN's Situation Room (3/6, 554K) that the idea of separating children from their parents "sounds terribly inhumane."

Slate (3/6, 1.83M) reports in its "XX Factor" blog that the proposal is both "inhumane" and "untenable," because detention centers are "not prepared to take on that kind of surge in detainees."

CNN (3/6, 29.79M) also publishes the full interview with Secretary Kelly and Wolf Blitzer.

Immigration and Customs Enforcement:

MARYLAND POLICE ALLEGE WPOST EMPLOYEE IMPERSONATED ICE OFFICER. The Washington Post (3/6, Morse, 11.43M) reports that "an IT worker at The Washington Post impersonated a federal law enforcement officer in Northern Virginia and was seen wearing a ballistic vest bearing the label 'ICE' across the front, according to police allegations filed in Montgomery County District Court." Itai Ozderman, 35, of Gaithersburg, MD "was suspended by The Post on Monday, his attorney Thomas Degonia said." Ozderman "has not been charged with impersonating a federal officer, Degonia said," but the FBI "continues to probe his actions, according to police officials in Falls Church, Va., and to Maryland court records."

The FBI and SWAT last month, the Washington Examiner (3/6, Giaritelli, 400K) says, raided Ozderman's home, where they "recovered 10 weapons, including handguns, assault rifles and a shotgun." The Examiner adds, "the 35-year-old man also had body armor, weapon magazines, bullets and a working

police radio on hand at his home, according to a WJLA report."

WUSA-TV Washington (3/6, 70K) provides additional coverage on its website.

ARMY VETERAN FACES DEPORTATION. The Independent (UK) (3/6, York, 1.28M) reports that Army veteran Private 1st class Miguel Perez, who "was born in Mexico and grew up in Chicago," faces deportation to Mexico. Perez, a legal permanent resident, "served two tours in Afghanistan with the US military...where he suffered serious head injuries," and his family claims he suffers from post-traumatic stress disorder. Perez served a prison sentence for a drug offense after he left the military, which prompted deportation proceedings. Perez "is one of thousands of green card veterans who face deportation, according to the Ashley's Memory Project."

NORTH CAROLINA HIGH SCHOOL STUDENT FACES DEPORTATION AFTER EMBEZZLEMENT CHARGE. The Charlotte (NC) Observer (3/6, 656K) reports Charlotte high school student Gustavo "Gus" Zamudio "was charged last month with embezzling almost $3,000 from a Harris Teeter store" where he worked. Zamudio's arrest "appears to have made the Mexico native eligible for a stepped-up effort by the Trump administration to deport undocumented aliens with criminal records." The Observer notes that Mecklenburg County, where Zamudio lives, participates in the 287(g) program. Zamudio's attorney "said before his arrest, Zamudio had received protection under" DACA. The attorney "said the Trump administration is revoking DACA status at the time of arrest," rather than at the moment of conviction under the Obama Administration.

WBTV-TV Charlotte, NC (3/6, 214K) reports on its website that Zamudio's friends have started a GoFundMe page in attempt to raise $25,000 to help his family.

CALIFORNIA SHERIFFS CRITICAL OF STATE BILL PROHIBITING AGENCIES FROM "USING RESOURCES FOR IMMIGRATION ENFORCEMENT." The Los Angeles Times (3/6, 4.52M) reports that California "county sheriffs on Monday slammed a Senate bill that would prohibit state and local law enforcement agencies from using resources for immigration enforcement, saying it would cause their departments to lose federal funding and allow violent offenders to go free." In a press conference, the sheriffs "said they did not want to enforce immigration laws or target hardworking families and students in the country illegally. But they argued the pending legislation would restrict collaboration between law enforcement agencies at different levels of government when going after crime suspects."

The Sacramento (CA) Bee (3/6, 574K) reports Sacramento County Sheriff Scott Jones "said Monday that he believes pending legislation preventing state and local police agencies from using their resources to assist federal immigration authorities would be invalid because it conflicts with federal law." Jones added, "This is just the latest in the ill-conceived basket full of poor public safety legislation." Jones urged lawmakers to allow his department to "passively cooperate" with ICE agents in the county jail.

POLICE CHIEFS ARGUE "SANCTUARY" POLICIES KEEP CRIME DOWN. The Los Angeles Times (3/6, Wexler, 4.52M) reports many police chiefs across the country have raised concerns about "enhanced enforcement of federal immigration laws." The Times says "chiefs are afraid that such efforts will have the unintended consequence of actually increasing crime and making their communities less safe." A number of incidents in some "sanctuary cities" are highlighted as examples for their beliefs. This includes an undocumented man in Arizona holding another man that attempted to steal a car with children inside long enough for police to arrive and a Texas nun who runs a shelter for women, many of them undocumented, who are reporting the crimes against them and having offenders prosecuted. The article says these chiefs argue that there would be more crime if these immigrants had not stepped forward.

MIGRANT FAMILIES PREPARE SEPARATION PLANS. USA Today (3/6, Curnutte, 5.28M) focuses on the "wrenching discussions about living apart" that are being had by migrant families in the Cincinnati area. Families are "making separations plans," and reading literature on the subject that is handed out at immigrant rights rallies and prayer services. USA Today says some of the migrant families are considering moving to Canada, which is "perceived to be more immigrant-friendly."

MILWAUKEE JOURNAL SENTINEL ANALYSIS: DEPORTATION POLICY HITS WISCONSIN'S PRO-TRUMP DAIRY FARMERS HARD. According to the Milwaukee Journal Sentinel (3/6, Barrett, 513K), President Trump's deportation policy threatens the livelihood of the Wisconsin dairy farmers who overwhelmingly supported him. According to interviewed farmers, comprehensive immigration reform is necessary to address the program because native-born Americans are reluctant to take on the hard physical labor required by dairy farming.

Customs and Border Protection:

MULVANEY: BORDER WALL WILL COST $8 MILLION TO $25 MILLION PER MILE. The Washington Times (3/6, Dinan, 272K) reports that OMB Director Mulvaney said in a Monday interview that "President Trump's proposed border wall run anywhere from $8 million to $25 million a mile." Mulvaney, speaking on the Hugh Hewitt Show, "said the White House will ask for some money in the next couple of weeks but won't know the details of the cost and construction until it prepares its 2019 budget, which won't be for another year."

AFGHAN REFUGEE FAMILY DETAINED AT LA AIRPORT TO BE RELEASED. Reuters (3/6) reports an Afghan refugee family detained by immigration officials at the Los Angeles International Airport last week will be released on Monday, according to their attorney. The family was held despite having Special Immigrant Visas.

According to the AP (3/6), the father had worked for more than a decade with the US military. His lawyer, Rob Blulme, also noted the man "was assaulted and shot during his time" in Afghanistan. Separately, the AP (3/6, Press) also says Homeland Security officials still have not disclosed why the family was detained, though immigration advocates have "asserted in a court petition there was 'absolutely no justification whatsoever.'"

The Washington Post (3/6, Hauslohner, 11.43M) reports CBP on Monday "agreed under legal pressure to release the family without charge, but provided no justification for the family's detention."

CONSTRUCTION ON LOS INDIOS BORDER SAFETY INSPECTION FACILITY STALLS. The Rio Grande Valley (TX) Morning Star (3/6, 68K) reports construction on the $6.9 million Los Indios Border Safety Inspection Facility has stalled. The project started construction in February 2015, but it is now "eight months overdue." TxDOT spokesman Octavio Saez said, "Currently, there is a lengthy land donation process that must be completed prior to moving forward."

KHAN SPEECH IN TORONTO CANCELED DUE TO REPORTED REVIEW OF "TRAVEL PRIVILEGES." The Los Angeles Times (3/6, Tchekmedyian, 4.52M) reports, "Gold Star father Khizr Khan has canceled a scheduled speech in Toronto after being told his 'travel privileges are being reviewed,'" according to event organizer Ramsay Talks. It was "not immediately clear which government agency contacted him or what was under review." In a statement posted on Facebook, Khan, who is a naturalized US citizen, "said he was not told why his travel status was under review." The Military Times (3/6, Diamond, 734K) reports that Khan "planned to talk about his opposition of President Donald Trump and how others can join [in] opposition of the new president."

The Daily Beast (3/6, 1.11M) reports CBP spokespeople "did not explain what happened to Khan, but brushed away the notion that the father was told he could not go to Canada." Janice Mosher, with CBP public affairs said, "We don't do that. We're not going to review… no, no. ... It's not something we do."

Politico (3/6, McCaskill, 2.46M) provides additional coverage.

ARIZONA DIRECTOR OF PUBLIC SAFETY PASSED OVER FOR CBP COMMISSIONER. American Shipper (3/6) reports Arizona director of public safety Frank Milstead "was passed over for CBP commissioner by the Trump administration." American Shipper cites reporting by Arizona Public Media that said "former Pinal County Sheriff Paul Babeu" is being considered for the position. American Shipper adds, "The news suggests the first focus of a Trump administration Customs commissioner may be on

the border patrol and other aspects of immigration control."

CANADIAN CITIZEN BARRED FROM ENTERING US WITHOUT VISA. The Toronto (CAN) Sun (3/6, 57K) reports 30-year-old Manpreet Kooner of Montreal "says she was barred from entering the United States and told to get a valid visa if she ever wants to cross the border." Kooner "said she was turned away at a crossing along the Quebec-Vermont border on Sunday after a six-hour wait where she was fingerprinted, photographed and questioned before being refused." The Sun says there have been "several reports of Canadians encountering issues at the US border." A CBP spokeswoman "said Monday the department can't comment on individual admissibility inspections, but noted that possession of a valid travel document does not guarantee entry to the United States."

WCAX-TV Burlington, VT (3/6, 73K) reports on its website that Kooner "says she's been coming to the U.S. for years, but the 30-year-old says she was denied entry to the U.S. on Sunday despite having a passport."

NORTHERN BORDER TOWNS "ON EDGE" OVER ILLEGAL BORDER CROSSERS. KRDK-TV Fargo, ND (3/6, 18K) reports on its website that citizens living along the northern border "are concerned about the people trying to get out of the United States." The increase in traffic for illegal border crossers is impacting "farm fields stretching from the U.S into Canada." KRDK-TV says there have been "more than 60 people...caught this year alone."

Transportation Security Administration:

TSA INTRODUCES "ENHANCED" PAT-DOWN SCREENING PROCEDURE. NBC Nightly News (3/6, story 4, 2:10, Holt, 16.61M) reported the Transportation Security Administration's new "comprehensive" pat-downs for passengers is an effort to standardize the secondary screening process. The procedural change comes in response to the failure by TSA agents to detect fake firearms smuggled through checkpoints 95 percent of the time during a 2015 undercover test conducted by DHS.

According to the Los Angeles Times (3/6, Martin, 4.52M), TSA said the new policy will lessen "the cognitive burden for our officers and [reduce] the possibility for confusion with passengers and employees." TSA screeners are now allowed to use the front of their hands if a passenger sets off the full-body screening machine or refuses to go through the machine.

Bloomberg News (3/6, Bachman, 2.41M) focuses on the TSA's notification of law enforcement that passengers may find the procedure unusual, saying it "raises a question of just how intimate the agency's employees may get."

Fox News (3/6, 11.07M) reports TSA "says the new screening procedure is not expected to increase overall airport security delays though TSA pre-check passengers may also receive an enhanced pat-down." The Washington Post (3/6, Kunkle, 11.43M) reports that TSA "says the full, one-size-fits-all pat-down doesn't involve any different areas of the body that were frisked under the previous methods."

DAVIDSON: TSA DISPLAYING LACK OF TRANSPARENCY. In his column for the Washington Post (3/6, 11.43M), Joe Davidson recounts recent testimony by TSA acting Administrator Huban Gowadia in front of the House Oversight and Government Reform Committee. Davidson argues that the hearing showed TSA's "lack of transparency," a penchant for "whistleblower revenge," and "collusion to deny employee rights." Davidson says lawmakers from both parties "lambasted TSA's refusal to provide the independent Office of Special Counsel (OSC) all the documents needed for its whistleblower-retaliation investigations."

Federal Emergency Management Agency:

SEVERE WEATHER THREATENS MORE THAN 20 MILLION CENTRAL US RESIDENTS. ABC World News Tonight (3/6, story 8, 1:10, Muir, 14.63M) reported that severe weather posed a threat to 22 million central US residents, "from Arkansas all the way to Minnesota," on Monday night. A tornado watch was in

effect for parts of the latter state. NBC Nightly News (3/6, story 6, 0:20, Holt, 16.61M) reported that "some 23 million people" faced a severe central US weather threat on Monday night. The AP (3/6) reports forecasters said that in addition to Minnesota, tornadoes were also possible in Arkansas and Oklahoma.

FEMA: MORE THAN $300 MILLION IN POST-FLOOD PUBLIC ASSISTANCE HAS BEEN OBLIGATED TO LOUISIANA. The Baton Rouge (LA) Advocate (3/6, Hardy, 75K) reports a Monday FEMA announcement said $304.3 million worth of Public Assistance Program funds have been obligated since last summer's floods in Louisiana.

US Citizenship and Immigration Services:

CONTINUING COVERAGE: H-1B EXPEDITED PROCESSING SUSPENSION COULD IMPACT BUSINESSES. In continuing coverage, the Wall Street Journal (3/6, Ballhaus, Subscription Publication, 6.37M) reports on USCIS' temporary suspension of expedited processing for the H-1B visa. The Journal says that the suspension will begin April 3 and will last for six months, though it notes the suspension does not affect the annual lottery outcome.

Similarly, the San Jose (CA) Mercury News (3/6, May, 654K) says regular processing "can be painfully slow," and that the suspension "will not only affect new workers coming to the country on the H-1B program, but those who already hold an H-1B visa and are changing jobs within the country too," according to Seattle-based immigration attorney Tahmina Watson.

The Christian Science Monitor (3/6, Kauffman, 387K) cites USCIS as noting the suspension is necessary to manage the backlog of applications. This, however, has confused many "who point out that faster processing was cited as a reason for the premium option in the first place."

Many worry that the suspension is just "the first attempt to dismantle a worker pipeline program President Donald Trump pledged to eliminate while on the campaign trail," Yahoo! News (3/6, 8.62M) adds. The article adds that the suspension will force "businesses to pay a higher price for labor, due to higher demand for soon-to-be scarce H-1B workers," and that this is compounded by the travel ban that restricts travel of citizens from seven Muslim-majority nations into the US even if they hold an H-1B visa. CNBC (3/6, 2.17M) says, however, the suspension is "a relatively routine decision that's happened under administrations past." This time, the piece notes, "it is missing one key piece of information – a timeline – and that could impact businesses." Attorney Piyumi Samaratunga is quoted as saying, "At least last year, we knew that by May, the premium track would kick in. It's fair for them to want a month, because they get this flood of applications and go through the lottery process. Getting a month is reasonable. ... [Now] we don't know if it will be implemented in May or at all."

Additionally, The Guardian (UK) (3/6, Solon, 4.07M) reports that many foreign workers are being left "in limbo" due to the suspension. Boston-based immigration attorney Matthew Cameron is cited as saying, "A lot of massive companies rely upon [premium processing] every year for their hiring and budgeting schedules."

The announcement of the suspension resulted in shares of technology companies taking a dip on Monday, Reuters (3/6, Randewich) says. It notes most company shares, however, "recovered due to growing expectations among investors that any potential change to the H-1B visa program would happen via a lengthy legislative process and not through a quick executive order."

Doctors who also travel into the US for their residencies and who are "required to work in underserved areas," the Chicago Tribune (3/6, 2.54M) notes, will still be able to do so "but they might not be able to get them quickly enough to start working right after their residencies end this summer." The Association of American Medical Colleges executive vice president Dr. Atul Grover said, "Some of the most needy areas may lose out if they're actually recruiting practicing physicians to those areas."

Fast Company (3/6, 4.27M), American Bazaar (3/6), SiliconANGLE (3/6, 2K), and Quartz (3/6, 638K) provide similar coverage.

BUSINESSES CONCERNED ABOUT POSSIBLE CHANGES TO SEASONAL VISA PROGRAM. The Boston Globe (3/7, Fernandes, 1.08M) reports businesses are fearful that there could be upcoming changes to the H-2B seasonal worker visa program that might lead to a worker shortage.

POLL SHOWS 52% OF AMERICANS SEE RISK IN ADMITTING REFUGEES. The AP (3/6) details a new poll by the Associated Press-NORC Center for Public Affairs Research that found that 52 percent of respondents "say refugees pose a great enough risk to further limit their entry into the United States." The same poll found that "two-thirds of the respondents [say] the benefits of legal immigration generally outweigh the risks."

Immigration:

WPOST ANALYSIS: TRUMP INTENDS TO REMAKE IMMIGRATION POLICY TO MATCH "NATIONALIST IDEOLOGY." David Nakamura of the Washington Post (3/6, 11.43M) writes that President Trump and his top aides intend to "broadly remake US immigration policy to match a nationalist ideology that views large numbers of foreigners as harmful to US society." The President sees this as a means "to protect American workers," but his opponents charge that Trump "is pursuing restrictionist polices" that could harm the economy. US immigration policy has focused on reuniting families and aiding them in bringing relatives to the US, but Trump envisions a "merit-based" system that "would curtail entry to the country among foreigners who cannot 'support themselves financially.'"

Opinion: Merit-Based Immigration System Will Boost US Economy. In an op-ed for the Dallas Morning News (3/6, Malanga, Email, 1.12M), author and senior editor of City Journal Steven Malanga argues for a merit-based immigration system, and says any opposition to "skills-based immigration reform is political." Malanga opines that successful periods of immigration from US history were based on economic principles, and attracted immigrants "well-suited to our economic needs and job market." Malanga says creating a merit-based system, such as the one proposed by President Trump, is a "sensible, pro-immigration way to boost America's economy."

NYTIMES EXPLAINS THE "REALITY" OF US' UNDOCUMENTED POPULATION. In a nearly 2,500 word analysis, the New York Times (3/6, Subscription Publication, 13.9M) reports on the US' 11 million undocumented immigrants. The Times says 11 million individuals "allows for considerable range, crosshatched with contradictions." The Times details figures that show "almost a quarter" of undocumented immigrants in the US are "not even Hispanic," and figures from the Pew Research Center "found that adult unauthorized immigrants were, at the median, about a decade younger than American-born adults." The Migration Policy Institute found that around 60% of the "unauthorized population has been here for at least a decade," and just over 30% own homes. Figures from the Migration Policy Institute also say that around 3% of the undocumented population have committed felonies.

HARVARD SURGEON FROM ETHIOPIA RECOUNTS PERSONAL FULFILLMENT OF AMERICAN DREAM. In response to a picture of volunteers welcoming the last Syrian refugees at O'Hare Airport, PAVmed Inc. Chairman and CEO Dr. Lishan Aklog tells the story of her journey from Addis Ababa to her new life as the adopted daughter of Americans whose parents were immigrants in an op-ed for the Wall Street Journal (3/6, Subscription Publication, 6.37M) . She says her 20-year experience as a Harvard student, researcher, and surgeon; her marriage to an immigrant from Cape Verde; and her entrepreneurial initiatives exemplify the opportunities afforded by the American Dream.

WTIMES PROFILES MEXICO'S BILLIONAIRE ANTI-TRUMP CHAMPION. The Washington Times (3/6, Imison, 272K) profiles the "long vilified...corrupt oligarch, mega-billionaire" Carlos Slim, calling him an "unlikely champion" in Mexico as "one of President Trump's most high-profile antagonists." While he emerged from a December meeting with Trump reassured and avoids personal attacks, Slim has slammed the President's protectionist policies and border wall proposal. A poll by prominent Mexican daily El Universal found 20 percent of Mexicans think the billionaire is best placed to counter Trump, but prominent Slim critic Marco Levario Turcott calls the free-trade champion a hypocrite because "he owes his monopoly to corruption and government regulation."

Secret Service:

DEMOCRATIC SENATORS CALL ON TRUMP TO RELEASE WHITE HOUSE, MAR-A-LAGO VISITOR LOGS. Reuters (3/6, Harte) reports that eight Democratic senators have signed a letter urging President Trump "to release logs of visitors to the White House and Trump's Mar-a-Lago resort in Florida" in continuation of an Obama Administration policy "that made public the names of nearly six million visitors to the White House." While the White House did not respond to requests for comment, Reuters notes that the White House website has a "section entitled 'Visitor Access Records,'" which says "the page will post records of White House visitors on an ongoing basis, once they become available. It does not mention Mar-a-Lago."

Roll Call (3/6, Lesniewski, 63K) reports seven Senate Democrats, led by Sen. Sheldon Whitehouse (D-RI), "want to know if the Secret Service is running background check[s] on visitors to President Donald Trump's Mar-a-Lago resort." The Democrats "are asking Secret Service Deputy Director William J. Callahan about the procedures in place for Trump properties when the president is there and apparently conducting business."

AIRBNB RENTAL INSIDE TRUMP TOWER TAKEN DOWN. The New York Times (3/6, Subscription Publication, 13.9M) reports a rental listing for an apartment inside Trump tower through the website Airbnb was "taken down last week hours after The New York Times contacted Airbnb for comment." The Times says the apartment "had been available to rent since at least September." The Times notes that it is "unclear whether the Secret Service had known about the listing." Spokeswoman Catherine Milhoan said, "We don't comment on our protective operations."

The AP (3/6) reports renters who stayed at the apartment "were instructed to discreetly describe themselves as the apartment owner's guests." The guests were admitted "after presenting ID and undergoing security screening."

Fortune (3/6, 7.12M) reports similarly.

LANTANA AIRPORT TO REMAIN CLOSED DURING TRUMP VISITS. The AP (3/6) reports, "The businesses at a small Florida airport that the Secret Service orders closed each time President Donald Trump visits his Mar-a-Lago resort won't get any concessions." According to Reps. Lois Frankel (D-FL) and Ted Deutch (D-FL), the Secret Service "told Lantana Airport tenants during a closed-door meeting they cannot allow aircraft to take off from the facility."

VIRGINIA MAN CONVICTED OF THREATENING TO KILL OBAMA RUNNING FOR DELEGATE SEAT. On its website, WUSA-TV Washington (3/6, Valerio, 70K) reported, "Eight years after he emailed the Secret Service and threatened to kill President Barack Obama, a Northern Virginia man is now out of prison, equipped with enough signatures in at least one county to run for the House of Delegates." WUSA-TV said that Nathan Daniel Larson was sentenced "to 16 months in prison with three years of supervised release. After Larson served time" in prison and Gov. Terry McAuliffe (D) "restored his voting rights, the convicted felon decided early this year to run for" office. Under Virginia law, "voting rights are lost upon conviction of a felony. Eligibility to vote is a requirement to run for public office in the state. Larson intends to run for Virginia's 31st House District." A "self-proclaimed libertarian," Larson – who graduated from George Mason University in 2003 – "proposes the suppression of women's rights, including the right to vote."

National Protection and Programs:

NEW JERSEY LAWMAKERS CALL FOR MORE EQUITABLE DHS FUNDING TO PROTECT RELIGIOUS CENTERS. NJ News (3/6, 952K) reports New Jersey lawmakers Rep. Donald Norcross (D) and Sen. Cory Booker (D) are "call[ing] for more federal funding for the security of religious organizations" after recent bomb threats to Jewish centers. Norcross and Booker are also urging DHS to change its allocation of funds in the region. Booker "said funds distributed by [DHS] is allotted in a regional formula that favors Philadelphia and does not provide enough resources for New Jersey." Philly (PA) (3/6, 942K)

reports similarly on the story.

REAL ID COMPLIANCE BILL FAILS IN MINNESOTA SENATE. The Minneapolis Star Tribune (3/6, Golden, 1.27M) reports, "The Minnesota Senate on Monday voted down a bill meant to put the state in compliance with" the Real ID Act, "as a fight over immigration policy hampers the effort to ensure continued access to air travel for all residents." Senators from both parties "say they want to avoid" a situation in which state residents would need "a passport or special enhanced driver's license" to board flights or visit military facilities, "but both sides have also tried to use the Real ID legislation as a chance to clarify who should or shouldn't be able to get a Minnesota driver's license." The AP (3/6, Potter) reports, "A handful of Senate Republicans who view the federal law as government overreach combined with all 33 Senate Democrats to sink the legislation." Democrats "took issue with part of the bill that would have reiterated an existing state rule against issuing licenses to immigrants living in Minnesota illegally."

Terrorism Investigations:

LAWYERS SPAR OVER RELEASE OF EX-GITMO DETAINEE'S MENTAL HEALTH RECORDS. The Miami Herald (3/6, Rosenberg, 856K) reports defense lawyers and prosecutors in the case of Abd al Rahim Nashiri, who allegedly orchestrated the suicide bombing of the USS Cole, sparred over the release and use of the defendant's mental health records during a pre-trial hearing Monday. Prosecutor Army Col. John Wells asserted that CIA access to the records was necessary for a number of reasons, but defense attorney Mary Spears cited "force protection" and "therapeutic analysis" as reasons the records should be kept confidential. Wells called the supposition "a far-flung flight of the imagination." The CIA waterboarded and rectally abused the Saudi as of its "enhanced interrogation" procedures during his 2002-2006 detention by the agency at Guantanamo, and US military physicians said in 2013 that he suffered from post-traumatic stress disorder and depression.

NEW YORK MAN ARRESTED FOR SUPPORTING SYRIAN ISLAMIST GROUP, THREATENING MOTHER. The Associated Press (3/6) reports authorities arrested a man accused of attempting to join Islamists in Syria after he tried to remove his own tattoos with a knife and told his mother he would behead her. Prosecutors submitted the allegations Monday and requested the judge deny bail for Elvis Redzeagis, 26, from a New York City suburb. He was charged Saturday with attempting to provide material support to a foreign terrorist organization, and a lawyer says he has cooperated with the police and requires counseling.

NYPD PROPOSAL GIVES CIVILIAN MONITOR MORE OVERSIGHT IN MUSLIM SURVEILLANCE LAWSUIT. The New York Times (3/6, Apuzzo, Goldman, Subscription Publication, 13.9M) reports lawyers returned to the Manhattan Federal District Court Monday with a new proposed settlement to the lawsuit over the New York Police Department's surveillance of Muslims. The proposal gives more power to the civilian monitor, to be appointed by the mayor. The monitor would have the authority to raise questions about investigations and file annual reports on any objections. The settlement would also put safeguards that were removed after the September 11 attacks back in place.

MCCLATCHY TELLS STORY OF 9/11 FAMILIES SEEKING JUSTICE AGAINST SAUDI OFFICIALS. In a more than 4,500-word story, McClatchy (3/6, Rosen, 74K) details the process that began with the September 11, 2001 attacks and has led to current lobbying efforts by Saudi Arabia to nullify the JASTA legislation Congress passed in spite of former President Obama's veto last September. The story profiles some of the 70 families of 9/11 victims that refused the Congress compensation funds and are spearheading the effort to allow for the prosecution of foreign sovereigns. McClatchy also highlights the role of former Senate Intelligence Committee Chairman Bob Graham in examining possible ties between prominent Saudis and the 9/11 hijackers.

FEDS INVESTIGATE SEATTLE SHOOTING OF SIKH AS POSSIBLE HATE CRIME. According to ABC World News Tonight (3/6, story 9, 1:20, Muir, 14.63M), federal authorities are investigating the case of a gunman shooting a Seattle-area man outside his home as a possible hate crime. The shooter allegedly told the victim, a Sikh, to "get out of our country," said Kent Police Chief Ken Thomas. The Kent community has banded together, and the police department said it is using the "full force" to track down

the shooter. The victim has left the hospital and is recovering at home.

41 US AIRSTRIKES IN YEMEN IN LAST WEEK KILL FORMER GUANTANAMO INMATE, AL QAEDA OPERATIVES. AFP (3/6) reports a US airstrike in Yemen last week killed Yasir al-Silmi, a former Guantanamo Bay inmate, in part of increased efforts to combat Al Qaeda in the Arabian Peninsula, according to a statement by Pentagon spokesman Navy Cpt. Jeff Davis Monday. Davis says Silmi, accused of wanting to bomb US and NATO forces in Afghanistan, was not considered a "high-value" target. The March 2 strike also killed "long-time explosives expert" Usayd al-Adnani.

According to the New York Times (3/6, Schmitt, Subscription Publication, 13.9M), the tally of US airstrikes on southern and central Yemen in the past week totals 40, including a Monday overnight strike that killed seven al Qaeda fighters, said Davis. Comparing this to the 2012 total military airstrike count of 41, the Times quotes former US Ambassador to Yemen Gerald Feierstein calling the strikes "a reflection of growing concern about the reconstitution of A.Q.A.P in Yemen." Feierstein emphasized the importance of target identification, reliable intelligence, and near certainty of no collateral damage.

SENATORS TO MEET WITH FATHERS OF GREEN BERETS KILLED IN JORDANIAN AIR BASE ATTACK. Army Times (3/6, Myers, 306K) reports that at a news conference on Tuesday, Sens. Roy Blunt, Ted Poe, and Tulsi Gabbard will meet with the fathers of three Green Berets killed on Nov. 4 in Jordan last year. Sgt. 1st Class Matthew Lewellen, Staff Sgt. James Moriarty, and Staff Sgt. Kevin McEnroe were on a mission to train Jordanian troops when a Jordanian soldier attacked the King Faisal Air Base. The senators and the Green Berets' fathers will discuss developments in the investigation and the fathers' demands that the Jordanian government "account for the incident," according to a release announcing the scheduled news conference.

NYTIMES ANALYSIS: IRAN NUCLEAR DEAL COULD BE "GATEWAY" FOR TERRORISM SUITS. The New York Times (3/6, Savage, Subscription Publication, 13.9M) reports that over the past few decades, terrorism cases against Iran in American courts "came with little realistic expectation that Iran — which did not bother to contest the evidence — would actually pay all it owed, aside from its limited assets frozen in the United States." Now those cases are "colliding" with the Iran nuclear deal, and "in the first case of its kind," a group of attack victims who won a default judgments against Iran "has gone to a European court to try to enforce it." According to sources, a judge in Luxembourg "has quietly put a freeze on $1.6 billion in assets belonging to Iran's central bank." The Times warns that the Iran nuclear deal could be "undermined if any Iranian-linked assets in places like Europe were vulnerable to seizure to pay off the default judgments handed down by American courts."

Cyber News:

REPORT: RUSSIAN HACKERS TRYING TO EXTORT LIBERAL GROUPS. The New York Post (3/6, Moore, 3.82M) cites a Bloomberg News (3/6, Riley, 2.41M) report which said Russian hackers "are poaching embarrassing details from the emails of liberal organizations in the US and demanding hush-money payments of up to $150,000." According to Bloomberg, "at least a dozen groups – including the Center for American Progress and Arabella Advisors – have been contacted about extortion attempts since the presidential election." The hackers are demanding ransoms "from about $30,000 up to $150,000 – payable in untraceable bitcoins," and are sending "copies of the pilfered data" along with their demands.

NO RANSOM PAID TO RESOLVE CYBERATTACK OF PENNSYLVANIA SENATE DEMOCRATS. The AP (3/6) reports Pennsylvania Senate Minority Leader Jay Costa "said Monday that no ransom has been paid to resolve a cyberattack that shut down the caucus' network and prompted an FBI investigation." Senate Democrats' network "remained inaccessible Monday," including their email system. Costa is quoted saying, "Right now we have no intention of dealing with the demand."

COAST GUARD MID-ATLANTIC REGION TWITTER ACCOUNT HACKED. The AP (3/6) reports, "A U.S. Coast Guard spokesman says an invitation to meet for sex showed up on the mid-Atlantic region's Twitter account after it was hacked." Spokesman Nate Littlejohn "said that the account was compromised

Monday morning," and "officials were immediately alerted by a member of the news media and regained control of the account in five to 10 minutes." Officials "deleted the tweet and sent an apology 'for any unauthorized/offensive tweets.'"

NEW CYBERSECURITY REPORT HIGHLIGHTS PERSPECTIVE OF HACKERS, PENETRATION TESTERS. TechTarget (3/6, 96K) reports that a new cybersecurity report "attempted to highlight an underserved perspective: hackers and pen testers," rather than "IT professionals and vendors." One respondent is quoted saying, "The only difference between me and a terrorist is a piece of paper [a statement of work] making what I do legal. The attacks, the tools, the methodology; it's all the same." Nuix CISO Chris Pogue is quoted writing, "Some countermeasures that you think will...stop an attacker won't even slow them down. Other defensive techniques that you think are totally arbitrary actually have a tremendous impact on your defensive posture. ... We found that unequivocally, perception and reality are in desperate need of realignment."

FRENCH GOVERNMENT DROPS PLANS TO ALLOW OVERSEAS CITIZENS TO VOTE FOR LEGISLATURE ELECTRONICALLY. Reuters (3/6) reports the French government has abandoned plans to let citizens abroad vote in June legislative elections electronically "because of concern about the risk of cyber attacks, the Foreign Ministry said on Monday." France's National Cybersecurity Agency "believed there was an 'extremely high risk' of cyber attacks." The Foreign Ministry is quoted saying, "In that light, it was decided that it would be better to take no risk that might jeopardize the legislative vote for French citizens residing abroad."

OBAMA CYBER COMMISSION "NUDGING" NEW ADMINISTRATION TO MOVE FORWARD WITH RECOMMENDATIONS. The Hill (3/6, Chalfant, 1.25M) reports, "Members of a commission established under former President Barack Obama to examine the federal government's cybersecurity efforts are nudging the new Trump administration to move forward on its recommendations." Three commission members, including former Obama national security adviser Tom Donilon, "reiterated their call for more cooperation between the public and private sector and more leadership in the White House to spearhead efforts on cybersecurity" on Monday. Commission vice chair Sam Palmisano "said he has attended meetings at the White House to offer his input on cybersecurity policy."

Federal Computer Week (3/6, 263K) reports, "The almost-executed, then retracted and repeatedly revised cyber executive order from the Trump administration appears to be nearing completion." Palmisano, speaking at a Center for Strategic and International Studies panel, "said he would soon attend a meeting with Trump officials to discuss and provide feedback on the executive order." Palmisano is quoted saying, "So that means it's pretty far along if they're looking for some kind of feedback," and adding it could be finalized "maybe within a week or so."

TOUHILL: HACKERS HAVE VARIOUS MOTIVATIONS FOR TARGETING US. The Wall Street Journal (3/6, Subscription Publication, 6.37M) features a short video interview with retired general and former US chief information security officer Gregory Touhill, who talks about some of the motivations for hackers attacking the US. Some of the motivations include theft of trade secrets and military intelligence, or ideological reasons.

Countering Violent Extremism:

ISLAMIC THEOLOGY SCHOOL DECLINES CVE FUNDING DUE TO CONCERNS ABOUT TRUMP ADMINISTRATION. NBC News (3/6, 2.67M) reports that Los Angeles-area Islamic theology school Bayan Claremont "really could have used $800,000 federal grant money it was awarded from the outgoing Obama administration. But when time came to collect the funds from the Trump administration, the school chose to walk away with nothing." The institution spent money and staff time "perfecting an application for" the CVE Grant Program to fund "an ambitious two-year capacity building project" to "improve inter-religious cooperation, civic engagement, and social justice." Bayan Claremont President Jihad Turk is quoted saying, "We struggled with it, but the context is too acrimonious now, and the rhetoric against Muslims too alarming to work with this administration. ... Trump poisoned the well." A board member "said tension surrounding the grant decision was mounting and students began to feel that

they would be required to engage in community surveillance and self-policing, as a condition of the money."

National Security News:

US MILITARY SENDS TROOPS TO SYRIA'S MANBIJ FOR "DETERRENCE AND REASSURANCE." Reuters (3/6, Ali, Stewart) reports the US military deployed a small number of troops to Manbij to prevent heightened tensions between the US-backed Syrian Democratic Forces and Turkish-allied Syrian rebels from escalating into clashes. Pentagon spokesman Capt. Jeff Davis told reporters the deployment was intended to serve as a "visible sign of deterrence and reassurance," and the move was "the first time we've had to do something like this, which is to ensure that we are out there as a visible symbol that the enemy is cleared out of Manbij." He added, "There is not a need for others to advance on it in attempts to 'liberate'" Manbij.

The Military Times (3/6, Snow, 734K) reports Russian military forces backing Syrian President Bashar al-Assad are also present outside of Manbij, creating what Davis described as "obviously a really complicated situation." Turkey has launched a dual campaign against ISIS and the Kurdish fighters in its Operation Euphrates Shield, further challenging "Washington as it seeks to protect one ally while not provoking another." The deployment to Manbij is seemingly "a near-term fix and not necessarily tied to broader strategy," but it "highlights lingering questions about the Pentagon's long-term objectives there."

Meanwhile, Sharfan Darwish, the spokesman for the US-backed Syrian Democratic Forces' Manbij Military Council, told Reuters (3/6, Al-Khalidi) on Monday that the SDF handed five villages to Syrian government forces. The villages are located west of Manbij along the Turkish-backed rebel forces' front line against the US-backed militia, and fighting has centered along that front line since Wednesday. The SDF agreed to the handover on Thursday under an agreement brokered by Russia to preempt Turkish-allied forces from taking control of the city.

International Charity Releases Mental Health Survey Of Syrian Children. Reuters (3/6, Francis) reports the international charity Save the Children issued on Thursday what it described as "the largest mental health survey inside Syria during the war." In the report, the charity claimed two-thirds of Syrian children who have lost a loved one, been injured, or lost their home in the six-year conflict exhibited symptoms of severe emotional distress and lacked access to psychological support, in part because "parents themselves" are "struggling to cope." The charity warned that the children "are the next generation who will have to rebuild their shattered country," but if left untreated, their exposure to daily trauma could have long-term developmental health consequences. Those developmental problems render the children susceptible in adulthood to health problems like heart disease and depression.

LIBYAN MILITIAS SEEK TO CAPTURE BENGHAZI. The AP (3/6, Musa) reports Libyan militias that "occupied two key oil terminals last week said Monday they intend to take the eastern city of Benghazi and unseat Field Marshal Khalifa Hifter, who controls the area." Col. Mustafa Alsharksi, leader of the so-called Benghazi Defense Brigades, "said more than 3,000 men are poised to continue eastward now that they have taken over the oil terminals of al-Sidra and Ras Lanuf." Reuters (3/6, Al-Warfalli) says the move "risks reversing a recent recovery in Libya's oil production and reigniting conflict between military factions based in eastern and western Libya that have been fighting on and off for the past three years."

PROGRESS CONTINUES IN MOSUL AMID CONCERNS ABOUT IRANIAN-BACKED MILITIAS. Reuters (3/6, Coles, Chmaytelli) reports US-backed Iraqi forces seized al-Hurriya, the second of five bridges in Mosul, bolstering their campaign against ISIS. Additionally, Federal Police and Rapid Response units took control of the justice court and Nineveh police directorate buildings. The forces' successful reclamation of the area will enable troops to "attack the militants in the old city," constituting "a symbolic step toward restoring state authority over Mosul." Also on Monday, Iraq's foreign ministry expressed its "deep relief" over President Trump's removal of Iraq from his new executive order on immigration. In a statement, the ministry wrote, "The decision is an important step in the right direction, it consolidates the strategic alliance between Baghdad and Washington in many fields, and at their forefront war on terrorism."

In an interview with Holly Williams of the CBS Evening News (3/6, story 6, 2:05, Pelley, 11.17M), Iraqi Brig. Gen. Abbas al-Juburi estimated about 2,000 ISIS militants remain inside Mosul. "They don't have a chance," Al-Juburi said of the militants, but he added that just one explosives-laden suicide car bomb can "kill more than 10, 50 injuries." Williams reported, "The US military is also now inside Mosul," and the "camera-shy Marine Special Operations team was 600 yards from the front line." She added that children in western Mosul "don't flinch at the sound of gunfire in a city smashed beyond recognition," a "price they're paying here in Iraq to defeat ISIS."

The Washington Times (3/6, Muñoz, 272K) reports Pentagon spokesman Capt. Jeff Davis did not suggest a time line for ISIS' defeat in western Mosul, but he said US-backed Iraq forces have thus far seized more than 1,500 square miles of territory previously held by the militants. ISIS cells deep inside western Mosul still confront the ground commanders with "stiff resistance" in the form of suicide bombings, armed commercial drones, and sniper and mortar fire. The US and Iraqi commanders are also concerned over the militants' possible use of chemical weapons against the advancing forces. International Red Cross officials claimed 15 civilians received treatment last week for toxic chemical agents exposure.

Fox News' Special Report (3/6, 1.53M) reported that as the progress against ISIS continues in Mosul, "questions are being asked about who gains influence in the aftermath. Shiite militias backed by Iran have played a major role in the battle, with over 100,000 soldiers swelling their ranks. But among them are groups who have fought against and killed US forces." Civilians who fled the city have accused the Shiite militiamen of committing war crimes. In video footage, former Iraqi Vice President Ayad Allawi asserted, "We are paying the price for relying on others, including the growth of the militias," and "that Iranian influence did need to be addressed and soon."

PENTAGON CONFIRMS CHINA'S MILITARY PRESENCE IN AFGHANISTAN. The Military Times (3/5, Snow, 734K) reported Sunday night that photographs published in 2016 seemingly depict Chinese military vehicles in Afghanistan's border region of Little Pamir. China and Afghanistan denied that their militaries have conducted joint counterterrorism patrols in Afghanistan, but "mounting evidence" suggests "Chinese ground troops are operating inside Afghanistan." That evidence elicited "speculation that Beijing is preparing to play a significantly greater role in the country's security" after the US and NATO withdraw. A Pentagon spokesman remarked, "We know that" the Chinese troops "are there, that they are present," but declined discuss the matter further. China's exact role in Afghanistan remains unclear, but analysts suggested security and commerce as possible motives for the mutually-beneficial partnership.

NORTH KOREA: MISSILE LAUNCHES SIMULATE ATTACK ON US BASES IN JAPAN. ABC World News Tonight (3/6, story 6, 0:25, Muir, 14.63M) reported briefly that North Korea, in "a new provocation," fired "four missiles from a launch site on its west coast" on Monday. One of the missiles traveled 600 miles, "landing in the Sea of Japan." According to the CBS Evening News (3/6, story 7, 2:00, Pelley, 11.17M), North Korea called the launches "a simulation of an attack on US military bases in Japan." CBS (Martin) added, "At first, US satellites detected only one launch. Later, analysts concluded North Korea had actually fired five medium-range missiles simultaneously. One failed in the first minute." According to CBS, the launches "caught US intelligence by surprise." Reuters (3/6, Park, Kim) reports Kim Jong-un was on hand to supervise Monday's launches, North Korea's official news agency said Tuesday.

NBC Nightly News (3/6, story 7, 1:55, Holt, 16.61M) said the White House called the launch "a provocation, as a top US defense official confirm[ed] to NBC News that a major policy review is under way to confront and contain the threat of North Korea's missiles and nuclear weapons." Reuters (3/7, Kaneko) reports President Trump told Japanese Prime Minister Shinzo Abe that the US was with Japan "100 percent" during a phone call Monday, and Reuters (3/6) reports Trump also "discussed plans to respond to North Korea's recent missile launches" with acting South Korean President Hwang Kyo-ahn. The Washington Times (3/6, Taylor, 272K) reports State Department spokesman Mark Toner told reporters that US officials "are prepared to use the full range of capabilities at our disposal against this growing threat."

The AP (3/6, Pennington) says the latest launches "put new pressure on a preoccupied Trump

administration Monday to identify how it will counter" Pyongyang's "weapons development." According to the Wall Street Journal (3/6, Cheng, Gale, Subscription Publication, 6.37M), Monday's launches put North Korea closer toward it's goal of launching an intercontinental ballistic missile, a point also made by the New York Times (3/6, Rich, Subscription Publication, 13.9M), which says the "apparent success of four simultaneous missile launchings...raised new alarms about the threat to its neighbors and its progress toward developing an ability to overcome their ballistic missile defense systems, including those that have yet to be deployed."

One day after the latest launches, the AP (3/6, Tong-Hyung) reports the US and South Korean militaries announced that "missile launchers and other equipment needed to set up a controversial missile defense system have arrived in South Korea." Plans to deploy the Terminal High-Altitude Area Defense system, or THAAD, by the end of this year "have angered not only North Korea, but also China and Russia," but Adm. Harry Harris, head of the US Pacific Command, said in a statement that "continued provocative actions by North Korea, to include yesterday's launch of multiple missiles, only confirm the prudence of our alliance decision last year to deploy THAAD to South Korea." The Washington Post (3/6, Fifield, 11.43M), however, says the THAAD system "would have difficulty intercepting four missiles launched at the same time," similar to Monday's test by the North.

North Korea, Malaysia Bar Each Others' Nationals From Leaving. The Washington Times (3/6, Morton, 272K) reports Malaysia and North Korea are "now effectively in a mutual hostage situation as each nation Tuesday barred the others' nationals from leaving." The two nations have been in engaged in an "escalating diplomatic feud" since assassins killed Kim Jong-un's half-brother in Kuala Lumpur, and "matters turned worse Tuesday as, according to the Korean Central News Agency, Pyongyang summoned Malaysia's ambassador to tell him that none of his countrymen could leave North Korea." Malaysia "immediately reciprocated." The New York Times (3/6, Paddock, Subscription Publication, 13.9M) reports North Korea's ambassador left Malaysia on Monday "after he was ordered expelled for making disparaging remarks about the country and challenging its motives in investigating the killing of Kim Jong-nam,."

STATE DEPARTMENT POSTPONES FIRST PRESS BRIEFING UNDER TRUMP. The Washington Times (3/6, Taylor, 272K) reports the State Department on Monday "postponed a highly anticipated news briefing," telling reporters it would not be held because Secretary of State Tillerson and other Administration officials were appearing before media at the roll out of President Trump's revised immigration order. The Times notes that while the White House has held daily press briefings since just after Trump was inaugurated, the State Department, "which has held such briefings on weekdays for decades, has not had one for more than six weeks." The Department's press office "said it now intends to hold the briefing on Tuesday at 2 p.m."

KREMLIN: "HYSTERIA" HURTING US-RUSSIAN RELATIONS. Politico (3/6, Quigley, 2.46M) reports Kremlin spokesman Dmitry Peskov told CNN on Monday that "hysteria" in the US media and in Washington is hurting the relationship between the two countries. "(It's) high time for someone in the States to think, 'Are we that weak that a country can interfere in our domestic affairs and influence our electoral system?'" said Peskov. "This is unimaginable and someone has to say, all this is not true. We have to be sober, let's come to our minds." He insisted that Russia did not have "the slightest intention to interfere."

IRANIAN FAST BOATS APPROACH US SHIP IN STRAIT OF HORMUZ. The AP (3/6, Baldor) reports a US Navy official said Monday that an American ship was "forced to change course and move out of the way of Iranian fast boats while moving through the Strait of Hormuz during the weekend, in what has become a frequent occurrence there." No warning shots or flares were fired, but the US official said the Iranian boats tried to get between the US and other ships, coming within about 600 yards of the USNS Invincible. Reuters (3/6, Ali) reports Pentagon spokesman Captain Jeff Davis told reporters that dangerous interactions were a matter of concern because they could lead to a "miscalculation or an accidental provocation." The Washington Post (3/6, Morello, 11.43M) says the "apparent harassment of the USS Invincible...came amid Iranian state media reports that Iran had tested its newly acquired S-300 missile air defense system that is designed to intercept incoming missiles."

IAEA Chief: UN Expects US Cooperation On Iran Nuclear Deal. The AP (3/6) reports IAEA chief Yukiya Amano said Monday that "he emphasized the benefits "of the Iranian nuclear deal during a meeting last week with Secretary of State Tillerson and said "he is confident his message was heard." Amano said he told Tillerson that because of the deal the IAEA now has the "strongest verification" tools to monitor Tehran's atomic activities, and that he is confident of "very good cooperation" with the US on Iran.

EUROPE MULLING ITS OWN NUCLEAR WEAPONS PROGRAM. The New York Times (3/6, Fisher, Subscription Publication, 13.9M) reports that "an idea, once unthinkable, is gaining attention in European policy circles: a European Union nuclear weapons program." Under the plan, France's arsenal would be "repurposed to protect the rest of Europe and would be put under a common European command, funding plan, defense doctrine, or some combination of the three." However, it would be enacted "only if the Continent could no longer count on American protection." The Times says such a move "would amount to an unprecedented escalation in Europe's collective military power and a drastic break with American leadership."

EU Approves New Military Training Headquarters. The New York Times (3/6, Kanter, Subscription Publication, 13.9M) reports members of the EU reached a deal on Monday to create a headquarters for military training operations after "setting aside, at least for now, concerns that the step might lead to the establishment of a 'European army' to rival NATO." France and Germany support the proposal, Britain "has long opposed anything that resembled a European military command." However, Britain's vote to leave the EU "altered the dynamic of the debate." British Defense Minister Michael Fallon urged the EU "to cooperate more closely with NATO to avoid unnecessary duplication and structures."

GERMANY REJECTS ERDOGAN'S "ABSURD" NAZI COMPARISON. Reuters (3/6, Shalal) reports Germany on Monday rejected as "absurd" Turkish President Tayyip Erdogan's "comparison of its ban on several rallies to the Nazi era, but it also stressed the importance of ties between the two NATO allies in an attempt to defuse an escalating war of words." Erdogan, angered by the cancellation of "several political rallies aimed at drumming up support among Germany's large ethnic Turkish population for his plans to overhaul Turkey's constitution," accused Germany of "fascist actions" reminiscent of the Nazi era. The New York Times (3/6, Smale, Kingsley, Subscription Publication, 13.9M) reports that ahead of Turkey's April referendum, Erdogan's campaign in Germany "has put Chancellor Angela Merkel's government in a deeply awkward position." Asked Monday about Erdogan's comments, Merkel told reporters, "One can't even really seriously comment on such misplaced statements."

WPOST A1: FAR-RIGHT WEBSITES EXPAND THROUGHOUT EUROPE AHEAD OF KEY ELECTIONS. On its front page, the Washington Post (3/6, A1, Birnbaum, 11.43M) reports on the growing number of European-based news websites focused "on the perils of open borders, immigration and international alliances." Most of the websites "tend to have opaque ownership structures, making it difficult to ascertain who is behind them," and nearly all of the sites are "universally pro-Russian in tone." In France, far-right news websites "have taken aim at whichever candidate appears most likely to challenge" presidential candidate Marine Le Pen, and in Germany and Austria, around 30 similar German-language sites are currently operating. Timon Dias, the founder of the two-month-old Dutch political website Gatestone Europe, said the site's editors "want people to learn what's happening in Europe and vote accordingly, especially ahead of elections this year." Dias' website and several similar projects are "being supported by Americans" linked to President Trump, but other sites are registered in Russia.

FRANCE'S CONSERVATIVE REPUBLICANS UNITE BEHIND FILLON. On Monday, France's conservative Republicans discussed presidential candidate and former prime minister Francois Fillon, accused of misusing public funds to "lavishly" pay his wife "for doing little work as his parliamentary assistant," Reuters (3/6, Louet, Canellas) reports. Despite "an overwhelming majority" of voters' calls for Fillon to step aside in favor of former prime minister Alain Juppe, Senate leader Gerard Larcher told reporters after the meeting, "The Republicans are united around Francois Fillon," and "The debate is over." Party chief Bernard Accoyer added that the party is re-launching Fillon's campaign, and Juppe announced he would not challenge Fillon. The value of the euro fell after Juppe's announcement, and the allegations against Fillon have "rattled foreign investors who fear it could boost far-right leader Marine Le

Pen's election chances." Polls indicated "Juppe would have beaten Le Pen more easily in the second round than Fillon." After the secret party meeting, Fillon appeared "unfazed," but Juppe called the Republicans' decision "a waste" of the party's chances.

SOUTH KOREAN PROSECUTORS DETAIL FINDINGS OF POLITICAL CORRUPTION INVESTIGATION. The Wall Street Journal (3/6, Martin, Jeong, Subscription Publication, 6.37M) reports South Korean special prosecutors, lead by Park Young-soo, released a 99-page report on Monday that detailed the goings-on of their 90-day corruption investigation into President Park Geun-hye, Park's confidante Choi Soon-sil, Samsung heir apparent Lee Jae-yong, and dozens of others suspected of involvement in the political scandal. The document revealed prosecutors' 122-person team questioned Lee four times, indicted 30 people, conducted 46 raids, and examined 16 terabytes of data from more than 900 seized electronic devices.

The Washington Post (3/6, Fifield, Seo, 11.43M) reports the "damning" review claimed Park and Choi called each other 573 times during a six-month period last year on cellphones registered under other names. The document "also brought to light extraordinary tales of million-dollar horses given as bribes and Botox injections administered in the presidential Blue House." Prosecutors accused Park of blacklisting nearly 9,500 left-leaning artists critical of her administration, effectively preventing "them from receiving government grants for their work." The prosecutors recommended five additional charges against Park, bringing the total number to 13. South Korea's Constitutional Court will announce on Tuesday the date that it expects to deliver a verdict on whether to impeach Park. Park cannot be indicted while in office but she can be impeached, and she has neither agreed to resign nor complied with special prosecutors' calls to question her.

Furthermore, the New York Times (3/6, Sang-Hun, Subscription Publication, 13.9M) reports, special prosecutor Park accused the president and Choi of conspiring to take $38 million in bribes from Samsung's Lee in exchange for political favors. Most notably, the prosecutors alleged the president's aides forced the government-controlled National Pension Service in 2015 to vote in favor of a merger between two Samsung affiliates. The NPS is a major shareholder at the two affiliate companies, and the merger helped Lee inherit corporate control of the Samsung conglomerate. On Monday, Samsung issued a statement in which it denied prosecutor Park's claims, and President Park's attorney, Yu Young-ha, called the investigation "politically biased" and unfair. He also labeled the newly-added bribery charge against Park "an absurd fiction."

To keep the email to a manageable size, the national news summary is available on the website.

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TO: THE SECRETARY AND SENIOR STAFF

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LEADING DHS NEWS

The Full Text Of The Trump Administration's New Travel Ban Executive Order

Washington Post, March 6, 2017

President Trump signed a new executive order on Monday that bans individuals from six majority-Muslim countries from seeking new visas to the United States. Here is the full text of the order:

THE WHITE HOUSE
Office of the Press Secretary
FOR IMMEDIATE RELEASE
March 6, 2017
EXECUTIVE ORDER
– – – – – – –

FOIA CBP 001106

PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 et seq., and section 301 of title 3, United States Code, and to protect the Nation from terrorist activities by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Policy and Purpose. (a) It is the policy of the United States to protect its citizens from terrorist attacks, including those committed by foreign nationals. The screening and vetting protocols and procedures associated with the visa-issuance process and the United States Refugee Admissions Program (USRAP) play a crucial role in detecting foreign nationals who may commit, aid, or support acts of terrorism and in preventing those individuals from entering the United States. It is therefore the policy of the United States to improve the screening and vetting protocols and procedures associated with the visa-issuance process and the USRAP.

(b) On January 27, 2017, to implement this policy, I issued Executive Order 13769 (Protecting the Nation from Foreign Terrorist Entry into the United States).

(i) Among other actions, Executive Order 13769 suspended for 90 days the entry of certain aliens from seven countries: Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. These are countries that had already been identified as presenting heightened concerns about terrorism and travel to the United States. Specifically, the suspension applied to countries referred to in, or designated under, section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), in which Congress restricted use of the Visa Waiver Program for nationals of, and aliens recently present in, (A) Iraq or Syria, (B) any country designated by the Secretary of State as a state sponsor of terrorism (currently Iran, Syria, and Sudan), and (C) any other country designated as a country of concern by the Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence. In 2016, the Secretary of Homeland Security designated Libya, Somalia, and Yemen as additional countries of concern for travel purposes, based on consideration of three statutory factors related to terrorism and national security: "(I) whether the presence of an alien in the country or area increases the likelihood that the alien is a credible threat to the national security of the United States; (II) whether a foreign terrorist organization has a significant presence in the country or area; and (III) whether the country or area is a safe haven for terrorists." 8 U.S.C. 1187(a)(12)(D)(ii). Additionally, Members of Congress have expressed concerns about screening and vetting procedures following recent terrorist attacks in this country and in Europe.

(ii) In ordering the temporary suspension of entry described in subsection (b)(i) of this section, I exercised my authority under Article II of the Constitution and under section 212(f) of the INA, which provides in relevant part: "Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate." 8 U.S.C. 1182(f). Under these authorities, I determined that, for a brief period of 90 days, while existing screening and vetting procedures were under review, the entry into the United States of certain aliens from the seven identified countries — each afflicted by terrorism in a manner that compromised the ability of the United States to rely on normal decision-making procedures about travel to the United States — would be detrimental to the interests of the United States. Nonetheless, I permitted the Secretary of State and the Secretary of Homeland Security to grant case-by-case waivers when they determined that it was in the national interest to do so.

(iii) Executive Order 13769 also suspended the USRAP for 120 days. Terrorist groups have sought to infiltrate several nations through refugee programs. Accordingly, I temporarily suspended the USRAP pending a review of our procedures for screening and vetting refugees. Nonetheless, I permitted the Secretary of State and the Secretary of Homeland Security to jointly grant case-by-case waivers when they determined that it was in the national interest to do so.

(iv) Executive Order 13769 did not provide a basis for discriminating for or against members of any particular religion. While that order allowed for prioritization of refugee claims from members of persecuted religious minority groups, that priority applied to refugees from every nation, including those in which Islam is a minority religion, and it applied to minority sects within a religion. That order was not motivated by animus toward any religion, but was instead intended to protect the ability of religious minorities — whoever they are and wherever they reside — to avail themselves of the USRAP in light of their particular challenges and circumstances.

(c) The implementation of Executive Order 13769 has been delayed by litigation. Most significantly, enforcement of critical provisions of that order has been temporarily halted by court orders that apply nationwide and extend even to foreign nationals with no prior or substantial connection to the United States. On February 9, 2017, the United States Court of Appeals for the Ninth Circuit declined to stay or narrow one such order pending the outcome of further judicial proceedings, while noting that the "political branches are far better equipped to make appropriate distinctions" about who

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should be covered by a suspension of entry or of refugee admissions.

(d) Nationals from the countries previously identified under section 217(a)(12) of the INA warrant additional scrutiny in connection with our immigration policies because the conditions in these countries present heightened threats. Each of these countries is a state sponsor of terrorism, has been significantly compromised by terrorist organizations, or contains active conflict zones. Any of these circumstances diminishes the foreign government's willingness or ability to share or validate important information about individuals seeking to travel to the United States. Moreover, the significant presence in each of these countries of terrorist organizations, their members, and others exposed to those organizations increases the chance that conditions will be exploited to enable terrorist operatives or sympathizers to travel to the United States. Finally, once foreign nationals from these countries are admitted to the United States, it is often difficult to remove them, because many of these countries typically delay issuing, or refuse to issue, travel documents.

(e) The following are brief descriptions, taken in part from the Department of State's Country Reports on Terrorism 2015 (June 2016), of some of the conditions in six of the previously designated countries that demonstrate why their nationals continue to present heightened risks to the security of the United States:

(i) Iran. Iran has been designated as a state sponsor of terrorism since 1984 and continues to support various terrorist groups, including Hizballah, Hamas, and terrorist groups in Iraq. Iran has also been linked to support for al-Qa'ida and has permitted al-Qa'ida to transport funds and fighters through Iran to Syria and South Asia. Iran does not cooperate with the United States in counterterrorism efforts.

(ii) Libya. Libya is an active combat zone, with hostilities between the internationally recognized government and its rivals. In many parts of the country, security and law enforcement functions are provided by armed militias rather than state institutions. Violent extremist groups, including the Islamic State of Iraq and Syria (ISIS), have exploited these conditions to expand their presence in the country. The Libyan government provides some cooperation with the United States' counterterrorism efforts, but it is unable to secure thousands of miles of its land and maritime borders, enabling the illicit flow of weapons, migrants, and foreign terrorist fighters. The United States Embassy in Libya suspended its operations in 2014.

(iii) Somalia. Portions of Somalia have been terrorist safe havens. Al-Shabaab, an al-Qa'ida-affiliated terrorist group, has operated in the country for years and continues to plan and mount operations within Somalia and in neighboring countries. Somalia has porous borders, and most countries do not recognize Somali identity documents. The Somali government cooperates with the United States in some counterterrorism operations but does not have the capacity to sustain military pressure on or to investigate suspected terrorists.

(iv) Sudan. Sudan has been designated as a state sponsor of terrorism since 1993 because of its support for international terrorist groups, including Hizballah and Hamas. Historically, Sudan provided safe havens for al-Qa'ida and other terrorist groups to meet and train. Although Sudan's support to al-Qa'ida has ceased and it provides some cooperation with the United States' counterterrorism efforts, elements of core al-Qa'ida and ISIS-linked terrorist groups remain active in the country.

(v) Syria. Syria has been designated as a state sponsor of terrorism since 1979. The Syrian government is engaged in an ongoing military conflict against ISIS and others for control of portions of the country. At the same time, Syria continues to support other terrorist groups. It has allowed or encouraged extremists to pass through its territory to enter Iraq. ISIS continues to attract foreign fighters to Syria and to use its base in Syria to plot or encourage attacks around the globe, including in the United States. The United States Embassy in Syria suspended its operations in 2012. Syria does not cooperate with the United States' counterterrorism efforts.

(vi) Yemen. Yemen is the site of an ongoing conflict between the incumbent government and the Houthi-led opposition. Both ISIS and a second group, al-Qa'ida in the Arabian Peninsula (AQAP), have exploited this conflict to expand their presence in Yemen and to carry out hundreds of attacks. Weapons and other materials smuggled across Yemen's porous borders are used to finance AQAP and other terrorist activities. In 2015, the United States Embassy in Yemen suspended its operations, and embassy staff were relocated out of the country. Yemen has been supportive of, but has not been able to cooperate fully with, the United States in counterterrorism efforts.

(f) In light of the conditions in these six countries, until the assessment of current screening and vetting procedures required by section 2 of this order is completed, the risk of erroneously permitting entry of a national of one of these countries who intends to commit terrorist acts or otherwise harm the national security of the United States is unacceptably high. Accordingly, while that assessment is ongoing, I am imposing a temporary pause on the entry of nationals from Iran, Libya, Somalia, Sudan, Syria, and Yemen, subject to categorical exceptions and case-by-case waivers, as described in section 3 of this order.

(g) Iraq presents a special case. Portions of Iraq remain active combat zones. Since 2014, ISIS has had dominant influence over significant territory in northern and central Iraq. Although that influence has been significantly reduced due to the efforts and sacrifices of the Iraqi government and armed

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forces, working along with a United States-led coalition, the ongoing conflict has impacted the Iraqi government's capacity to secure its borders and to identify fraudulent travel documents. Nevertheless, the close cooperative relationship between the United States and the democratically elected Iraqi government, the strong United States diplomatic presence in Iraq, the significant presence of United States forces in Iraq, and Iraq's commitment to combat ISIS justify different treatment for Iraq. In particular, those Iraqi government forces that have fought to regain more than half of the territory previously dominated by ISIS have shown steadfast determination and earned enduring respect as they battle an armed group that is the common enemy of Iraq and the United States. In addition, since Executive Order 13769 was issued, the Iraqi government has expressly undertaken steps to enhance travel documentation, information sharing, and the return of Iraqi nationals subject to final orders of removal. Decisions about issuance of visas or granting admission to Iraqi nationals should be subjected to additional scrutiny to determine if applicants have connections with ISIS or other terrorist organizations, or otherwise pose a risk to either national security or public safety.

(h) Recent history shows that some of those who have entered the United States through our immigration system have proved to be threats to our national security. Since 2001, hundreds of persons born abroad have been convicted of terrorism-related crimes in the United States. They have included not just persons who came here legally on visas but also individuals who first entered the country as refugees. For example, in January 2013, two Iraqi nationals admitted to the United States as refugees in 2009 were sentenced to 40 years and to life in prison, respectively, for multiple terrorism-related offenses. And in October 2014, a native of Somalia who had been brought to the United States as a child refugee and later became a naturalized United States citizen was sentenced to 30 years in prison for attempting to use a weapon of mass destruction as part of a plot to detonate a bomb at a crowded Christmas-tree-lighting ceremony in Portland, Oregon. The Attorney General has reported to me that more than 300 persons who entered the United States as refugees are currently the subjects of counterterrorism investigations by the Federal Bureau of Investigation.

(i) Given the foregoing, the entry into the United States of foreign nationals who may commit, aid, or support acts of terrorism remains a matter of grave concern. In light of the Ninth Circuit's observation that the political branches are better suited to determine the appropriate scope of any suspensions than are the courts, and in order to avoid spending additional time pursuing litigation, I am revoking Executive Order 13769 and replacing it with this order, which expressly excludes from the suspensions categories of aliens that have prompted judicial concerns and which clarifies or refines the approach to certain other issues or categories of affected aliens.

Sec. 2. Temporary Suspension of Entry for Nationals of Countries of Particular Concern During Review Period. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall conduct a worldwide review to identify whether, and if so what, additional information will be needed from each foreign country to adjudicate an application by a national of that country for a visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual is not a security or public-safety threat. The Secretary of Homeland Security may conclude that certain information is needed from particular countries even if it is not needed from every country.

(b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the worldwide review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed from each country for adjudications and a list of countries that do not provide adequate information, within 20 days of the effective date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State, the Attorney General, and the Director of National Intelligence.

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening and vetting of foreign nationals, to ensure that adequate standards are established to prevent infiltration by foreign terrorists, and in light of the national security concerns referenced in section 1 of this order, I hereby proclaim, pursuant to sections 212(f) and 215(a) of the INA, 8 U.S.C. 1182(f) and 1185(a), that the unrestricted entry into the United States of nationals of Iran, Libya, Somalia, Sudan, Syria, and Yemen would be detrimental to the interests of the United States. I therefore direct that the entry into the United States of nationals of those six countries be suspended for 90 days from the effective date of this order, subject to the limitations, waivers, and exceptions set forth in sections 3 and 12 of this order.

(d) Upon submission of the report described in subsection (b) of this section regarding the information needed from each country for adjudications, the Secretary of State shall request that all foreign governments that do not supply such information regarding their nationals begin providing it within 50 days of notification.

(e) After the period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State and the Attorney General, shall submit to the President a list of countries

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recommended for inclusion in a Presidential proclamation that would prohibit the entry of appropriate categories of foreign nationals of countries that have not provided the information requested until they do so or until the Secretary of Homeland Security certifies that the country has an adequate plan to do so, or has adequately shared information through other means. The Secretary of State, the Attorney General, or the Secretary of Homeland Security may also submit to the President the names of additional countries for which any of them recommends other lawful restrictions or limitations deemed necessary for the security or welfare of the United States.

(f) At any point after the submission of the list described in subsection (e) of this section, the Secretary of Homeland Security, in consultation with the Secretary of State and the Attorney General, may submit to the President the names of any additional countries recommended for similar treatment, as well as the names of any countries that they recommend should be removed from the scope of a proclamation described in subsection (e) of this section.

(g) The Secretary of State and the Secretary of Homeland Security shall submit to the President a joint report on the progress in implementing this order within 60 days of the effective date of this order, a second report within 90 days of the effective date of this order, a third report within 120 days of the effective date of this order, and a fourth report within 150 days of the effective date of this order.

Sec. 3. Scope and Implementation of Suspension.

(a) Scope. Subject to the exceptions set forth in subsection (b) of this section and any waiver under subsection (c) of this section, the suspension of entry pursuant to section 2 of this order shall apply only to foreign nationals of the designated countries who:

(i) are outside the United States on the effective date of this order;

(ii) did not have a valid visa at 5:00 p.m., eastern standard time on January 27, 2017; and

(iii) do not have a valid visa on the effective date of this order.

(b) Exceptions. The suspension of entry pursuant to section 2 of this order shall not apply to:

(i) any lawful permanent resident of the United States;

(ii) any foreign national who is admitted to or paroled into the United States on or after the effective date of this order;

(iii) any foreign national who has a document other than a visa, valid on the effective date of this order or issued on any date thereafter, that permits him or her to travel to the United States and seek entry or admission, such as an advance parole document;

(iv) any dual national of a country designated under section 2 of this order when the individual is traveling on a passport issued by a non-designated country;

(v) any foreign national traveling on a diplomatic or diplomatic-type visa, North Atlantic Treaty Organization visa, C-2 visa for travel to the United Nations, or G-1, G-2, G-3, or G-4 visa; or

(vi) any foreign national who has been granted asylum; any refugee who has already been admitted to the United States; or any individual who has been granted withholding of removal, advance parole, or protection under the Convention Against Torture.

(c) Waivers. Notwithstanding the suspension of entry pursuant to section 2 of this order, a consular officer, or, as appropriate, the Commissioner, U.S. Customs and Border Protection (CBP), or the Commissioner's delegee, may, in the consular officer's or the CBP official's discretion, decide on a case-by-case basis to authorize the issuance of a visa to, or to permit the entry of, a foreign national for whom entry is otherwise suspended if the foreign national has demonstrated to the officer's satisfaction that denying entry during the suspension period would cause undue hardship, and that his or her entry would not pose a threat to national security and would be in the national interest. Unless otherwise specified by the Secretary of Homeland Security, any waiver issued by a consular officer as part of the visa issuance process will be effective both for the issuance of a visa and any subsequent entry on that visa, but will leave all other requirements for admission or entry unchanged. Case-by-case waivers could be appropriate in circumstances such as the following:

(i) the foreign national has previously been admitted to the United States for a continuous period of work, study, or other long-term activity, is outside the United States on the effective date of this order, seeks to reenter the United States to resume that activity, and the denial of reentry during the suspension period would impair that activity;

(ii) the foreign national has previously established significant contacts with the United States but is outside the United States on the effective date of this order for work, study, or other lawful activity;

(iii) the foreign national seeks to enter the United States for significant business or professional obligations and the denial of entry during the suspension period would impair those obligations;

(iv) the foreign national seeks to enter the United States to visit or reside with a close family member (e.g., a spouse, child, or parent) who is a United States citizen, lawful permanent resident, or alien lawfully admitted on a valid nonimmigrant visa, and the denial of entry during the suspension period would cause undue hardship;

(v) the foreign national is an infant, a young child or adoptee, an individual needing urgent medical care, or someone whose entry is otherwise justified by the special circumstances of the case;

(vi) the foreign national has been employed by, or on behalf of, the United States Government (or is an eligible

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dependent of such an employee) and the employee can document that he or she has provided faithful and valuable service to the United States Government;

(vii) the foreign national is traveling for purposes related to an international organization designated under the International Organizations Immunities Act (IOIA), 22 U.S.C. 288 et seq., traveling for purposes of conducting meetings or business with the United States Government, or traveling to conduct business on behalf of an international organization not designated under the IOIA;

(viii) the foreign national is a landed Canadian immigrant who applies for a visa at a location within Canada; or

(ix) the foreign national is traveling as a United States Government-sponsored exchange visitor.

Sec. 4. Additional Inquiries Related to Nationals of Iraq. An application by any Iraqi national for a visa, admission, or other immigration benefit should be subjected to thorough review, including, as appropriate, consultation with a designee of the Secretary of Defense and use of the additional information that has been obtained in the context of the close U.S.-Iraqi security partnership, since Executive Order 13769 was issued, concerning individuals suspected of ties to ISIS or other terrorist organizations and individuals coming from territories controlled or formerly controlled by ISIS. Such review shall include consideration of whether the applicant has connections with ISIS or other terrorist organizations or with territory that is or has been under the dominant influence of ISIS, as well as any other information bearing on whether the applicant may be a threat to commit acts of terrorism or otherwise threaten the national security or public safety of the United States.

Sec. 5. Implementing Uniform Screening and Vetting Standards for All Immigration Programs. (a) The Secretary of State, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence shall implement a program, as part of the process for adjudications, to identify individuals who seek to enter the United States on a fraudulent basis, who support terrorism, violent extremism, acts of violence toward any group or class of people within the United States, or who present a risk of causing harm subsequent to their entry. This program shall include the development of a uniform baseline for screening and vetting standards and procedures, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that applicants are who they claim to be; a mechanism to assess whether applicants may commit, aid, or support any kind of violent, criminal, or terrorist acts after entering the United States; and any other appropriate means for ensuring the proper collection of all information necessary for a rigorous evaluation of all grounds of inadmissibility or grounds for the denial of other immigration benefits.

(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Attorney General, and the Director of National Intelligence, shall submit to the President an initial report on the progress of the program described in subsection (a) of this section within 60 days of the effective date of this order, a second report within 100 days of the effective date of this order, and a third report within 200 days of the effective date of this order.

Sec. 6. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend travel of refugees into the United States under the USRAP, and the Secretary of Homeland Security shall suspend decisions on applications for refugee status, for 120 days after the effective date of this order, subject to waivers pursuant to subsection (c) of this section. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication processes to determine what additional procedures should be used to ensure that individuals seeking admission as refugees do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. The suspension described in this subsection shall not apply to refugee applicants who, before the effective date of this order, have been formally scheduled for transit by the Department of State. The Secretary of State shall resume travel of refugees into the United States under the USRAP 120 days after the effective date of this order, and the Secretary of Homeland Security shall resume making decisions on applications for refugee status only for stateless persons and nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that the additional procedures implemented pursuant to this subsection are adequate to ensure the security and welfare of the United States.

(b) Pursuant to section 212(f) of the INA, I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any entries in excess of that number until such time as I determine that additional entries would be in the national interest.

(c) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretary of State and the Secretary of Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the entry of such individuals as refugees is in the national interest and does not pose a threat to the security or welfare of the United States, including in

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circumstances such as the following: the individual's entry would enable the United States to conform its conduct to a preexisting international agreement or arrangement, or the denial of entry would cause undue hardship.

(d) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of State shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.

Sec. 7. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretary of State and the Secretary of Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority permitted by section 212(d)(3)(B) of the INA, 8 U.S.C. 1182(d)(3)(B), relating to the terrorism grounds of inadmissibility, as well as any related implementing directives or guidance.

Sec. 8. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry exit tracking system for in-scope travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

(b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive set forth in subsection (a) of this section. The initial report shall be submitted within 100 days of the effective date of this order, a second report shall be submitted within 200 days of the effective date of this order, and a third report shall be submitted within 365 days of the effective date of this order. The Secretary of Homeland Security shall submit further reports every 180 days thereafter until the system is fully deployed and operational.

Sec. 9. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1202, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions. This suspension shall not apply to any foreign national traveling on a diplomatic or diplomatic-type visa, North Atlantic Treaty Organization visa, C-2 visa for travel to the United Nations, or G-1, G-2, G-3, or G-4 visa; traveling for purposes related to an international organization designated under the IOIA; or traveling for purposes of conducting meetings or business with the United States Government.

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that nonimmigrant visa-interview wait times are not unduly affected.

Sec. 10. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements and arrangements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If another country does not treat United States nationals seeking nonimmigrant visas in a truly reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by that foreign country, to the extent practicable.

Sec. 11. Transparency and Data Collection. (a) To be more transparent with the American people and to implement more effectively policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with applicable law and national security, collect and make publicly available the following information:

(i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation with or provision of material support to a terrorism-related organization, or any other national-security-related reasons;

(ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and who have engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States;

(iii) information regarding the number and types of acts of gender-based violence against women, including so-called "honor killings," in the United States by foreign nationals; and

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security or the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

(b) The Secretary of Homeland Security shall release the initial report under subsection (a) of this section within 180 days of the effective date of this order and shall include

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information for the period from September 11, 2001, until the date of the initial report. Subsequent reports shall be issued every 180 days thereafter and reflect the period since the previous report.

Sec. 12. Enforcement. (a) The Secretary of State and the Secretary of Homeland Security shall consult with appropriate domestic and international partners, including countries and organizations, to ensure efficient, effective, and appropriate implementation of the actions directed in this order.

(b) In implementing this order, the Secretary of State and the Secretary of Homeland Security shall comply with all applicable laws and regulations, including, as appropriate, those providing an opportunity for individuals to claim a fear of persecution or torture, such as the credible fear determination for aliens covered by section 235(b)(1)(A) of the INA, 8 U.S.C. 1225(b)(1)(A).

(c) No immigrant or nonimmigrant visa issued before the effective date of this order shall be revoked pursuant to this order.

(d) Any individual whose visa was marked revoked or marked canceled as a result of Executive Order 13769 shall be entitled to a travel document confirming that the individual is permitted to travel to the United States and seek entry. Any prior cancellation or revocation of a visa that was solely pursuant to Executive Order 13769 shall not be the basis of inadmissibility for any future determination about entry or admissibility.

(e) This order shall not apply to an individual who has been granted asylum, to a refugee who has already been admitted to the United States, or to an individual granted withholding of removal or protection under the Convention Against Torture. Nothing in this order shall be construed to limit the ability of an individual to seek asylum, withholding of removal, or protection under the Convention Against Torture, consistent with the laws of the United States.

Sec. 13. Revocation. Executive Order 13769 of January 27, 2017, is revoked as of the effective date of this order.

Sec. 14. Effective Date. This order is effective at 12:01 a.m., eastern daylight time on March 16, 2017.

Sec. 15. Severability. (a) If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its other provisions to any other persons or circumstances shall not be affected thereby.

(b) If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid because of the lack of certain procedural requirements, the relevant executive branch officials shall implement those procedural requirements.

Sec. 16. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP
THE WHITE HOUSE,
March 6, 2017.
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Trump's Revised Travel Ban Spares Iraqis

By Glenn Thrush
New York Times, March 6, 2017

WASHINGTON — President Trump on Monday signed a revised version of his executive order that would for the first time rewrite American immigration policy to ban migrants from predominantly Muslim nations, removing citizens of Iraq from the original travel embargo and scrapping a provision that explicitly protected religious minorities.

The order, which comes about a month after federal judges blocked Mr. Trump's haphazardly implemented ban in January on residents from seven Middle Eastern and African countries, won't affect people who had previously been issued visas — a change that the administration hopes will avoid the chaos, protests and legal challenges that followed the first order.

But it did little to halt criticism from Democrats and immigrant rights groups, which predicted a renewed fight in the courts. Mr. Trump's initial, hastily issued order on Jan. 27 prompted protests across the country, leaving tearful families stranded at airports abroad and in the United States.

The new measure will be phased in over the next two weeks, according to officials with the Department of Homeland Security.

John F. Kelly, the Homeland Security secretary, said the order was "prospective" and applied "only to foreign nationals outside of the United States" who do not have a valid visa.

"If you have a current valid visa to travel, we welcome you," said Mr. Kelly, appearing alongside Secretary of State Rex W. Tillerson and Attorney General Jeff Sessions at the Ronald Reagan Federal Building in Washington early Monday — before leaving without taking reporters' questions.

"Unregulated, un-vetted travel is not a universal privilege, especially when national security is at stake," Mr. Kelly added.

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The indefinite ban on refugees from Syria also has been reduced to a 120-day ban, requiring review and renewal.

Mr. Trump signed the first ban with great fanfare, in front of reporters at the Pentagon. "We don't want them here," Mr. Trump said of Islamist terrorists. "We want to ensure that we are not admitting into our country the very threats our soldiers are fighting overseas. We only want to admit those into our country who will support our country, and love deeply our people."

This time, he signed the order in private, with the White House releasing a photo of the seldom-silent president signing the order, alone at his desk in the Oval Office.

His staff offered no explanation for the decision to opt for a lower-key rollout this time. But administration officials said the president wanted to emphasize that the rewrite was a collective effort, not like the secretive one by the White House advisers Stephen K. Bannon and Stephen Miller that resulted in the botched implementation of the first order.

Justice Department lawyers said the revisions rendered moot legal cases against the original travel ban.

But opponents said that the removal of a section that had granted preferential treatment to victims of religious persecution — a provision that immigrant rights attorneys argued was intended to discriminate against Muslims — was a cosmetic change that did nothing to alter the order's prejudicial purpose.

"This is a retreat but let's be clear — it's just another run at a Muslim ban," said Omar Jadwat, director of the American Civil Liberties Union's Immigrants' Rights Project, one of the groups that sued to stop the first order.

"At its core, the second order looks very similar to the first and I expect it will run into the same problems from the courts and the public that the first one did. They can't un-ring the bell."

The Senate Democratic leader, Chuck Schumer of New York, described the new order as a "watered-down ban," that was still "mean-spirited and un-American."

Margaret Huang, executive director of Amnesty International USA, said in a statement that the new order would "cause extreme fear and uncertainty for thousands of families by, once again, putting anti-Muslim hatred into policy."

Congressional Republicans, who were split over the first travel ban, had a more muted reaction. But House Speaker Paul D. Ryan, who backed the first order, released a statement saying the revised order "advances our shared goal of protecting the homeland."

Citizens of Iran, Somalia, Sudan, Yemen, Syria and Libya will face a 90-day suspension of visa processing as the administration continues to analyze how to enhance vetting procedures, according to a Homeland Security summary of the order.

The removal of Iraq from the list came after talks with security officials in Baghdad, at the urging of State and Defense department officials, who felt the ban would undermine the stability of the United States-allied government.

"On the basis of negotiations that have taken place between the Government of Iraq and the U.S. Department of State in the last month, Iraq will increase cooperation with the U.S. Government on the vetting of its citizens applying for a visa to travel to the United States," Homeland Security officials wrote in a fact sheet given to reporters.

The Iraqis agreed to improve the quality of travel documentation and to bolster their sharing of information about potentially dangerous nationals, officials said.

The new order was delayed for about a week as the White House sought to better coordinate its activities with federal agencies and to maximize its public relations impact, according to three administration officials.

In a conference call with reporters on Monday morning, officials with Homeland Security, the Department of State and Department of Justice defended Mr. Trump's original order and said the rewrite was intended to address legal concerns quickly so they could deal with what they repeatedly characterized as an urgent national security threat.

The timing of the ban seemed intended to reset the White House political narrative, after a tumultuous week that began with a well-received address to a joint session of Congress. That success was quickly overshadowed by the controversies over Attorney General Jeff Sessions's failure to inform the Senate of his contacts with a Russian diplomat and Mr. Trump's unsupported accusation that President Barack Obama tried to wiretap Mr. Trump's phones during the 2016 campaign.

Mr. Trump's pledges to crack down on illegal immigration and prevent terrorist attacks on United States soil were cornerstones of his appeal to white working-class voters.

"The vast majority of individuals convicted of terrorism and terrorism-related offenses since 9/11 came here from outside of our country," the president said last Tuesday, during the address to a joint session of Congress in which he reiterated his promise to build a wall on the border with Mexico and "win" wars against ISIS and "radical Islamic terrorism" — a phrase President Obama avoided in his public utterances.

"We cannot allow a beachhead of terrorism to form inside America," he added. "And we cannot allow our nation to become a sanctuary for extremists."

Critics argue that Mr. Trump's vow to impose "extreme vetting" on migrants, especially those from war-torn Syria, disregards a stringent screening protocol already in place, and the fact that none of the recent terrorist attacks or mass

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shootings on American soil were perpetrated by attackers from the nations listed in the ban.

Last week, The Associated Press reported that it had obtained a draft Department of Homeland Security assessment concluding that citizenship was an "unlikely indicator" of a threat.

Homeland Security officials, speaking to reporters on Monday, pushed back against that news report, arguing that it was culled from public sources and excluded classified information that paints a more dangerous picture.

An official, speaking on the call, said that the Justice Department had identified 300 "refugees" who were being investigated for their links to radical Islamic terrorist groups or pro-ISIS positions. Some of those people already have permanent resident status, according to the official.

But Homeland Security and Justice Department officials refused to provide any further details, and wouldn't say how many of the 300 investigation targets came from any of the countries covered by the revised travel ban.

Since 2001, 18 of the 36 Muslim extremists who have engaged in attacks inside the United States were born in the United States, while 14 migrated here as children and wouldn't have been stopped by the new vetting process, according to an analysis by Charles Kurzman, a professor at the University of North Carolina.

None came from the banned nations; Muslim extremists have accounted for 16 out of 240,000 murders in the United States since the terrorist attacks of Sept. 11, 2001.

Democrats Have Few Options On Trump Travel Ban

By Bridget Bowman

Roll Call, March 6, 2017

Congressional Democrats were quick to condemn President Donald Trump's new executive order temporarily barring travel from a handful of predominantly Muslim countries, but there isn't much they can do about it.

As the minority party in the House and Senate, they cannot force Congress to take up legislation overturning the ban. And legal and procedural hurdles prevent Democratic lawmakers from taking the order to court themselves.

Trump announced Monday that he had issued a new executive order temporarily banning travelers from six countries: Iran, Libya, Sudan, Somalia, Yemen, and Syria. The president revised a previous order that also barred visitors from Iraq. Republicans got behind Trump's new missive as bolstering national security, while Democrats criticized the order as a thinly veiled ban on Muslims.

"Despite the administration's changes, this dangerous executive order makes us less safe, not more, it is mean-spirited, and un-American," Senate Minority Leader Charles E. Schumer said. "It must be repealed."

Connecticut Sen. Christopher S. Murphy announced that he would introduce a bill to overturn Trump's new order. But, with Trump's party in control of the Senate floor, the Connecticut lawmaker's bill is not likely to move forward.

Senate Majority Leader Mitch McConnell did not immediately comment on the new travel ban, but he previously said the constitutionality of Trump's earlier order would be worked out through the court system. Speaker Paul D. Ryan, who controls the House floor, said the new action "

advances our shared goal of protecting the homeland."

The previous order had been blocked by a federal appeals court, prompting the rewrite. But some are already clamoring to fight the revision.

"President Trump, we'll see you in court," David Cole, the American Civil Liberties Union's legal director, wrote in a post on the group's website.

"The new order will be less catastrophic in its rollout than the first, both because it exempts those who already have visas and because it will not go into effect until March 16," Cole wrote. "But it's still religious discrimination in the pre-textual guise of national security. And it's still unconstitutional."

Democrats could opt to file amicus briefs in support of lawsuits challenging the order. Those briefs are documents filed by people who are not parties in the case.

But congressional Democrats do not have many other legal avenues to challenge the order through the court system. So don't expect to see a lawsuit similar to the one from House Republicans suing President Barack Obama's administration over the 2010 health care law.

That's because, as members of Congress, Democrats face two major obstacles when it comes to filing a lawsuit: proving their standing in court and overcoming Republicans who have a say in the process.

"At this point, it seems that a House Democratic amicus brief would probably be the only option," said a senior Democratic aide.

In the 2014 health care lawsuit, House Republicans directed the general counsel for the House of Representatives to sue the Obama administration.

The chamber's lawyers had to prove that the House as an institution was injured by the administration's actions in order for the lawsuit to have standing in court. A federal judge sided with Republicans last year, agreeing that the administration had spent funds without congressional approval, violating Congress' constitutional authority to appropriate funds.

Democratic aides noted that in the case of the travel ban, proving injury to the institution would be difficult, so they would likely not have standing in court.

But congressional Democrats would also not be able to file a lawsuit in the first place.

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For the House's general counsel to file a lawsuit on behalf of the chamber, the office needs the approval of the Bipartisan Legal Advisory Group, according to House rules. The five-member group is controlled by Republicans, since it is comprised of the speaker and both parties' leaders and whips.

In the Senate, the Office of Legal Counsel represents the body in lawsuits, and is not typically used for partisan fights. It answers to the Joint Leadership Group, which is made up of the leaders of each party, the president pro tempore, and the chairmen and ranking members of the Judiciary and Rules and Administration committees. Senate rules also require that senators approve a resolution authorizing the office to represent the body or members in court.

With few options on the floor and in the courts, Democrats will likely continue to use their platforms to share stories of those affected by the travel ban, and count on other lawsuits to challenge the order.

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Trump's New Travel Ban Will Be Harder To Challenge In Court, But Critics Say It Still Targets Muslims

By David G. Savage, Contact Reporter

Los Angeles Times, March 6, 2017

President Trump's new, revised travel ban retreats on nearly every issue that triggered chaos in airports and lawsuits in federal courts across the nation.

It will not apply to foreign students, engineers, tourists and relatives who are traveling to this country or temporarily traveling aboard. It is "prospective in nature — applying only to foreign nationals outside of the United States who do not have a valid visa," said Homeland Security Secretary John F. Kelly.

But many critics of the first order were not declaring victory. Instead, they said they would go back to court and argue the order should still be struck down because it discriminates against Muslims.

"This is nothing more than Muslim Ban 2.0," said Marielena Hincapie, executive director of the National Immigration Law Center in Los Angeles. "No amount of tweaks will change that."

David Cole, the ACLU's national legal director, said the revised order is "still religious discrimination in the pretextual guise of national security. And it's still unconstitutional."

But advocates for immigrants face at least three significant hurdles if they sue.

First, they must find plaintiffs who have standing to get into court. Usually, foreign citizens outside the country do not have standing to sue and claim a right to be admitted. The right to "due process of law" is limited to people who are within the country.

In the challenge to the original travel ban, the 9th Circuit Court of Appeals decided that the state of Washington may have "third party standing" to sue on behalf of professors and students who were barred from traveling. But because the new order does not restrict foreign nationals who have been in this country "for a continuous period of work, study or other long-term activity," that path into court may no longer be available.

Second, they need to show an immediate and "irreparable harm" from allowing Trump's order from taking effect. Judges may issue an order to temporarily block a government decree, but to get such an order, lawyers must show that not acting immediately will cause real harm. That is no doubt why Kelly emphasized the impact of the new order is "prospective," not immediate.

Because the new order does not permanently block anyone from entering the country, but only imposes a 90-day freeze on giving out new visas, the standard of "irreparable harm" could be difficult to meet.

And third, they must overcome the president's unusually broad powers to decide who may enter the country. The Immigration and Nationality Act says the president "may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem appropriate."

Government lawyers defending the first travel ban relied on this provision, but the 9th Circuit did not mention in it in its 29-page opinion rebuking Trump.

Civil libertarians say that Trump's order is based on religious bias, and they say it should be struck down for that reason.

Their case relies mostly on comments by Trump, rather than the text of the order.

On Dec. 7, 2015, then-candidate Trump issued a news release calling "for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on."

On Jan. 29, 2017, two days after the new president signed the first travel ban, former New York Mayor Rudolph Giuliani said Trump had called him about the proposed Muslim ban and said, "Show me the right way to do it legally."

One federal judge, citing Trump's comments, blocked his order on the grounds it may violate the 1st Amendment's ban on an establishment of religion. It's hard to ignore what Trump said prior to his election, said U.S. District Judge Leonie Brinkema.

"A person is not made brand new simply by taking the oath of office," she wrote on Feb. 13.

To rebut a possible religious discrimination claim, Justice Department lawyers pushed to get language added to

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the new order that specifically said the previous version had not been "motivated by animus toward any religion."

They also pushed for a detailed discussion in the new order of the terror threats posed by each of the six countries subject to a temporary travel ban. The new version of the order also drops a preference for people from persecuted minority religious groups, which Trump, in a television interview, had suggested was designed to help Christians from the Mideast.

Administration officials say the revised order cannot be described as a "Muslim ban" because it extends to only six countries with Muslim majorities and does not include larger nations, including Pakistan, Egypt, Indonesia and Saudi Arabia.

Staff Writer Del Quentin Wilber contributed to this report.

Revised Executive Order Bans Travelers From Six Muslim-Majority Countries From Getting New Visas

By David Nakamura And Matt Zapotosky

Washington Post, March 6, 2017

President Trump signed a new travel ban Monday that administration officials said they hope will end legal challenges over the matter by imposing a 90-day ban on the issuance of new visas for citizens of six majority-Muslim nations, authorities said.

In addition, the nation's refu-gee program will be suspended for 120 days, and it will not accept more than 50,000 refugees in a year, down from the 110,000 cap set by the Obama administration.

Trump signed the new ban out of public view, according to White House officials. The order will not take effect until March 16. Trump's first order had been ordered frozen by the courts, but the Justice Department indicated in court filings that — unless told otherwise — they will begin enforcement of the new one when it officially takes hold.

The new guidelines mark a dramatic departure from Trump's original ban. They lay out a far more specific national security basis for the order, block the issuance of only new visas, and name just six of the seven countries included in the first executive order, omitting Iraq.

The order also details specific sets of people who would be able to apply for case-by-case waivers to the order, including those previously admitted to the United States for "a continuous period of work, study, or other long-term activity," those with "significant business or professional obligations" and those seeking to visit or live with family.

"This executive order responsibly provides a needed pause, so we can carefully review how we scrutinize people coming here from these countries of concern," Attorney General Jeff Sessions said in announcing that the order had been signed.

Even before the ink was dry, though, Democrats and civil liberties groups asserted that the new order was legally tainted in the same way as the first one: It was a thinly disguised Muslim ban.

That seems to portend more litigation — though how soon remains unclear. Washington Attorney General Bob Ferguson, who had successfully sued to have the ban blocked, said in a statement that the rescinding of Trump's first ban showed it was "indefensible — legally, constitutionally and morally." He said the state was reviewing its next legal steps and noted the president had "capitulated on numerous key provisions blocked by our lawsuit."

The Justice Department argued in a court filing that even if the litigation were to move forward, it should do so at a slower place, and with the new ban in place. The government noted that visa applicants typically have to wait months and asserted there was "no imminent harm" from the president's temporary suspension on the issuance of new visas to certain people.

That assertion, though, did little to assuage the concerns of Democrats and civil liberties groups, who said the new ban was just like the old — a thinly veiled attempt to discriminate against Muslims.

"While the White House may have made changes to the ban, the intent to discriminate against Muslims remains clear," said New York Attorney General Eric T. Schneiderman (D), who had joined the legal fight against the first ban. "This doesn't just harm the families caught in the chaos of President Trump's draconian policies — it's diametrically opposed to our values, and makes us less safe."

Said Omar Jadwat, director of the ACLU's Immigrants' Rights Project: "The only way to actually fix the Muslim ban is not to have a Muslim ban. Instead, President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people."

State Department, Homeland Security and Justice Department officials defended the new order as a necessary measure to improve public safety. They said the countries implicated — Iran, Sudan, Somalia, Libya, Syria and Yemen — were either state sponsors of terrorism, or their territories were so compromised that they were effectively safe havens for terrorist groups. Iraq was omitted, Secretary of State Rex Tillerson said, because it is an "important ally in the fight to defeat ISIS," and its leaders had agreed to implement new security measures.

A Department of Homeland Security official, speaking on the condition of anonymity on a call with reporters, said Iraq was "treated differently" in part because the country had agreed to "timely repatriation" of its citizens if they were ordered deported from the United States.

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The new order provides other exceptions not contained explicitly in previous versions: for travelers from those countries who are legal permanent residents of the United States, dual nationals who use a passport from another country and those who have been granted asylum or refu-gee status. It removes an exception to the refu-gee ban for members of religious minority groups — which critics had pointed to as evidence the first ban was meant to discriminate against Muslims — and it no longer imposes an indefinite prohibition on travelers from Syria.

Anyone who holds a visa now should be able to get into the country without any problems, though those whose visas expire will have to reapply, officials said.

The order claims that since 2001, hundreds of people born abroad have been convicted of terrorism-related crimes in the United States, and that more than 300 people who entered the country as refugees were the subject of counterterrorism investigations. It cites two specific examples: Two Iraqi nationals who came to the United States as refugees in 2009, it says, were convicted of terrorism-related offenses, and in October 2014, a Somali native brought to the country as a child refu-gee was sentenced to 30 years in prison for plotting to detonate a bomb at a Christmas tree-lighting ceremony in Oregon. That man became a naturalized U.S. citizen.

"We cannot risk the prospect of malevolent actors using our immigration system to take American lives," Homeland Security Secretary John F. Kelly said.

U.S. officials declined to specify the countries of origin of the 300 refugees now being investigated in terrorism cases, and they declined to detail those people's current immigration status.

Charles Kurzman, a sociology professor who studies violent extremism at the University of North Carolina at Chapel Hill, said that since the terror attacks of Sept. 11, there have been no fatalities caused by Muslim extremists with family backgrounds in the six countries covered by the new ban. A Department of Homeland Security report assessing the terrorist threat posed by people from the seven countries covered by President Trump's original travel ban had cast doubt on the necessity of the executive order, concluding that citizenship was an "unreliable" threat indicator and that people from the affected countries have rarely been implicated in U.S.-based terrorism.

The Department of Homeland Security official, speaking on the condition of anonymity, criticized the report as being incomplete and not vetted with other agencies, and he asserted that the administration should not be pressed by the judiciary to unveil sensitive national security details to justify the ban.

"This is not something that the Department of Justice should have to represent to a federal district court judge," the official said.

The order represents an attempt by the Trump administration to tighten security requirements for travelers from nations that officials said represent a terrorism threat. A more sweeping attempt in January provoked mass protests across the country as travelers en route to the United States were detained at airports after the surprise order was announced. The State Department had provisionally revoked tens of thousands of visas all at once.

Officials sought to dismiss the idea that there would be any confusion surrounding the implementation of the new order. They said they delayed implementation so the government could go through the appropriate legal processes and ensure that no government employee would face "legal jeopardy" for enforcing the order.

A federal district judge in Washington state first suspended the travel ban Feb. 3, and a three-judge panel of the U.S. Court of Appeals for the 9th Circuit later upheld that freeze.

That setback was a blow to the White House, which was criticized for failing to include lawmakers and stakeholders in its deliberations.

The revisions to the order will make it more defensible in court — limiting the number of people with standing to sue — though the changes might not allay all the concerns raised by judges across the country. The three-judge panel with the 9th Circuit Court of Appeals, for example, said that exempting green-card and current visa holders from the ban would not address their concern about U.S. citizens with an interest in noncitizens' travel.

The administration, too, will have to wrestle with comments by the president and top adviser Rudolph W. Giuliani that seemed to indicate the intent of the order was to ban Muslims from entering the United States, which could run afoul of the Establishment Clause of the First Amendment.

On the campaign trail, Trump called for a "total and complete shutdown of Muslims entering the United States." After the election, Giuliani, a former New York City mayor, said: "So when [Trump] first announced it, he said, 'Muslim ban.' He called me up. He said, 'Put a commission together. Show me the right way to do it legally.' "

A federal judge in Virginia referenced those comments in ordering the ban frozen with respect to Virginia residents and institutions, calling it "unrebutted evidence" that Trump's directive might violate the First Amendment.

Abigail Hauslohner contributed to this report.

Trump Signs New Anti-terror Travel Ban Without New Fanfare

By Alicia A. Caldwell And Jill Colvin

Associated Press, March 6, 2017

WASHINGTON (AP) – Without fanfare, President Donald Trump signed a scaled-back version of his

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controversial ban on many foreign travelers Monday, hoping to avoid a new round of lawsuits and outrage while fulfilling a central campaign promise. His order still bars new visas for people from six Muslim-majority countries and temporarily shuts down America's refugee program.

The revised order, signed with none of the flourish of his first version, eliminates some of the most contentious aspects in an effort to surmount the court challenges that are sure to come. Trump's first order, issued just a week after his inauguration, was halted by federal courts.

The new one leaves Iraq off the list of banned countries – at the urging of U.S. military and diplomatic leaders – but still affects would-be visitors and immigrants from Iran, Syria, Somalia, Sudan, Yemen and Libya. It also makes clear that current visa holders will not be impacted, and it removes language that would give priority to religious minorities – a provision some interpreted as a way to help Christians get into the U.S. while excluding Muslims.

The order won't take effect until March 16 despite earlier warnings from Trump and his aides that any delay would put national security at risk by allowing the entry of "bad 'dudes'" who want to harm the country.

The changes underscore the very different position the president finds himself in.

Five weeks ago, Trump dropped the first order with a bang, catching lawmakers and members of his administration by surprise. He signed the order in a high-profile ceremony at the Pentagon's Hall of Heroes as Secretary of Defense Jim Mattis stood by.

This time around, the president skipped the usual public ceremony altogether. Instead, the administration chose to have Homeland Security Secretary John Kelly, Secretary of State Rex Tillerson and Attorney General Jeff Sessions serve as the public faces of the rollout at a brief press announcement.

"I think today was about the implementation of it," said Press Secretary Sean Spicer – at a briefing off camera.

Legal experts say the new order addresses some of the constitutional concerns raised by a federal appeals court about the initial ban but leaves room for more legal challenges.

"It's much clearer about how it doesn't apply to groups of immigrants with more clearly established constitutional rights," said University of Texas law professor Stephen Vladeck. "That's a really important step."

Trump officials say the goal hasn't changed: keeping would-be terrorists out of the United States while the government reviews vetting systems for refugees and visa applicants from certain parts of the world.

Tillerson said, "It is the president's solemn duty to protect the American people, and with this order President Trump is exercising his rightful authority to keep our people safe."

The original travel ban led to instant chaos at airports as Homeland Security officials scrambled to interpret how it was to be implemented and some travelers were detained before being sent back overseas or blocked from getting on airplanes abroad. The order quickly became the subject of several legal challenges and was put on hold last month by a federal judge in Washington state.

The president repeatedly insisted he would continue to fight for the original order in court, even as aides worked to craft a new one. In the end, they chose to rescind the old order – though Spicer maintained the first was "100 percent legal and constitutional."

Notably absent from Trump's revised ban are repeated references to the death toll from the Sept. 11, 2001, terrorist attacks. Critics of the original had noted the president appeared to use those attacks as evidence of danger from certain foreigners despite the fact that none of the men who hijacked jetliners that day were from any of the seven banned countries.

House Speaker Paul Ryan commended the administration and Secretary Kelly "for their hard work on this measure to improve our vetting standards."

"This revised executive order advances our shared goal of protecting the homeland," Ryan said.

The White House dropped Iraq from the list of targeted countries following pressure from the Pentagon and State Department, which noted Iraq's role in fighting the Islamic State group. An Iraqi spokesman said the change marks a "positive step" and shows the countries have a "real partnership."

The new order does not address concerns raised in a Homeland Security intelligence analysis obtained last month by The Associated Press that concluded there was insufficient evidence that citizens of the originally banned countries posed a terror threat to the U.S. The administration has played down the significance of that report.

Trump's new order reinstates his four-month ban on all refugees from around the world and keeps in place his plan to reduce the number of refugees to be let into the United States this budget year to 50,000. Syrians are also no longer subjected to an indefinite ban, despite Trump's insistence as a candidate that they pose a serious security threat.

Removing language that would give priority to religious minorities helps address concerns that the initial ban was discriminatory, but its continued focus on Muslim-majority countries leaves the appearance that the order is a "Muslim ban," Vladeck said.

"There's still going to be plenty of work for the courts to do," he said.

Lee Gelernt, deputy director of the American Civil Liberties Union's Immigrants' Rights Project said the group will move "very quickly" to try to block the new order from

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taking effect, either by amending the existing lawsuits that blocked Trump's original ban or seeking a new injunction.

"The only way to actually fix the Muslim ban is not to have a Muslim ban," said Omar Jadwat, director of the project.

Associated Press reporters Julie Pace and Sadie Gurman contributed to this report.

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Trump Eases Up On Travel Ban With New Executive Order

By Josh Gerstein And Nolan D. McCaskill

Politico, March 6, 2017

President Donald Trump on Monday retreated behind closed doors as he re-issued his travel ban executive order with significant concessions adopted after his first directive was halted by a firestorm of controversy and a fusillade of legal actions.

The new order exempts existing visa holders from travel limits and removes Iraq from the list of seven Muslim-majority countries whose citizens Trump barred from entering the U.S. in a hastily signed and chaotically implemented order issued just a week after he took office.

Story Continued Below

Reporters and press photographers were excluded as Trump signed the new directive Monday, although the White House released a photo on social media. Trump dispatched three members of his Cabinet officials to tout the new ban at a brief appearance before journalists a few blocks away, although no questions were taken there either.

"It is the president's solemn duty to protect the American people and with this order, President Trump is exercising his authority to keep our people safe," Secretary of State Rex Tillerson declared.

"Today's executive order...will make America more secure and address long overdue concerns about the security of our immigration system," Secretary of Homeland Security John Kelly added. "We must undertake a rigorous review and are undertaking a rigorous review of our immigration vetting programs to increase our confidence in the decisions we make relative to visitors and immigrants that travel to the United States. We cannot risk the prospect of malevolent actors using our immigration system to take American lives."

Many of the changes are designed to help the new order avoid the fate of Trump's first directive, which was effectively blocked by a series of court rulings.

The new order will put a 90-day hold on issuance of visas to citizens of six countries: Iran, Libya, Somalia, Sudan, Syria and Yemen. It also stops refugee admissions worldwide for 120 days.

Attorney General Jeff Sessions said Justice Department lawyers will vigorously defend the new order, which he insisted is well within Trump's authority.

"The Department of Justice believes that this executive order, just as the first executive order, is a lawful and proper exercise of presidential authority," Sessions said at the joint appearance with Tillerson and Kelly.

The revised directive also removes language that appeared to give priority to Christian refugees applying from predominantly Muslim countries. That passage was part of what courts seized on to conclude that Trump's original order was a thinly-veiled version of the "Muslim ban" Trump repeatedly discussed on the campaign trail.

"This is not a Muslim ban in any way, shape or form," a senior Homeland Security official said, speaking on condition of anonymity.

Trump's fresh order also provides a new assertion aimed to satisfy another concern put forward by judges: that the administration presented no evidence of the threat the original travel ban was supposed to address.

The new directive claims that the FBI is pursuing 300 terrorism-related investigations of individuals admitted to the U.S. as refugees.

"That is not a small number," the DHS official added. "That's a tremendous administrative burden of manpower and resources."

However, officials refused to tell reporters Monday what portion of those 300 investigations involve people who came from the six countries targeted in the new order. In addition, officials declined to detail what proportion of the probes were focused on people who recently entered the U.S. and might have been stopped by more aggressive vetting procedures or individuals who may have entered the country decades ago as children.

"The salient fact is that there are 300 individuals who were admitted and welcomed to the United States through our refugee admissions program who either infiltrated with hostile intent or radicalized after their admission to the United States," the DHS official said. "Both factors are very problematic."

Officials also declined to elaborate on how advanced the investigations were. And the assertion that the probes are straining the FBI's resources also seemed to be in tension with on-the-record statements from FBI Director James Comey who has said publicly that he has the resources

needed to investigate people suspected of being inspired by the Islamic State and other terrorist groups.

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Officials from various agencies who spoke with reporters in advance of the release of the new order Monday declined to answer some of the most sensitive questions about Trump's handling of the revised order, such as why he was not signing the directive publicly and why an order he said was critical to national security was apparently delayed last week so the president could bask in positive reviews of his speech to Congress.

While not conceding any mishandling of the first order, Trump administration officials stressed Monday that the new version was the subject of extensive consultation among government departments. Kelly also said he personally briefed members of Congress so they would not be taken aback by the new directive.

While Republicans such as House Speaker Paul Ryan (R-Wis.) applauded the measure, Democrats argued that the president's new executive order was merely a "Muslim ban 2.0," a term that soon began trending on Twitter.

"A watered down ban is still a ban," Senate Minority Leader Chuck Schumer (D-N.Y.) tweeted. "Americans need to know that this latest Exec Order has absolutely nothing to do with national security. It is still a ban. #MuslimBan2"

His House counterpart, Nancy Pelosi (D-Calif.), added in a statement that the administration's "repackaging has done nothing to change the immoral, unconstitutional and dangerous goals of their Muslim and refugee ban."

"This is the same ban, with the same purpose, driven by the same dangerous discrimination that weakens our ability to fight terror," she said.

Immigrant rights advocates who filed about two dozen lawsuits against the earlier travel ban adopted the same framing, arguing that both the new and old orders are legally flawed and the product of anti-Muslim prejudice.

"The Trump administration has conceded that its original Muslim ban was indefensible. Unfortunately, it has replaced it with a scaled-back version that shares the same fatal flaws," said Omar Jadwat of the American Civil Liberties Union, which is involved in many of the legal challenges. "The only way to actually fix the Muslim ban is not to have a Muslim ban. Instead, President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people."

A senior Justice Department official said lawyers will be asking that the roughly two dozen lawsuits filed over the old order be dismissed. However, it was unclear whether judges will go along with that.

The Justice official said lawyers are bracing for new and revamped legal challenges to the new order, but the official would not say whether those attorneys plan to present judges with any factual support for the new directive.

"We will obviously be making the strongest arguments in each case that is brought. We do anticipate challenges. We do not think they will have any merit," said the Justice official, who also spoke on condition of anonymity.

Officials also said that judges had exceeded their role in demanding evidence behind the original order and would be doing so again if they ask for similar information on the new one.

"This is not something that the Department of Justice should have to present to a United States district court judge," a DHS official said.

Iraqi officials angrily protested the inclusion of their country on the original travel ban list. In addition, U.S. military personnel, veterans and many U.S. lawmakers complained to the White House that translators who had risked their lives by serving with U.S. troops were caught up in Trump's original ban.

Tillerson appeared to allude to that blowback Monday when he publicly paid tribute to Iraq's role in the fight against terrorism.

"Iraq is an important ally in the fight to defeat ISIS," he observed.

Tillerson and other officials argued that Iraq was not being removed from the list for political reasons, but because the Iraqi government had agreed to share more data and intelligence about their citizens with the U.S.

"Iraq is no longer one of those countries because we have received firm commitments from the government of Iraq over the last several weeks since the first executive order was issued about increased cooperation with the United States in terms of information sharing," a DHS official said. "We have received adequate assurance from the government of Iraq that we will be able to do the kind of vetting a screening of its nationals that the president of the United States has directed."

Another new feature of the revised order: a 10-day delay to allow coordination before the measure kicks in. That should head off some of the confusion that unfolded in late January, when hundreds of travelers were detained, delayed or effectively expelled from the country in the wake of the first order.

"You should not see any chaos, so to speak, or alleged chaos, at airports," a Homeland Security official said, apparently tipping his hat to Trump's assertion that the rollout of the initial travel ban was "perfect."

"There aren't going to be folks stopped tonight from coming into the country pursuant to this executive order," the official added.

Nahal Toosi contributed to this report.

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President Trump's "Travel Ban 2.0" Is The Closest Thing To Admitting He's Made A Mistake

By Dara Lind

Vox, March 6, 2017

On Monday, President Trump took a second swing at his most controversial immigration policy: a temporary ban on allowing people from several majority-Muslim countries, and all refugees, from entering the US.

The new order is designed to avoid most of the disruption and chaos that the earlier one created. It won't put people currently in the US who are planning to travel abroad at risk of being unable to return home at the end of the trip. And it shouldn't result in the widespread airport detentions that sparked mass protests and several successful lawsuits in the wake of the first order.

President Trump is by nature loath to admit a mistake, but it's hard not to read the changes to the executive order as an admission that the rollout of the original travel ban was a legal and political disaster. What his administration has replaced it with is a policy that's still liable to disrupt the lives of thousands of aspiring immigrants and travelers from several countries — and tens of thousands of refugees whose resettlement in the US will delayed for months or longer — and sets the stage for an eventual, indefinite ban that could be broader still.

But if the order is properly followed by airlines and border agents, it won't cause visible chaos within America, or for people already here.

For 90 days, visas will not be issued to people from Iran, Libya, Somalia, Sudan, Syria, and Yemen. In the original executive order, Iraq was also on the visa blacklist — but it's been excluded in the new version, thanks in part to lobbying from top defense officials including Secretary of Defense James Mattis. The new executive order also makes it clear that people from the six affected countries can apply for waivers to enter the US in particularly urgent circumstances.

The new executive order will not affect green card holders — or anyone else who already has a visa, either in the US or abroad. The new executive order won't affect people — either permanent residents or temporary visa holders — who've already been admitted to the US. Furthermore, people who haven't yet come to the US but who have been issued visas already will still be allowed to enter. This means the new order doesn't authorize the widespread detention of people at airports, and barring of people from boarding US-bound flights, that marked the first executive order — though that doesn't mean that Customs and Border Protection agents won't continue to be aggressive in detaining immigrants entering the US.

For 120 days, the US won't bring any new refugees into the country. The new executive order reinstates a 120-day ban on refugee admissions. (The new order, like the original, makes an exception for refugees already "in transit" to the United States.) While the original executive order made an exception for refugees who were members of "persecuted religious minorities" in their home country, saying they could enter the US during the pause, the new order eliminates that loophole. After 120 days, though, refugees will be allowed to enter the US from any country — another change from the original executive order, which banned refugees of Syria's bloody civil war from entering the US indefinitely.

The temporary bans will create space for permanent changes to the refugee and visa process. Like the original executive order, the new order directs the Department of Homeland Security to set new standards for how much information other countries will have to give the US when their citizens apply to come here. Countries that can't meet that standard will be placed on a permanent blacklist, which will replace the 90-day one. Refugees will also be subject to those higher standards, and the US will accept only 50,000 refugees in the current fiscal year — half of what the government originally planned to accept under the quota set by the Obama administration last fall.

All of these provisions were in the original executive order, and they're not much changed in the new version. The Trump administration might be taking a mulligan on the temporary, immediate measures in its travel ban, but it's still laying the groundwork for a permanent tightening of visas in the medium term.

Donald Trump's Revised Travel Ban Aimed To Erase 'Muslim' Label

By S.A. Miller And Andrea Noble

Washington Times, March 6, 2017

President Trump's revised order Monday to hit the pause button on refugees and visitors from terrorist hotbeds was aimed at erasing the perception that it was a "Muslim ban," but a new round of court challenges appeared unavoidable.

The latest version dropped Iraq from the countries targeted in the president's original Jan. 27 executive order, which was blocked by a federal court injunction. Visitors now will be banned for 90 days from six Muslim-majority countries on the list: Iran, Libya, Somalia, Sudan, Syria and Yemen.

During the ban, the administration plans to develop an extreme vetting program for all foreign visitors to the U.S., including a biometric entry/exit system to identify who is arriving and departing the country.

It also removed the original order's exemptions for religious minorities, namely Christians, from the targeted countries, and it eliminated a permanent ban on refugees from Syria.

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The order supported the designation of terrorist-threat countries, which were previously identified by the Obama administration, by noting the absence of a functioning or reliable government to provide reliable information about travelers, underscoring that Muslims were not targeted.

The 90-day ban on visitors and the 120-day halt to refugee resettlement this time will phase in over a 10-day period, taking full effect March 16.

The administration hoped to avoid the chaos that occurred when they sprang the original order on the public in January, when travelers were caught by surprise in transit, with some detained at airports and others sent back to their home countries.

When the new order takes effect, it will revoke the first order now tied up in litigation. The tweaks were all designed as a bulwark against lawsuits.

A federal judge in Seattle blocked Mr. Trump's first stab at a travel ban. A three-judge panel of the 9th U.S. Circuit Court of Appeals in San Francisco unanimously upheld the injunction, saying the order was too broad and the president had exceeded his national security powers to cause unwarranted headaches for citizens, immigrants and their relatives abroad.

Despite taking pains to avoid those pitfalls, Cornell University Law School professor Stephen Yale-Loehr said it was "essentially old wine in a new bottle."

"The revised executive order will not quell litigation or concerns. U.S. relatives will still sue over the inability of their loved ones to join them in the United States. U.S. companies may sue because they cannot hire needed workers from the six countries. And U.S. universities will worry about the impact of the order on international students' willingness to attend college in the United States," said the immigration law scholar.

Indeed, civil liberties groups and state attorneys general who sued over Mr. Trump's first executive order immediately prepared round two, unconvinced that the new order addressed their constitutional concerns.

Lee Gelernt, deputy director of the American Civil Liberties Union's Immigrants' Rights Project, said his organization intends to continue challenging the new executive order and will likely amend its current lawsuit rather than file a new one.

"We believe the core constitutional problem has not been eliminated — which is religious discrimination," said Mr. Gelernt, who presented the first legal challenge to the executive order in a case brought in New York. "Certain due process problems may be eliminated with the new ban, but the religious discrimination has not been eliminated."

The Arab American Civil Rights League, which is representing clients in a challenge to the order brought in Michigan, on Monday filed notice that it intends to amend its complaint.

Washington Attorney General Bob Ferguson, who brought the lawsuit that resulted in the nationwide ban on enforcement of the original order, said his office is still reviewing the new order to determine the next legal steps. But he said "the intent behind the original order is a concern to us."

"That part of our claim is still an area that will especially be focused on in the next few days," said Mr. Ferguson, referring to additional interviews and research that lawyers in his office plan to conduct in order to learn how Washington businesses, residents, universities and others could be impacted by the new order.

Attorney General Jeff Sessions insisted that the new order, as well as the first, "is a lawful and proper exercise of presidential authority."

"This Department of Justice will defend and enforce lawful orders of the president consistent with core principles of our Constitution," Mr. Sessions said at a rollout of the new order, joined by Secretary of State Rex W. Tillerson and Homeland Security Secretary John F. Kelly.

"The executive is empowered under the Constitution and by Congress to make national security judgments and to enforce our immigration policies in order to safeguard the American public," he said.

He noted that of the 1,000 terrorism-related cases currently under investigation by the FBI, the subjects in 300 investigations are people who entered the U.S. as refugees.

"Terrorism is clearly a danger for America and our people," said Mr. Sessions.

Unlike the public signing ceremony for the original order, which involved a personal appearance by Mr. Trump at the Pentagon, the president signed the new immigration order at the White House without press coverage.

White House press secretary Sean Spicer said the low-key events kept the focus on "the implementation of it."

"That's what we wanted to highlight today — the government getting it done," he told reporters at the White House.

A key issue in the previous litigation was Mr. Trump's call during the campaign for a temporary "Muslim ban" until the government figures out how to deal with the threat of Islamist terrorism. He backed off that description and embrace of "extreme vetting" later in the campaign.

Moving to keep his promise to impose an extreme vetting program, the order called for:

• Uniform screening standards for all immigration programs governmentwide;

• A biometric entry-exit system for all targeted travelers entering and departing the U.S.;

• A review by the State Department of all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal; and

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• New restrictions on the Visa Interview Waiver Program and requirements for nonimmigrant visa applicants to undergo in-person interviews.

In an attempt to demonstrate that the order was not based on religion, it removed exemptions for religious minorities from the predominantly Muslim countries covered by the ban.

It also added exemptions for people who currently have visas or legal "green card" status in the U.S., a carveout that was not included in the original order and added to the confusion.

Although religious minority refugee claims will no longer be prioritized, Mr. Gelernt said he is concerned the travel ban as a whole still disfavors Muslims.

"I think the courts will recognize that simply changing the words of the order will not eliminate the religious discrimination," the ACLU attorney said.

Virginia Attorney General Mark Herring, who also challenged the original order, called it significant that "President Trump has now revoked his original order and apparently exempted all those persons from his revised order."

"Although the new order appears to be significantly scaled back, it still sends a horrible message to the world, to Muslim-Americans and to minority communities across the country, without any demonstrable benefit to national security," Mr. Herring said. "We will closely examine this new order to determine its impact, how it may affect our ongoing challenge to the original ban and whether there are any additional steps we need to take to protect Virginia and our residents."

The inclusion of Iraq in the original ban raised objections from some U.S. military officials and the Iraqi government because of special consideration previously given to Iraqis who aided the U.S. in the war effort, including translators.

The administration said Iraq was removed form the list, despite the presence of Islamic State fighters in the country, because of extra steps the Iraqi government was taking to share information and assist the U.S. in vetting travelers.

"As a result of this increased information sharing, Iraqi citizens are not affected by the Executive Order. Of course, all normal immigration processing requirements continue to apply, including the grounds of inadmissibility that may be applicable," according to the fact sheet provided by the administration.

In another change from the original order, Syrian refugees will not be subject to a permanent ban.

Upon resumption of the Refugee Admissions Program, the executive order calls for refugee admissions to not exceed 50,000 for fiscal 2017, cutting by more than half the 110,000 refugees projected to be admitted this year under Obama administration guidelines.

Mr. Trump encountered familiar resistance on Capitol Hill.

"This isn't about keeping America safe. Let's call it what it is. This ban is a racist and anti-Islamic attempt to divide us up," tweeted Sen. Bernard Sanders, the Vermont independent who emerged as a leading voice for the left after his 2016 run for the Democratic presidential nomination.

A who's who of Democratic lawmakers voiced opposition.

Senate Minority Leader Charles E. Schumer demanded the repeal of the new order. "A watered-down ban is still a ban. Despite the administration's changes, this dangerous executive order makes us less safe, not more, [and] it is mean-spirited and un-American," said the New York Democrat.

He also joined in criticism that Mr. Trump delayed the new order because of the positive reception for his speech last week to a joint session of Congress.

"Delaying its announcement so the president could bask in the aftermath of his joint address is all the proof Americans need to know that this has absolutely nothing to do with national security," he said. "Despite their best efforts, I fully expect this executive order to have the same uphill climb in the courts that the previous version had."

• Dave Boyer contributed to this report.Please enable JavaScript to view the comments powered by Disqus.blog comments powered by

Trump Signs Revised Travel Ban In Bid To Overcome Legal Challenges

By Steve Holland And Julia Edwards Ainsley

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Trump Signs New Order Blocking Arrivals From 6 Majority-Muslim Countries : The Two-Way : NPR

By CAMILA DOMONOSKE Twitter

NPR, March 6, 2017

President Trump has signed a new executive order that temporarily blocks visas from being issued to citizens of six majority-Muslim countries, revoking and replacing a controversial, now-suspended executive order known as the travel ban.

Like the initial order signed Jan. 27, the new executive order bars arrivals from specific majority-Muslim countries for 90 days and suspends the entire U.S. refugee program for 120 days. It also caps the total number of refugees admitted this fiscal year at 50,000, instead of 110,000.

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But there are a series of differences. The ban announced Monday no longer includes Iraq. It explicitly doesn't apply to lawful permanent residents (green card holders) or existing visa holders. Syrian refugees are not banned indefinitely. Refugees already formally scheduled for travel to the U.S. will be permitted to enter the country.

The new order also omits a section about prioritizing refugees from minority religions in their home countries. That's the part of the initial order that, as NPR's Domenico Montanaro has reported, "indicates prioritizing Christians," and was one reason the order was challenged as a form of "Muslim ban."

The order signed Monday will have a delayed implementation — going into effect at 12:01 a.m. ET on March 16 — to avoid the chaotic situation created by the initial order, with people in transit when their visas were nullified.

The new order blocks people traveling from Sudan, Syria, Iran, Libya, Somalia and Yemen. Iraq is no longer included because, the administration says, it has pledged to "increase cooperation with the U.S." and share more information about its citizens.

A senior administration official told reporters about another reason: Iraq has agreed to the "timely repatriation" of Iraqi citizens in the U.S. who are slated for deportation, the official said. As of last summer, Iraq was one of 23 countries considered "recalcitrant" for refusing to cooperate with the U.S. in deporting their citizens.

"Recalcitrant countries" were raised as an issue in a separate executive order, but weren't mentioned in either of the orders on visas and travel. Some "recalcitrant" countries, including Iran and Libya, are affected by the visa ban; most are not.

Administration officials left open the possibility that other countries could be added to future visa-issuance bans, or that countries currently on the list could be removed.

"Heightened Risks"

The White House has consistently said that the travel ban was not and is not a "Muslim ban," but a policy designed to reduce the threat of a terrorist attack.

Critics of the travel ban have challenged the selection of the seven (now six) countries, questioning whether it can be justified on any fact-based national security grounds. The seven countries were on an Obama administration list of "countries of concern" for the Visa Waiver Program, which had nothing to do with blocking travel entirely.

As NPR's Greg Myre has reported, the list "doesn't include any countries from which radicalized Muslims have actually killed Americans in the U.S. since Sept. 11, 2001" — like Saudi Arabia, Egypt, Pakistan or Russia.

The latest executive order apparently attempts to address this with a paragraph about "conditions" in each targeted country, and the terrorist groups with a presence or connection there.

"Each of these countries is a state sponsor of terrorism, has been significantly compromised by terrorist organizations, or contains active conflict zones," the new order states, alleging that the countries pose "heightened risks" to U.S. security.

The suspension of the U.S. refugee program has been similarly criticized. Since the Refugee Act of 1980, there have been no deadly terror attacks by refugees. Nine people were injured in an attack by a Somali refugee last year, which is still under investigation.

In Monday's executive order, the administration offered three examples of people who entered the U.S. as refugees and were convicted of terrorism-related offenses.

Two came from Iraq; they are the men who lived in Bowling Green, Ky., and were charged with supporting a terrorist group.

Another came from Somalia as a child refugee and was arrested for plotting an attack on a holiday event in Portland, Ore. He was a naturalized U.S. citizen by the time of his arrest.

Speaking on Monday, Attorney General Jeff Sessions also said that "people seeking to support or commit terrorist attacks here will try to enter through our refugee program." He said hundreds of people who arrived as refugees are under FBI investigation for possible terrorism-related crimes, although the Department of Justice has refused to provide any details about these reported investigations.

Rounds of litigation

The White House insists the first order was legal and appropriate, even though it's being replaced by the new order.

That original order prompted chaos at airports and inspired protests — and dozens of lawsuits.

The suits were filed by "doctors, professors, students, people fleeing violence and Iraqis who have worked for the U.S. military," as NPR's Joel Rose and journalist Parker Yesko reported last month. They continued:

"Some [of the plaintiffs] were detained in American airports for hours over the weekend; others were barred overseas from boarding planes bound for the U.S. Two Syrian brothers with visas to enter the country say they were turned around at Philadelphia International Airport and sent back to Damascus.

"Human rights organizations and attorneys general in five states jumped aboard some of the suits, and their lists of legal grievances were long. They alleged violations of the First, Fifth and 14th Amendments, which guarantee religious equality, due process and equal protection under the law, as well as denials of asylum and discriminatory visa processing."

One of the suits, brought by the state of Washington and joined by the state of Minnesota, prompted a federal

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judge to issue a nationwide temporary stay of Trump's executive order on Feb. 3.

The Department of Justice challenged the stay in a U.S. appeals court, but a panel of three judges upheld the suspension. As a result, the initial executive order has not been in effect for more than a month.

The new order, which is twice as long as the original, is meant to "address previous concerns" from the courts, according to Homeland Security Secretary John Kelly. But it's not likely to be the end of legal challenges.

"I think everyone — and I assume the government as well — expects that there will be a new round of litigation," Omar Jadwat, director of the Immigrants' Rights Project at the ACLU, told NPR before the new order was released.

In a statement Monday, he said the new order is "a scaled-back version that shares the same fatal flaws."

A "dual track" strategy?

Meanwhile, the signing of a new executive order doesn't necessarily spell the end of lawsuits against the old order.

White House press secretary Sean Spicer has repeatedly said the administration plans follow a "dual track" strategy of continuing to defend the old order from legal challenges even as a new order replaces it.

However, the executive order signed Monday formally revokes the Jan. 27 order as of March 16, and a senior official at the Department of Justice told reporters on Monday that the DOJ believes a majority of the pending cases are now moot.

That may well spell the end for many of those suits, especially those brought on more narrow grounds. But whether or not a lawsuit is still valid will be decided case by case.

Judges might not necessarily be persuaded by the Justice Department's arguments that a case is no longer relevant, says Catherine Kim, a law professor at the University of North Carolina Law School. She joined other law professors in signing an amicus brief against Trump's initial order, and spoke to NPR before the new order was announced.

Even for cases where the original complaint is no longer an issue under the new order — like, for instance, a case involving a lawful permanent resident — "the courts may be worried that as soon as the case is dismissed the administration would just go back and reissue the [original] executive order," Kim says.

Other, broader challenges to the original order could apply equally to the new order, she says — such as the allegation that the order was "done in bad faith," she says.

"I don't think that there is anything that the new executive order could do to address concerns raised by the courts [that] this was really motivated by animus, not by national security concerns," she says.

The Trump administration maintains that it will eventually triumph in the legal battle over the original executive action, based on the president's broad authority on immigration issues. Some legal scholars, including Alan Dershowitz, believe the administration could win at least a partial victory on those grounds.

"I don't think the ban is unconstitutional as it affects a family in Yemen who has had no contact with the United States and simply applies for a tourist visa to come see the Statue of Liberty," he told NPR in early February. But, Dershowitz said, other elements of the ban — especially the initial interpretation that it applied to green card holders — are harder to defend.

The issue could eventually end up before the U.S. Supreme Court.

Trump Signs Revised Travel Ban

By Gopal Ratnam

Roll Call, March 6, 2017

President Donald Trump signed a new executive order Monday that restricts U.S. entry of nationals from six Muslim-majority countries for three months and suspends refugees for four months while the Homeland Security, State and Justice departments tighten vetting procedures.

The new order will go into effect at midnight on March 16 and will apply to nationals of Iran, Libya, Sudan, Somalia, Syria, and Yemen who don't already have a valid U.S. visa to enter the country.

A fact sheet on the new order is available here.

Iraq, which was included in a Jan. 27 executive order restricting travel, has been removed from the new order after the Iraqi government agreed to step up cooperation and provide more information on its citizens, a senior Homeland Security official told reporters on a conference call.

Trump decided to issue the new order because of "complications posed by having to comply with so many temporary restraining orders, preliminary injunctions and a quagmire of legal action" that halted implementation of the original order, the Homeland Security official said, speaking on the condition of anonymity while briefing reporters.

The six countries targeted for travel restrictions were chosen because their residents overstay their U.S. visas at rates "significantly higher than the worldwide average," the DHS official said. In addition, those countries also refuse to cooperate in taking back their residents on a timely basis, "so that we're stuck with their nationals."

The new order "is very much prospective in nature and we're talking about the future entry of individuals into the United States," the official said. "We're not talking about lawful permanent residents, and those who have current valid visas, or folks who are already in the United States."

Unlike the Jan. 27 order, Monday's action does not permanently ban the entry of Syrian refugees.

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Trump promised during the campaign to cease the flow of certain refugees into the United States and force prospective immigrants from countries linked to terrorism to undergo "extreme vetting." He proposed a "total and complete shutdown" of immigration by Muslims, a move widely condemned by members of both parties.

The rollout of the order sparked protests across the country and left many travelers stranded at airports. The State Department said an estimated 60,000 people from the seven majority-Muslim countries trying to get into the United States had their visas revoked.

Lawsuits were filed in federal courts across the country. The U.S. Court of Appeals for the 9th Circuit upheld a lower court ruling and refused to reinstate the Jan. 27 order nationwide, which prompted the Trump administration to draft the second order.

The visa restrictions imposed by the new order will remain in place for 90 days during which officials from DHS and State will examine gaps in information received from visa applicants not only from the six countries mentioned in today's order but also from other countries in the world, the Homeland Security official said.

At the end of the 90-day period, State and Homeland "will make recommendations about any countries that could be included on a future suspension of entry," the official said.

DHS and Justice Department officials said that the FBI, in addition to the 1,000 ongoing investigations of potential terrorist plots, is also examining 300 refugees for terrorism-related activities.

Officials declined to say how many of those 300 refugees were from the six countries targeted by today's executive order, and also declined to say whether any of the 300 had become legal permanent residents or citizens since being admitted as refugees.

— Dean DeChiaro contributed to this report.

Here's How Trump's New Order On Refugees And Immigration Differs From The First

By Rachel Alexander

Spokane (WA) Spokesman-Review, March 6, 2017

President Donald Trump signed a new executive order Monday temporarily banning new visas for citizens of six majority-Muslim countries. Here's what you need to know.Who's affected?

The order suspends new visas for citizens of Iran, Libya, Somalia, Sudan, Syria and Yemen for 90 days and halts refugee admissions for 120 days. It's similar to Trump's Jan. 27 order, which a federal court suspended after Washington state sued.What's new?

Existing visa holders, green card holders and people who have been admitted to the U.S. and are allowed to travel here can still enter under the new order. It's narrower in scope to avoid further court challenges. Dual citizens from one of the affected countries also can travel, so long as they use their passport from a non-affected country.Are there exceptions?

The order allows Customs and Border Protection officials to make case-by-case exceptions to the ban, and suggests several situations that might warrant them. They include people who have worked for the U.S. government, infants and young children, people needing urgent medical care and people with a previous connections to the U.S. who happen to be outside the country when the ban takes effect.What about Iraq?

Iraq was removed from the list of countries included in the ban, in part because its government has agreed to cooperate with additional vetting and security measures.What does it go into effect?

The order takes effect March 16 in an attempt to avoid the chaos surrounding the Jan. 27 order's rollout, which led to green card holders being detained temporarily at airports and some students, doctors and other professionals being stranded outside the U.S.What about refugees?

Trump set a cap of 50,000 refugee admissions for 2017, significantly lower than Barack Obama's 110,000-person cap for 2016. But Obama's 2016 goal was a historic high: the U.S. has set a refugee cap between 70,000 and 80,000 every year since 2007, according to State Department data.

Two of the six countries included in the ban are home to a large number of Spokane refugees. Last year, World Relief resettled 64 Syrian and 48 Somali refugees in Spokane. Iraqis led the list, at 106 resettlements.Ferguson responds

Washington Attorney General Bob Ferguson said his office was carefully reviewing the order to determine the next step in the federal lawsuit that stopped the original restrictions through a temporary restraining order issued by U.S. District Court Judge James Robart and upheld by the 9th U.S. Circuit Court of Appeals.

But Trump "capitulated" on key provisions in the lawsuit, Ferguson said, including bans on Green Card holders, visa holders and dual citizens, an indefinite ban on Syrian refugees and preferences based on religion.

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New Immigration Order Pushes Biometrics But Lacks Deadline – FCW

Federal Computer Week, March 6, 2017

President Donald Trump signed a new version of his controversial executive order on immigration, modified to bar travelers from six majority-Muslim Middle Eastern countries.

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Secretary of Homeland Security John Kelly, Secretary of State Rex Tillerson and Attorney General Jeff Sessions unveiled the new order on March 6 at a Washington, D.C., press conference.

The order, which takes effect March 16, will bar entry to foreign nationals from Sudan, Syria, Iran, Libya, Somalia and Yemen for 90 days. However, citizens from Iraq, which had been included in the previous order, won't be barred under the new one.

Senior White House, Department of Homeland Security and Justice Department officials on a briefing call with reporters in advance of the new order's announcement said that Iraq had been taken off the list because of its increased cooperation and data sharing in vetting its citizens applying for U.S. visas.

Although the officials wouldn't specify when asked by FCW during the briefing what Iraq specifically did to get removed from the list, they did say improved official travel documents from the country, increased sharing of verified information with the U.S and willingness to accept repatriations from the U.S. when needed were keys to getting Iraq off the list.

The remaining six governments, according to the White House official, couldn't provide data on travelers adequate to make security decisions about their coming into the country.

The White House official also said foreign nationals from the six countries in the order have significantly higher visa overstay rates compared to the average and can be difficult to remove because of their home government's political or bureaucratic disarray. Individuals from those countries who are found to have security concerns while in the U.S. can only be detained for six months under federal law, according to the official.

There is no timeline for removing countries from the list and no definitive way to tell when a country might be taken off, the official said.

The U.S. will begin assessing all counties' information sharing capabilities on a case-by-case basis beginning on March 16. That review will last for 90 days. Countries could be dropped or others added after that review period, he said.

The new order also told DHS to "expedite the completion and implementation" of a biometric entry-exit system for foreign travelers entering and leaving the U.S. The White House official on the call declined to provide a timeline for the expedited system's implementation. The order, the officials said, directs DHS to "ramp up as quickly as possible," on the project. "CBP is working diligently to meet that obligation," they said.

The president's previous order on immigration was met with public protests and accusations that the document wasn't vetted or reviewed by more than a handful of senior White House staff.

The new order, said the senior officials, won't be implemented until March 16, allowing time to get all agents and agencies involved up to speed. The order is also forward-looking; it will not stop travel by current visa holders.

"The Executive Order signed today is prospective in nature – applying only to foreign nationals outside of the United States who do not have a valid visa," said Kelly in a statement on the new order.

This time, the White House official said, "there will be no daylight between agencies" involved with implementing the order and a smoother roll out. "It takes effect March 16 at 12:01 am.… You won't see any chaos at airports," they said.

Justice Department Explains Trump's Latest Travel Ban

By Bart Jansen

USA Today, March 6, 2017

President Trump signed an executive order Monday that suspends travel for 90 days for people from six terror hot spots. Here are some questions and answers provided by the Justice Department to clarify the order, which revises an order signed Jan. 27.

1. Who does the order apply to?

Citizens and nationals of Iran, Libya, Somalia, Sudan, Syria and Yemen who didn't have a visa by 5 p.m. on Jan. 27 cannot enter the United States for 90 days. This restriction applies to unaccompanied children. But the order doesn't apply to legal-permanent residents of the U.S. – so-called green card holders. Dual nationals from those countries who are traveling on a passport from a different country aren't affected by the order.

2. When does the order take effect?

March 16 at 12:01 a.m.

3. How were the countries chosen?

Government officials previously identified the six countries as presenting concerns about terrorism. The State Department has designated Iran, Sudan and Syria as state sponsors of terrorism. The Department of Homeland Security has designated Libya, Somalia and Yemen as additional countries of concern.

4. Why isn't Iraq included, as it was in the Jan. 27 order?

The close relationship between the U.S. and the elected government of Iraq, the significant presence of U.S. troops there and Iraq's commitment to fight the Islamic State justified the different treatment, the Justice Department said. Iraq provides more information about its citizens for U.S. immigration decisions than the other countries, Justice said.

5. Does the order revoke previously approved visas?

The order doesn't revoke visas. But the departments of Homeland Security and State can revoke visas for other reasons in the national interest.

6. What about travelers who are already on their way?

Travelers who hold valid visas will be allowed into the U.S., but they must continue to demonstrate that they are admissible.

7. Can travelers from the six countries already in the U.S. leave and return?

Travelers with a single-entry visa aren't allowed to leave and return. But travelers with multiple-entry visas are allowed to enter and leave the U.S. within the effective dates of the visa. If the visa expires while the traveler is overseas, the traveler won't be allowed to return to the U.S. unless he or she obtains a new visa.

8. What about people who have been granted asylum or refugee status?

Refugees and people granted asylum aren't covered by the travel order. Refugees and people granted asylum who haven't yet arrived in the U.S. will be admitted so long as travel was formally scheduled by the State Department.

9. Are waivers available?

The State Department will consider waivers to visas in conjunction with visa applications. Waivers are granted if the traveler can document that his or her arrival is in the national interest, will not pose a threat to national security, and that denying entry during the suspension period will cause undue hardship.

10. Is Customs and Border Protection coordinating with airlines about the latest travel restrictions?

CBP says it will remain in continuous communication with airlines to provide guidance and answer questions about the order. Airlines routinely check passenger lists before flights against lists provided by CBP to ensure that travelers aren't prohibited from the U.S.

5 Differences In Trump's New Travel Ban

By Jessica Durando

USA Today, March 6, 2017

Here are major changes in President Trump's temporary travel ban for a number of majority-Muslim nations to overcome legal challenges that led federal judges to block the original Jan. 27 order.

The new order takes effect in 10 days rather than immediately. Trump's original ban led to chaos at U.S. and international airports, as thousands of visa holders were blocked from entering the country or detained after arriving in the United States.

Read more:

Iraq, which is working closely with the U.S. military to defeat the Islamic State, is excluded from the new list. Iraq was removed from the order after agreeing to increase cooperation with the U.S. government on vetting of its citizens applying for a travel visa, according to the fact sheet released by the Trump administration.

The indefinite ban on Syrians is lifted under the new travel. They will now be subject to same 90-day ban on travelers and 120 days for refugees.

"I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States," the original order read. Under the original ban, Syrians would have been barred until Trump felt that "sufficient changes" had been made to screening procedures.

President Obama had allowed 10,000 refugees fleeing Syria's civil war to enter the United States in 2016.

Nationals of the six countries with legal permanent residence in the U.S. (known as green cards) are not affected, as they were under the Jan. 27 order. Federal judges had expressed concern about barring legitimate visa holders. People with valid visas as of Monday are also exempt.

The new ban has no preference for "religious minorities," such as Christians claiming persecution in mostly Muslim nations.

President Trump's New Travel Ban Is Much Narrower

By Dara Lind

Vox, March 6, 2017

The first version of President Donald Trump's refugee and visa ban — the one he signed on January 27, in place for only a week before federal courts put it on hold — was an ambitious disaster.

It attempted, literally overnight, to prevent people who had already bought plane tickets from entering America. It posed a substantial problem for people currently living in the US who might want to travel abroad. And it turned preference for "persecuted religious minorities" into a cornerstone of US refugee policy.

The latest version of the executive order, signed by Trump Monday, does none of those things. It all but admits that the administration overreached the first time, provoking a legal and political backlash that could have been avoided. What it offers, instead, is a much more narrowly tailored and thoughtfully considered version of the ban — one that's much more likely to stand up in court.

The administration has done basically all it can to judgeproof the new executive order. It was a foregone conclusion that immigration advocates and Democratic prosecutors would sue to stop the 2.0 executive order just as they stopped the first one, but it's a lot less clear that they'll succeed this time around.

If Trump officials could only make everyone forget that the first version of the executive order existed at all, they'd be golden. Unfortunately for them, they can't. Between the chaos of the first executive order and the internal tussles over the drafting of the second, "travel ban 2.0" is already associated

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in the public mind with its more aggressive predecessor. And federal judges may be similarly disinclined either to forgive or forget. The new executive order is more consistent and streamlined — but the long-term effects are likely to be similar

The executive order President Trump signed on January 27 had two main parts. It set up a framework to make permanent changes to the way the US admitted visa holders and refugees from other countries: raising the standards for what information countries had to provide about their citizens who wished to come to the US, blacklisting countries that couldn't provide that information, and halving the number of refugees that the US would admit in the next year.

While the government worked on those permanent changes, the executive order also set up temporary ones: a 90-day hold on admitting any national from seven majority-Muslim countries and a 120-day hold on admitting any refugees who weren't "religious minorities" (or fit a couple of other exceptions). That's the part of the ban that caused massive airport chaos and attracted the attention of the public and the courts.

The new version of the executive order Trump signed Monday leaves the long-term process to restrict visas and refugee admissions in place. But the temporary measures are much more limited.

The original executive order applied to people currently living in the US on visas from blacklisted countries — and even, in the early days of the policy, to green card holders. But the new order applies only to people who haven't yet been issued visas. In theory, this ought to prevent the sort of chaos the initial executive order produced at airports in the US and around the world, because anyone boarding a plane to enter the US already has a visa.

The new version of the order also drops Iraq from the 90-day blacklist — reportedly at the behest of top defense officials including Secretary of Defense James Mattis.

As a result, starting on March 16, the federal government will no longer issue new visas to people from Iran, Libya, Somalia, Sudan, Syria, or Yemen. But the new order doesn't restrict people from any other country from entering the US. And it doesn't restrict people from those countries who've already received their visas.

The 120-day ban on refugees has been streamlined as well. The government will no longer allow members of persecuted religious minorities to settle in the US during the temporary refugee pause. On the other hand, the executive order no longer places an indefinite ban on admitting Syrian refugees — they'll be allowed to enter the US after 120 days if they pass the screening mechanisms that will presumably be in place by that time, just like any other refugee.

For the refugees who are actually affected, this is cold comfort: "There is nothing 'temporary' about leaving innocent families stranded and at grave risk while their government-issued security clearances expire," Mark Hetfield, the executive director of HIAS, said in response to the new order.

The long-term consequences of the executive order — the changes to policy that will be in place 120 days from now — are the same as they were in the January 27 version. The government is still going to produce a list of countries that can't be trusted to provide needed information to the US, and people from those countries will be indefinitely blacklisted from entry. People hoping to come to the US are still going to be asked to produce more information than they have in the past, and that information is going to be scrutinized more heavily. And the US is still going to admit only half as many refugees as it was planning to under Obama. Photo by Scott Olson/Getty Images The new executive order gives the administration a better chance in court — but is it enough?

The new executive order is guaranteed to be challenged in court, just like the original was. But the new order is going to be much easier to defend.

Advocates now have to decide where they're going to file a challenge, and are likely to pick a court they think might be skeptical of the ban. "The challengers can pick their best shot, which almost certainly means they will proceed with a Ninth Circuit case," points out Temple University law professor Peter Spiro, given the skepticism judges there showed the original version of Trump's ban.

Then it's going to be up to the circuit court to figure out whether the new order requires a separate court case, or whether it can be rolled into the existing lawsuits against the first version of the ban.

Either way, the new ban will be easier to defend — because it's designed to affect immigrants who aren't already in the US.

Noncitizens have some rights in the US, but different groups of noncitizens have different levels of rights. Legal permanent residents have some due process rights under the Constitution, and one of the biggest problems with the first order, legally speaking, was that it deprived those immigrants (as well as visa holders living in the US) of their ability to return to America after traveling abroad.

Now, the executive order only applies to people who've never been admitted to the US at all. "Prospective visa holders occupy the lowest rung in the constitutional hierarchy," Temple University professor Peter Spiro says. "There are many precedents saying flat out that they have no constitutional rights at all." Prospective visa holders can't even sue on their own behalf; US-based institutions or people, like state universities, have to argue they are being deprived of rights because the immigrants aren't allowed to enter.

If the Trump administration had just written the order this way the first time around, it might never have been struck down. But they didn't, and it was.

FOIA CBP 001130

The 9th Circuit (and other federal judges) subjected the original ban to a higher level of scrutiny than was strictly necessary. While judges don't usually get in the habit of second-guessing national security decisions, Josh Blackman of South Texas College of Law says "the 9th Circuit imposed an (unprecedented) burden on the government to justify the ban" — forcing the Department of Justice to offer evidence that the seven countries named in the original ban posed a threat to national security. The judges reacted very badly when the DOJ tried to claim the executive order was outside the scope of judicial review entirely, and they were extremely skeptical of the government's attempts to "clarify" the scope of the ban after it first came out.

A new version of the executive order can't wipe the judges' minds clean. And while the kerfuffle over the initial executive order doesn't necessarily change the constitutionality of the new one, it could provide fuel to the fire for judges who believe the whole thing is just an attempt to put lipstick on a "Muslim ban" — or at least that by singling out six countries, it discriminates on the basis of nationality.

"It's hard to imagine," Temple's Spiro told Vox before the text of the new ban was issued, "that it won't look reverse engineered, if not concocted." (That's especially true because leaks out of the federal government, in the weeks before the new ban was signed, made it clear that many federal analysts felt they were being asked to justify the ban retroactively.)

Whether it's appropriate for federal judges to consider this history when they examine the new ban is an open question, constitutionally. (It depends on what standard of review they think is appropriate.) It would be pretty aggressive for federal judges to reject the new ban, despite the changes that have been made, because the history of the ban's implementation convinced them it was motivated by Islamophobic animus rather than national security concerns. But if the legal battle over the first version of the executive order is any indication, at least some federal judges are ready for a fight. The review process made it easier for Republicans to get on board

The latest executive order is almost certainly going to be a lot smoother to implement — and thus a lot easier for Republicans to defend politically. Photo by Mark Wilson/Getty Images

When President Trump signed the original version of the ban, he'd only been in office for a week. Barely anyone in his administration had even been briefed on the executive order — Homeland Security Secretary John Kelly was reportedly in the middle of his briefing when he found out the order was being signed on live TV. No training had been provided to the agents who were supposed to implement the order, and different parts of the federal government disagreed, even after it was signed, about who was supposed to be affected.

The administration took pains to develop the second version of the order in a more normal way. As Homeland Security John Kelly put it in the press conference rolling out the new order, this time "there should be no surprises."

This version of the executive order definitely won't cause the chaos and panic of the first one, because it doesn't strip visas from anyone who currently has them. People from the blacklisted countries currently applying for visas probably won't get them, though the executive order implies visas will be issued until March 16. But people who are already to the point of boarding a US-bound airplane, or arriving in an American airport, aren't supposed to be affected by the new executive order.

Since many Republicans expressed their displeasure with the implementation of the first travel ban but not its concept, a smoother rollout of the next version might be a good opportunity to get them lined up behind the president.

People still might get detained at airports, just as people were while the original ban was on hold, but it will be because of the discretion and aggression shown by Customs and Border Protection agents under Trump, not because of the order itself. The human cost of making Donald Trump feel better

The new version of the executive order is so limited, and so cautious, that it practically raises the question: Why did the Trump administration need to issue a new order at all?

People who've been following the ongoing soap opera that is the Trump White House probably know the answer. The Trump administration couldn't simply accept a temporary setback when the courts put the initial ban on hold. Because Donald Trump's ego wouldn't have allowed it.

There would have been nothing stopping the Trump administration from simply continuing to implement the parts of the original executive order that weren't put on hold by the courts. By March 6, the Department of Homeland Security would already have provided a list of countries that could be subject to indefinite visa bans; DHS and the State Department could be in the process of designing reforms to the visa application process.

But instead, the government rolled out a new executive order to reinstate (in modified form) the temporary measures the courts had struck down.

It asked analysts from the Department of Homeland Security to offer evidence supporting its foregone conclusions. Those analysts instead questioned the premise of the ban — one document, drafted by the Department of Homeland Security's Office of Intelligence and Analysis (and leaked to MSNBC last week), pointed out that radicalized immigrants tend to become radicalized after they've come to the US, while another DHS report (leaked to the Associated Press) argued that an immigrant's nationality is a poor predictor of whether he's likely to become a terrorist.

FOIA CBP 001131

But the White House's plans weren't swayed by mere policy concerns. Instead, it planned a rollout based on politics. It delayed the signing of the new order because Donald Trump was having a good press day after his joint address to Congress on February 28, only to schedule it for March 6 after several days of setbacks for the administration. It was the move of a White House that is desperate to win and refuses to admit mistakes.

Indeed, according to the Washington Post, plans for the new executive order were used to cheer up a sulking Donald Trump. At a Mar-a-Lago dinner over the weekend. Kelly and Sessions (along with Bannon and Miller) reportedly discussed their plans for the rollout in an attempt to get Trump's mind off his anger about Sessions's recusing himself from DOJ investigations of the administration's ties to Russia, and Trump's belief that President Obama tapped the phones at Trump Tower.

If the White House had simply been willing to accept a temporary setback when the executive order was put on hold in early February, it might still have prevailed (after months or years) at the Supreme Court — and it still would have been able to do most of the things the current order requires. But instead, it reinstated a policy that's going to put tens of thousands of refugees' lives on hold for several months (or longer), and could signal the beginning of an indefinite ban on immigration or other arrivals from countries like Syria and Iran.

The new version of the executive order isn't as bold as its predecessor. It won't make as much of a splash. But by limiting the scope of the "2.0" version of the ban, the White House has inadvertently shown that its motives are even more limited — the protection of the ego of Donald J. Trump.

Trump's Streamlined Travel Ban Still Faces Headwinds

By Howard LaFranchi

Christian Science Monitor, March 6, 2017

It might be called the kinder, gentler travel ban – but don't expect the revised version of President Trump's executive order aimed at keeping Islamist terrorists out of the country to quell opposition and end legal challenges.

In the eyes of critics, it's still an unconstitutional Muslim ban.

The new order Mr. Trump signed at the White House Monday now targets six Muslim-majority countries – Iraq was dropped from the list of seven countries in the original order signed Jan. 27 – and still suspends the resettlement of refugees for 120 days.

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Trump's biggest executive actions, explained

But the new executive action specifically exempts US green-card holders and other foreigners in possession of a valid visa. It no longer singles out Syrians for indefinite suspension from entry. And it will not take effect until March 16 – a delay aimed in part at avoiding the mass confusion that ensued at the nation's international airports when the first order took effect immediately.

The revised order also allows immigration officials to issue visas to individuals from the six temporarily banned countries on a case-by-case basis – for example, for students and work-visa holders, or children and individuals requiring urgent medical care.

In addition, the new order no longer prioritizes the resettlement of religious minorities – read Christians, by and large – from those six Muslim-majority countries. That prioritization was one of the key features of the original order that had critics and some jurists concluding the travel suspension was actually a Muslim ban that would not pass constitutional muster.

"This is not a Muslim ban in any way, shape, or form," a senior Department of Homeland Security official said Monday on a conference call with reporters. The call also included senior officials from the State Department and Department of Justice. The fact that the ban does not affect the vast majority of the world's 1.6 billion Muslims is proof the measure is not a Muslim ban, the DHS official said.

The six countries carried over from the original 90-day travel ban are Iran, Libya, Somalia, Sudan, Syria, and Yemen.

AIMING FOR NATIONAL SECURITY

What the executive order is, administration officials say, is a legitimate exercise of executive authority to keep Americans safe. And given the very senior level at which administration officials weighed in on the order, it appeared the administration intends to zero in on the president's prerogative and duty to take steps to enhance national security.

"With this order, President Trump is exercising his rightful authority to keep our people safe," Secretary of State Rex Tillerson said Monday morning. "This order is part of our ongoing efforts to eliminate vulnerabilities that radical Islamist terrorists can and will exploit for destructive ends." Secretary Tillerson appeared on a Washington stage with Attorney General Jeff Sessions and DHS Secretary John Kelly.

All three cabinet members gave statements in support of the new executive order but left the stage without answering reporters' questions.

Indeed, in an effort to strengthen the national security justification for the travel ban, the new order specifies that the six countries listed are either failed states where enhanced vetting of visa applicants is problematic and where governments do not have full control of national territory, or are state sponsors of terrorism.

FOIA CBP 001132

Iran and Sudan are listed by the State Department as state sponsors of terrorism.

Trump appears to have hinted at this ramped-up national security justification for the travel ban when he said in his speech to Congress last week that it is "not compassionate but reckless to allow uncontrolled entry from places where proper vetting cannot occur."

WHY IRAQ WAS DROPPED

Officials said Iraq was dropped from the list of countries subject to a 90-day travel ban because of its strides over the past month to address shortcomings in citizens' documentation. Tillerson said the government of Iraq had joined with the US in an "intense review" that had identified "multiple security measures" the two countries would take to enhance the vetting of Iraqis seeking entry to the US.

At the same time, Tillerson seemed to acknowledge the objections the Pentagon and State Department had raised over inclusion in the original ban of a country whose military is battling the Islamic State alongside US soldiers.

"Iraq is an important ally in the fight to defeat ISIS, with their brave soldiers fighting in close coordination with America's men and women in uniform," Tillerson said.

As justification for the suspension of refugee resettlement, the new order cites 300 FBI cases where individuals who entered the country as refugees are under investigation for terrorist activities. The officials would not specify how long ago those 300 individuals entered the country, whether they still hold refugee status, or how many of the 300 were from the six countries named in the ban.

"The salient fact here is that there were 300 individuals admitted and welcomed to the United States as refugees… and either entered with hostile intent or were radicalized in the United States," the DHS official said.

Like the original order, the new executive action suspends the refugee resettlement program for 120 days, while reducing the number of refugees to be accepted by the US this fiscal year from the 110,000 figure set by President Obama last year to 50,000. Trump administration officials have said that about 35,000 refugees have already been admitted since the beginning of the fiscal year in October.

Yet if the swift objections raised to the revised immigration order are any indication, its implementation could be as problematic as the previous one, which was suspended by a federal judge Feb. 3. That suspension was subsequently upheld by a federal court of appeals.

WILL US BE LESS SAFE?

Targeting the administration's national security justification for the order, many critics say the travel ban would actually make the country less safe.

"A watered down ban is still a ban. Despite the Administration's changes, this dangerous executive order makes us less safe, not more, it is mean-spirited, and un-American," said Senate minority leader Chuck Schumer (D) of New York in a statement. "It must be repealed."

Some say the revised travel order will be counterproductive because it will raise tensions with Muslim countries whether or not they are affected by the ban, while playing into the propaganda efforts of terrorists, particularly anti-Western jihadists.

"This clear attempt to exclude Muslims from entering our country undermines core American values, opens the door to further discrimination against Muslim-Americans here at home, and provides a recruitment tool for terrorists around the world who seek conflict with the United States and its allies," says Stephen Miles, director of Win Without War, an advocacy group that promotes a national security based on American values.

Critics also question whether the revised order will address the objections of federal courts over the original order. The Ninth Circuit Court of Appeals noted in upholding the federal court suspension that none of the foreigners found to have carried out terrorist attacks in the country was from the countries subject to the travel ban.

Trump's revised order may smooth over the rough edges of the original version, national security experts say. But some concur with critics who say the tenor of the measures is likely to undermine rather than enhance security.

"Even though this order is calmer, more professionally executed, and less likely to cause mass chaos that its predecessor, its issuance marks a sad day for American leadership in the modern world," says David Schanzer, an expert in domestic radicalization who is a professor at Duke University in Durham, N.C., and director of the Triangle Center on Terrorism and Homeland Security.

Combined with other Trump actions taken in the name of national security, Professor Schanzer says the order "symbolizes that America fears engagement with the outside world and believes national security is advanced by building barriers that isolate America. This withdrawal of American leadership," he adds, "will make the world a more dangerous place."

Justice Dept., With New Order, Will Seek To Dismiss Cases From Previous Travel Ban

By Andrea Noble

Washington Times, March 6, 2017

Justice Department officials believe lawsuits brought over President Trump's executive order on visas and refugees will have no practical significance after Monday's signing of a replacement order and expect that, when appropriate, DOJ attorneys will seek to have those challenges dismissed.

After the problematic roll out of a prior order signed Jan. 27 and put on hold by a federal judge three days later, the

FOIA CBP 001133

president signed a new executive order Monday meant to replace the former version.

"We anticipate most of the challenges should be mooted by this new executive order and the Department of Justice will be filling the appropriate briefs and letters in those existing cases," a senior DOJ official said Monday during a background briefing with reporters on the new order.

The DOJ had previously stated in court filings that it hoped to end ongoing litigation over the prior order when the Trump administration introduced a substantially revised version. Justice Department officials have continued to defend the legality of the original order — in previous court filings DOJ lawyers said the new version is meant to eliminate what a federal appeals court "erroneously thought were constitutional concerns."

Attorney General Jeff Sessions said Monday that the DOJ believes the new order, as well as the first, "is a lawful and proper exercise of presidential authority."

"This Department of Justice will defend and enforce lawful orders of the President consistent with core principles of our Constitution," Mr. Sessions said. "The executive is empowered under the Constitution and by Congress to make national security judgments and to enforce our immigration policies in order to safeguard the American public."

The original executive order blocked most travel from seven predominantly Muslim nations — Syria, Iraq, Somalia, Iran, Sudan, Libya and Yemen — until stronger vetting could be implemented, indefinitely halted the resettlement of Syrian refugees in the U.S. and blocked other refugees for 120 days, and prioritized refugee claims made by religious minorities.

The new order will eliminate several elements of that order that were highlighted as potentially unconstitutional in some of the dozens of lawsuits that challenged the travel ban, according to information provided by senior administration officials.

According to State Department and Department of Homeland Security officials, the new order will no longer include Iraq in the travel ban. It will also no longer prioritize refugee claims made by religious minorities from the remaining six majority-Muslim countries, and will not ban Syrian refugees indefinitely.

Senior officials said the order would not revoke any currently valid travel visas possessed by citizens of the six affected countries, and therefore would not create any "chaos at airports" when the order takes effect.

The signing of the original order sparked nationwide protests, with attorneys and demonstrators gathering at airports across the country to attempt to provide legal aid to affected travelers.

Lawyers challenging the original order were not so certain the new executive order would solve all the constitutional questions raised.

Lee Gelernt, deputy director of the American Civil Liberties Union's Immigrants' Rights Project, said his organization intends to continue challenging the new executive order.

"We believe the core constitutional problem has not been eliminated — which is religious discrimination," Mr. Gelernt said Monday. "Certain due process problems may be eliminated with the new ban, but the religious discrimination has not been eliminated."

Although religious minority refugee claims will no longer be prioritized, Mr. Gelernt said he is concerned the travel ban as a whole still disfavors Muslims.

"I think the courts will recognize that simply changing the words of the order will not eliminate the religious discrimination," he said.

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Trump's Executive Order Takes Unusual Pains To Explain Itself

By Gregory Korte

USA Today, March 6, 2017

WASHINGTON — Under pressure from the courts, President Trump has rescinded his executive order instituting a travel ban and replaced it with one that's more narrowly tailored — but also more than twice as long.

Trump's new, 6,100-word order represents an unusual attempt to have an executive order explain and defend the order itself, both to the courts and to the public. It begins with an extraordinary 19-paragraph section explaining the "policy and purpose" behind the travel ban. "It is the policy of the United States to protect its citizens from terrorist attacks, including those committed by foreign nationals," Section 1 of the order begins.

It then recites the history of the first executive order, addresses specific issues raised by the courts, and gives a country-by-country rationale for the six predominately Muslim countries included in the list of banned countries. It even references specific cases of refugees

The previous order signed Jan. 27 contained just four paragraphs of explanation.

"Executive orders very often have preambles that explain the rationale for having the executive order in the first place. This is an unusually elaborate one, it seems to me. And in some ways a defensive one," said William Araiza, a Brooklyn Law School professor.

In some places, it even seems to defend parts of the original executive order that Trump has since rescinded.

For example: Iraq was dropped from the list of seven majority-Muslim counties the travel ban was applied to. The remaining countries are Iran, Libya, Somalia, Sudan, Syria and Yemen.

"Iraq presents a special case," Trump said in explaining its removal from the list. "Since Executive Order 13769 was issued, the Iraqi government has expressly undertaken steps to enhance travel documentation, information sharing, and the return of Iraqi nationals subject to final orders of removal."

White House aides say the president still stands behind the original executive order.

"When you look at how the court adjudicated that, their facts were wrong," press secretary Sean Spicer told reporters in his office Monday. "I think we recognized that we could have been in litigation for up to a year on this, and that would have left the country exposed. We 100% maintain that the executive order as initially drafted is 100% constitutional and legal."

The new executive order asserts that more than 300 refugees in the United States are currently the target of counterterrorism investigations by the FBI. The Justice Department declined to release more details on those cases.

But Trump cited two specific cases as evidence for the need for a travel ban. One was a Somalian arrested in a 2010 FBI sting operation for attempting to bomb a Christmas tree-lighting ceremony in Portland, Ore. The other case involved two Iraqi refugees convicted in a Kentucky court of trying to kill U.S. soldiers while in Iraq.

That's the case that Trump counselor Kellyanne Conway has referred to as the "Bowling Green massacre."

The examples seem to be a direct response to the the 9th Circuit Court of Appeals, which ruled last month that the Trump administration failed to make its case. "The government has pointed to no evidence that any alien from any of the countries named in the order has perpetrated a terrorist attack in the United States," a three-judge panel wrote in a unanimous opinion. "Rather than present evidence to explain the need for the executive order, the government has taken the position that we must not review its decision at all."

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Trump's order addresses the court directly: "In light of the Ninth Circuit's observation that the political branches are better suited to determine the appropriate scope of any suspensions than are the courts, and in order to avoid spending additional time pursuing litigation, I am revoking Executive Order 13769 and replacing it with this order, which expressly excludes from the suspensions categories of aliens that have prompted judicial concerns and which clarifies or refines the approach to certain other issues or categories of affected aliens."

"This is a litigation document," said Elizabeth Goitein of the Brennan Center for Justice, which has opposed the ban. She said there's little change to the substance of the policy, but rather a new argument for the old executive order. "The attempt here is to essentially get the same result with what the administration feels has the necessary legal bells and whistles to satisfy the courts."

That means a key issue for the courts going forward is whether Trump has corrected any discriminatory intent through a more narrowly tailored order. "You can't uncook the spaghetti. He's already tipped his hand about what his intent was," Goitein said.

Trump Signs New Immigration Order Without Fanfare

By Eliza Relman

Business Insider, March 6, 2017

When President Donald Trump first signed an executive order restricting immigration to the US, he was surrounded by advisers and photographers at the Pentagon. On Monday, however, Trump signed a revised version of the travel ban behind closed doors and without fanfare.

Instead of holding a public signing ceremony, Secretary of State Rex Tillerson, Attorney General Jeff Sessions, and Homeland Security Secretary John Kelly held a short media briefing to announce the new ban. They did not take any questions from journalists during or after the announcement.

The new order is a more limited version of the January 27 travel ban, which ignited protests across the US, caused chaos at airports throughout the world, and was ultimately blocked by federal courts. The new ban temporarily restricts immigration from six, rather than seven, majority-Muslim countries, with exceptions for those already granted a visa or green card, and subjects Syrian refugees to the same 120-day ban as all other refugees.

As of early Monday afternoon, Trump had not made any public statement concerning the revised order. The administration did not provide any explanation as to why Trump signed the order in private.

The revision of the order is seen by many as a concession by the administration and is reportedly intended to address legal concerns with the original travel ban.

Administration officials preempted critiques of the order's legality at Monday's press conference.

"The Department of Justice believes that this executive order just as the first executive order is a lawful and proper exercise of presidential authority," Sessions said.

Trump Issues Revised Travel Ban For Six Majority-Muslim Countries

By Alan Gomez

USA Today, March 6, 2017

President Trump took a second swing at his temporary travel ban Monday, this time targeting travelers from six majority-Muslim countries and crafting his executive order in ways intended to survive challenges in U.S. courts.

The new ban, which goes into effect March 16, no longer restricts travel from Iraq, one of seven listed in the original order. The 90-day ban now is limited to Iran, Libya, Somalia, Syria, Sudan and Yemen.

As before, the order shuts down the U.S. refugee program for 120 days to give the federal government time to develop "extreme vetting" procedures to prevent terrorists from entering the country. However, Syrians are no longer subject to an indefinite ban, as they were under the first order.

The White House spent weeks drafting the revised ban, coordinating with the departments of State, Justice and Homeland Security to avoid the chaos that followed the Jan. 27 order. That one took immediate, snarling travel for thousands of people around the world and at U.S. airports. This time, federal agencies will have 10 days to prepare before the order goes into effect.

Trump signed his first order during a highly-publicized signing ceremony at the Pentagon. This time, he signed the order in private and sent out Secretary of State Rex Tillerson, Attorney General Jeff Sessions and Homeland Security Secretary John Kelly to issue brief statements.

"It is the president's solemn duty to protect the American people, and with this order, President Trump is exercising his rightful authority to keep our people safe," Tillerson said. "As threats to our security continue to evolve and change, common sense dictates that we continually reevaluate and reassess the systems we rely upon to protect our country."

The Department of Justice also filed a letter with the 9th U.S. Circuit Court of Appeals on Monday, explaining that Trump's new order "revokes" the first one. That means the 9th Circuit may now drop the case against the first ban, leaving Justice to focus on defending expected legal challenges against the new ban.

While the goal of the executive order remains the same — keeping terrorists out — the administration made several other big changes to avoid being struck down in court.

Nationals of the six countries with legal permanent residence in the U.S. (known as green card holders) are not affected. People with valid visas as of Monday also are exempt. And the order no longer gives immigration preference to "religious minorities," such as Christians who claim they are persecuted in mostly Muslim countries.

Read more:

Iraq was dropped from the ban after negotiations with the Iraqi government, which vowed to improve the security of its travel documents, share more information on its citizens with the U.S. government and agreed to accept Iraqi nationals who have been ordered deported from the U.S., according to a senior Homeland Security official, who spoke on condition of anonymity to fully discuss the new order ahead of the president's signing.

A federal judge in Seattle issued a nationwide hold on the order after lawyers for travelers detained at U.S. airports filed lawsuits. His ruling was upheld by the 9th U.S. Circuit Court of Appeals.

Federal judges who blocked Trump's first executive order cited the lack of a national security justification throughout their opinions. The 9th Circuit Court of Appeals, in particular, pressed government lawyers to provide any examples of terrorist acts committed by immigrants from the banned countries to justify the ban.

The government lawyers could not provide any examples then, but Monday's new executive order tries to fix that.

The new order explains the extensive ties that each of the six countries have with terrorist organizations, from Iran's support of terrorist groups Hezbollah and Hamas to ISIS activities in Libya to an al-Qaeda offshoot operating in Yemen. The summaries also highlight the active combat ongoing in Syria and Libya to make the case that immigrants from those countries cannot be properly vetted.

"In light of the conditions in these six countries ... the risk of erroneously permitting entry of a national of one of these countries who intends to commit terrorist acts or otherwise harm the national security of the United States is unacceptably high," the order read.

But the order provides few details about terrorist acts that refugees and immigrants from those countries carried out in the U.S. It mentions the arrest of a Yemeni man who was convicted in 2014 of planning a Christmas-time bombing in Portland. But it also mentions the arrest of two Iraqi refugees convicted of "terrorism-related offenses" even though Iraq is no longer included by the executive order.

The order sums up the danger posed by immigrants from those countries by citing an estimate by the FBI, which states that 300 people who entered the U.S. as refugees are currently being investigated by the bureau on suspicion of terrorism. But a Department of Justice official who briefed reporters earlier in the day could not estimate how many of those refugees were admitted from the six countries listed in the ban.

Civil rights and immigration advocacy groups vowed to challenge Trump's order in court, arguing that the tweaks made by the White House don't change the underlying problems facing the travel ban.

Margaret Huang, executive director of Amnesty International USA, said the new order amounts to "the same hate and fear with new packaging." And Omar Jadwat, director of the ACLU's Immigrants' Rights Project, said the only way to fix the "Muslim ban" is to not have one at all.

"President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people," Jadwat said.

Trump Signs Revised Travel Ban, Exempts Iraqis

By Andrew Beatty

AFP, March 6, 2017

Washington (AFP) – US President Donald Trump signed a revised ban on travelers from six Muslim-majority nations Monday, scaling back the order to exempt Iraqis and permanent US residents.

With his first attempt frozen by federal courts, Trump signed a second order halting new visas for Syrians, Iranians, Libyans, Somalis, Yemenis and Sudanese citizens.

The White House said Trump – who is embroiled in controversy over his aides' links to Russia – signed the order behind closed doors Monday morning.

The new order is meant to address legal problems. It explicitly exempts Iraqis, legal permanent residents and valid visa holders.

Secretary of State Rex Tillerson, one of three cabinet members rolled out to present the order in Trump's absence, described it as "a vital measure" for strengthening national security.

Attorney General Jeff Sessions added that it "provides a needed pause" allowing a review of how America deals with travelers from "countries of concern."

"Three of these nations are state sponsors of terrorism," Sessions said, referring to Iran, Sudan and Syria.

He added that others had served as "safe havens" for terror operatives.

Critics questioned the composition of the list, which includes citizens from countries that have never been involved in terror attacks in the United States.

They accused Trump of covertly pursuing his controversial and possibly illegal campaign promise of a "total and complete shutdown of Muslims entering the United States."

The question of Trump's intent is likely to dominate new legal challenges that are already being flagged by organizations like the American Civil Liberties Union.

"President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people," said Omar Jadwat, director of the ACLU's Immigrant Rights Project.

Senate Democratic leader Chuck Schumer said the measure should be repealed, adding: "A watered down ban is still a ban."

– Travel ban, take two –

Trump's first order had sparked a legal, political and logistical furor.

There was chaos at major airports and mass protests while several district courts moved to block its implementation and lawmakers expressed opposition.

The troubled rollout also dominated the first weeks of the new administration, leaving many with the impression that it was badly planned and badly implemented.

Polls show that American public opinion is deeply divided on the issue. Most indicate a slight majority of voters opposed, with strong support among Trump's political base.

The Republican president criticized a court order suspending the ban as "a very bad decision, very bad for the safety and security of our country. The rollout was perfect."

But he has now stepped away from a promise to challenge the matter in the courts. The second order repeals the first, spelling the end of any pending legal proceedings.

Whatever the legal outcome, Trump's new ban is likely to polarize opinion further and be immensely popular with his core supporters.

– Shoulder to shoulder –

Iraq's inclusion in the first order prompted outrage in that country, including from Prime Minister Haider al-Abadi.

It risked scuttling cooperation between Baghdad and Washington in fighting the Islamic State group.

The US and Iraqi militaries are currently fighting side-by-side in northern Iraq, trying to wrest the city of Mosul from jihadist control.

The Iraqi foreign ministry on Monday expressed its "deep satisfaction" with the new order, and described it as an "important step" in strengthening relations between Baghdad and Washington.

But the revised travel ban is also likely to sow further confusion about US immigration policies.

On Monday, Nigeria advised its citizens against all but essential travel to the United States, citing the lack of clarity on new immigration rules.

"In the last few weeks, the office has received a few cases of Nigerians with valid multiple-entry US visas being denied entry and sent back to Nigeria," said special adviser to the president Abike Dabiri-Erewa.

According to a report released Monday by travel data firm Forwardkeys, travel from the United States to the Middle East has also fallen sharply, with bookings for departure in the next three months falling 25.4 percent behind the equivalent time last year.

– Roiled by Russia –

But the ban is likely to help Trump divert attention from rolling crises on his ties with Russia.

Since US intelligence publicly accused Russia of trying to swing the November election in Trump's favor, questions have swirled about whether some in Trump's campaign colluded with Moscow.

The last week has seen his attorney general recuse himself from election-related investigations, after it emerged he met the Russian ambassador in Washington twice during the campaign.

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It has also seen Trump level unsubstantiated allegations that former president Barack Obama ordered a wiretap on the now president's phone.

Trump's New Immigration Order Excludes Iraq

By Leo Shane III

Military Times, March 6, 2017

WASHINGTON — President Donald Trump's new executive order on immigration won't block Iraqis from traveling to the United States but still blocks foreign nationals from six other Middle Eastern and African countries from entering American soil.

The new order should allow Iraqi translators and other foreign nationals who helped U.S. troops in overseas war zones to travel to America, although much depends on where they are in existing vetting processes.

The revised travel order, which comes six weeks after Trump signed a similar directive that sparked numerous court challenges and nationwide protests, won't go into effect until March 16. And it still may face legal opposition from human rights groups who say the actions are designed to appeal to Trump's conservative base and don't address any real immigration problems.

The president signed the statement without fanfare Monday morning, in contrast to the on-camera event he held Jan. 27 for the original travel ban.

But three of Trump's Cabinet members — Department of Homeland Security Secretary John Kelly, Secretary of State Rex Tillerson and Attorney General Jeff Sessions — appeared in a brief press conference after the signing to defend both the legal basis for the order and the pressing need for action.

"We are not immune to terrorist threats, and our enemies often use our own freedoms in generosity against us," Kelly said. "Today's executive order … will make America more secure and address long overdue concerns about the security of our immigration system."

Under the new order, foreign nationals from six countries — Sudan, Syria, Iran, Libya, Somalia, and Yemen — will face a 90-day travel ban into the United States. Individuals with valid visas as of last January will be exempt.

Refugees would be banned from entering America for 120 days while a review of the security vetting process is conducted.

Tillerson called the move "part of our ongoing efforts to eliminate vulnerabilities that radical Islamic terrorists can and will exploit for destructive ends." Sessions said FBI officials are monitoring at least 300 refugees in the United States for potential ties to terrorism, and that officials "know that many people trying to commit terrorist attacks are looking at refugee program."

The order also includes a mandate that the State Department publish the number of visas issued to foreign nationals each month, in the interest of better transparency on the rate of immigration into America.

Kelly promised that the new ban will be implemented more orderly and clearly than the previous one, rushed out just days after Trump's inauguration without input from numerous federal agencies.

He also pledged that individuals such as Iraqi translators who have already been interviewed for entry into this country won't be stopped by border officials. "Nothing in the order effects lawful permanent residents or those with authorization to enter the homeland."

The original ban's lack of an exclusion for non-citizens who helped U.S. troops during war and the inclusion of Iraq — where several thousand U.S. troops are currently deployed in the fight against Islamic State group militants — riled numerous veterans groups.

Tillerson said a review of Iraqi security systems for foreign travelers prompted removing that country from the banned list.

Whether the new ban sees the same level of opposition remains to be seen. Just moments after Monday's signing, officials from the left-leaning group VoteVets.org blasted the new travel order as counterproductive to American security.

"This misguided executive order undermines the work our troops are currently doing to defeat ISIS, and endangering their lives by once again sending the message that this is a war against Islam, particularly Muslims from the Middle East," group Director of Government Relations Will Fischer said in a statement.

Officials from the American Civil Liberties Union, who referred to the first order as "a Muslim ban," called the new one "a scaled-back version that shares the same fatal flaws." The Council on American-Islamic Relations has similarly opposed the idea.

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Christians Lose Priority In New Trump Order, Raising Worries

By Todd Spangler

Detroit Free Press, March 6, 2017

WASHINGTON – Even as President Donald Trump's rewritten travel order was besieged Monday by critics who say it still amounts to a ban on Muslims, at least one Michigan Republican voiced worries that it may now do too little to protect Christians and other religious minorities facing violence in Iraq and Syria.

"Yes, I am concerned," said U.S. Rep. Dave Trott, R-Birmingham. "There is no doubt that citizens of Iraq and Syria, regardless of their religion, are being persecuted.

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However, religious minorities in Iraq and Syria are not just being persecuted, they are facing extinction."

In January, Trott led a bipartisan group of congressmen writing Trump to urge his "strong support" for Christians and other religious minorities with civil war consuming the countries – support that appeared evident in the president's Jan. 27 executive order limiting travel from seven majority Muslim nations.

While suspending refugee resettlements worldwide and blocking most new entries into the U.S. from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen, the earlier order said that it would be in the "national interest" to make extra effort in the future to help bring in religious minorities facing persecution.

But the new order – which also no longer covers Iraq – makes no mention of putting in place a system to prioritize the resettlement of religious minorities. Lawyers who successfully challenged the earlier order had cited the religious minorities provision in arguing that it violated constitutional protections against government establishment of religious preferences.

Trump's order on travel could have a significant impact in southeastern Michigan, with its large and vibrant communities of immigrants, refugees and their descendants from across the Middle East. Both Muslims and Christian adherents, including Chaldeans, are widely represented.

In a call with reporters Monday morning, senior administration officials said that the original order was never intended to promote non-Muslims over Muslims but to offer additional protection to religious minorities anywhere, despite critics' suggestions to the contrary.

Trott, who is a co-sponsor of legislation that would prioritize resettlement of religious minorities from Iraq and Syria into the U.S., took issue with the new order, saying, "Any serious refugee policy coming from the United States has to prioritize religious minorities. These minority groups in Iraq and Syria simply have nowhere else to go and are facing complete expulsion."

He added that the U.S. has legal precedent when it comes to making it easier for the most vulnerable to seek refuge in this country, one that should now be used to protect religious minorities in Syria and Iraq. Most of the other Michigan Republicans who signed the earlier letter to Trump, including U.S. Reps. Bill Huizenga of Zeeland, John Moolenaar of Midland and Fred Upton of St. Joseph, didn't immediately respond to a question from the Free Press about the new order, though Kelli Ford, a spokeswoman for U.S. Rep. Mike Bishop of Rochester, said he was reviewing it.

"He is committed to helping Christians and other religious minorities get the refuge they need from ISIS, whether that issue is outlined in this Executive Order or not," she said in an e-mail to the Free Press.

Meanwhile, Democratic members of Michigan's congressional delegation wasted little time coming out against Trump's new travel order, saying it was "clearly intended to target Muslims" by including only majority Muslim nations – a contention the Trump White House rejected outright.

Trump officials said noted there are many other majority Muslim nations not included in the travel suspensions and that order itself makes clear that additional security is called for because each of the included countries "is a state sponsor of terrorism, has been significantly compromised by terrorist organizations, or contains active conflict zones."

"Any of those circumstances diminishes the foreign government's willingness or ability to share or validate important information about individuals seeking to travel to the United States," said the order, which again calls for a review of methods used to vet travelers, immigrants and refugees to better guard against potential terrorists entering the country.

Michigan Democrats – including U.S. Reps. John Conyers of Detroit, Debbie Dingell of Dearborn, Dan Kildee of Flint Township, Sander Levin of Royal Oak and Brenda Lawrence of Southfield – argued that the new order changes little.

"Some of the details of the executive order may have been repackaged, but the intent and effect remain the same. President Trump has again ordered a Muslim ban that is inconsistent with our values and our Constitution," they said. "Some tweaks to the text cannot undo President Trump's well publicized campaign promises to ban Muslims or his damaging rhetoric, nor can it erase the fact that all six countries identified are majority Muslim countries."

Dingell – whose Dearborn-based district includes one of the largest Arab-American communities in the U.S. – said the changes made to the order will do little to convince her constituents that the Trump administration isn't targeting them and their families based on their faith even though they are patriotic Americans.

"Daily, I hear stories from constituents scared to death about what will happen next. Families who have been part of our communities for decades and are second- and third-generation Americans are terrified that someone will knock on their door in the middle of the night and force them from this country," she said. "This is not who we are."

The Democrats also noted a draft report by the Department of Homeland Security – obtained and reported on by the Associated Press – which indicated that country of origin was an unreliable indicator of the likelihood of whether a person entering the U.S. could be a potential terrorist. The Trump administration on Monday said that of some 1,000 current terrorism investigators in the U.S., about 300 involve persons who entered the country as refugees – but would not reveal how many, if any, of those people are from the countries targeted in the order.

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After Trump signed the initial travel order, the Washington, D.C.-based Brookings Institution reported that there were more people born in the affected countries living in metro Detroit than in any American metro area other than greater Los Angeles. With the removal of Iraq from the list, however, that greatly reduces the number of families affected in metro Detroit.

Trump's executive order signed today took Iraq off the list of suspended nations, citing a "close cooperative relationship" between the two nations and its "commitment to combat ISIS." It also said Iraq had taken steps to improve travel documentation, information sharing and the return of foreign nationals removed from the U.S.

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Trump Re-issues Order Banning Citizens From Six Majority Muslim Countries

By Franco Ordoñez And Anita Kumar

McClatchy, March 6, 2017

President Donald Trump on Monday reissued his executive order limiting travel to the United States by citizens of six majority-Muslim nations, softening some of the most objectionable pieces but still leaving the policy vulnerable to legal challenges.

The revisions address some of the legal problems that crippled the first order, which prompted more than two dozen lawsuits filed in federal courts from California and Washington state to Massachusetts and Pennsylvania, but others remain.

Notably, the new order clarifies that it doesn't apply to legal U.S. permanent residents and it does not appear to give special consideration to Christians.

Clete Samson, an immigration attorney who spent years as a federal trial attorney for the Department of Homeland Security, said he thought the courts would recognize Trump's authority in signing the ban but still might think the policy failed to address due process and equal protection issues.

"It remains to seen whether the court will think this goes far enough," he said.

The revised order remains broader, temporarily banning all people from multiple countries. Previous presidents relied on the same federal law to prevent much smaller groups from entering the United States.

"The revised executive order is essentially old wine in a new bottle," said Stephen Yale-Loehr, a Cornell University Law School professor who is co-author of a 21-volume treatise on immigration law. "It assumes that travelers from the six Muslim-majority countries and all refugees are inherent security risks. . . . The revised executive order will not quell litigation or concerns."

This revised executive order advances our shared goal of protecting the homeland. We will continue to work with President Trump to keep our country safe.

House Speaker Paul Ryan, R-Wis.

The original order Jan. 27 banned admissions to the United States for 90 days of citizens of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen.

The new order no longer includes Iraq after leaders agreed to more vetting conditions but it freezes for 90 days the entry of anyone from the six remaining countries who does not already have a valid visa. It also puts a 120-day moratorium on refugee admissions from other countries.

"We must undertake a rigorous review of our visa and refugee vetting programs to increase our confidence in the entry decisions we make for visitors and immigrants to the United States," Secretary of Homeland Security John Kelly said. "We cannot risk the prospect of malevolent actors using our immigration system to take American lives."

Discriminating against people from certain countries with no evidence that they pose any greater risk than those from other countries not affected is more about politics than about safety.

Sen. Tim Kaine, D-Va.

White House Press Secretary Sean Spicer said Monday that other countries could later be exempt from the policy or be excluded later if they, too, took proactive vetting steps like Iraq. But Spicer said each country was different and their actions would need to be examined on a case-by-case basis.

Trump's initial order created chaos at U.S. airports as immigration and customs agents initially blocked the entry of all citizens from the seven countries, including those who had lived in the United States for years.

The new order doesn't go into effect until March 16, to allow for a smoother implementation and to prevent federal employees from potential legal challenges, said a senior administration official.

"There are not going to be folks stopped tonight from coming into the country because of this executive order," said the official, who was knowledgeable of the situation but not authorized to speak publicly.

Apart from the removal of Iraq, the new travel ban is "essentially the same as the old travel ban" and has the same fundamental flaws, said Rep. Adam Schiff of California, the top Democrat on the House Permanent Select Committee on Intelligence.

"Its choice of countries is arbitrary, its effect will be counterproductive and its real goal is not improved security but meeting a campaign commitment to ban Muslims," Schiff said.

The United Nations also raised concerns. U.N. High Commissioner for Refugees Filippo Grandi noted that refugees are people forced to flee war, violence and persecution in their home countries.

"The imperative remains to provide protection for people fleeing deadly violence, and we are concerned that this decision, though temporary, may compound the anguish for those it affects," Grandi said.

The judges who have ruled against Trump have cited his rhetoric concerning Muslims and the fact that, as Virginia-based U.S. District Judge Leonie Brinkema noted in a ruling last month, "the 'Muslim ban' was a centerpiece of the president's campaign for months."

"President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people," said Omar Jadwat, director of the American Civil Liberties Union's Immigrants' Rights Project.

The administration said 300 people who had entered the country as refugees were currently being investigated by the FBI for potential terrorism threats. "That is not a small number," said an administration official who was knowledgeable of the situation but authorized to speak publicly. The official said the individuals had either infiltrated the United States or were radicalized following entry.

To our allies and partners around the world: Please understand this order is part of our ongoing efforts to eliminate vulnerabilities that radical Islamist terrorists can and will exploit for destructive ends.

Secretary of State Rex Tillerson

The release of the new ban ends weeks of haggling between Homeland Security and Justice department officials over whether to revoke some of the visas of some 60,000 to 100,000 people from the seven countries. Those visas were reinstated after a federal judge in Seattle blocked the initial executive order.

Spicer said he did not know how the administration would proceed in the still-pending court case. He said the administration still believed that the first order was constitutional but did not want to wait a year for the issue to be litigated.

In issuing his decision blocking the order, U.S. District Judge James Robart sided with the states of Washington and Minnesota, which argued that Trump's travel ban targeted Muslims and violated the constitutional rights of immigrants and their families.

The new order seeks to get around the issue by ending a special carve-out for Christian migrants that some saw as an indication that the ban was discriminatory. It also more clearly exempts green-card and visa holders.

While it includes Syria, nationals from the country are no longer banned indefinitely but are part of the 120-day moratorium.

In a notice filed Monday in Robart's court, Justice Department lawyers said the concerns raised by the lawsuit filed by the states of Washington and Minnesota "are no longer at issue."

With restrictions removed on legal permanent residents or anybody with a visa, "no one who is approved for travel into the United States will be denied entry" under the new executive order, said the 17-page brief written by acting Assistant Attorney General Chad A. Readler.

The government did not, however, ask Robart to lift the temporary restraining order he imposed Feb. 3 that blocked Trump's Jan. 27 executive order. It said "any relief sought" by the plaintiffs "should be assessed in a traditional manner, allowing this court a more complete opportunity to assess the provisions of the new executive order, should the states assert a challenge to them."

Washington state Attorney General Bob Ferguson said in a statement that he was reviewing the order.

Ferguson said Trump's new executive order "makes one thing perfectly clear: His original travel ban was indefensible – legally, constitutionally and morally." The administration, Ferguson said, "has capitulated on numerous key provisions blocked by our lawsuit," including bans on legal permanent residents, visa holders, dual citizens, Syrian refugees and "explicit preferences based on religion."

Iraq was removed from the list after Iraqi government officials agreed to increase the level of vetting by its own officials. Senior Trump administration officials said the Iraqi government would share additional information with the United States about its nationals. Iraq also agreed to accept nationals who have been ordered deported by the United States for overstaying their visas and other deportable offenses.

The hastily written initial order also, notably, appeared ambiguous in its treatment of legal permanent U.S. residents. Seeking to impose clarity several days after the order was issued, White House Counsel Donald F. McGahn II issued "Authoritative Guidance" asserting that the travel ban did not apply to legal permanent residents.

The 9th U.S. Circuit Court of Appeals said in a ruling in early February that that wasn't enough.

"In light of the government's shifting interpretations of the executive order, we cannot say that the current interpretation by White House counsel, even if authoritative and binding, will persist past the immediate stage of these proceedings," the appellate panel stated.

Criticism from groups that help refugees and immigrants was swift.

"This order is essentially religious discrimination masquerading, once again, in the language of national security. The order targets people from Muslim-majority countries and will sharply reduce resettlement of Muslim refugees," Human Rights First's Eleanor Acer said. "Legal

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wordsmithing cannot obscure the discriminatory intent and impact of the order. Not only does this order trample upon U.S. commitments to religious freedom, nondiscrimination and refugee protection, but former national security officials from both sides of the aisle agree that these kinds of bans make our nation less safe."

"The order does nothing to improve our national security and will have painful human consequences: It will separate families and leave tens of thousands of people – mostly women and children – exposed to grave danger and despair," said Hans van de Weerd, chair of Refugee Council USA.

Michael Doyle of McClatchy's Washington Bureau and Andy Furillo of The Sacramento Bee contributed to this article.

How Trump's New Travel Ban Targets The Whole World

The revised order contains provisions that could affect countries beyond the six Muslim-majority states that are singled out.

By Nahal Toosi

Politico, March 6, 2017

It's not just a few countries. It's not just about Muslims. And in some cases, it's probably won't be temporary, either.

President Donald Trump's newly revised travel ban may at first seem to be more limited in its reach than his sweeping earlier order suspending refugee admissions and barring entry for citizens of several predominantly Muslim countries.

But the new order, signed Monday, still contains provisions that could ultimately slow travel and immigration to the United States from every corner of the globe. The order could ultimately backfire on Americans wishing to travel abroad, and, for some countries, what appear to be temporary bans could effectively prove permanent.

The revised order appears to reflect Trump's "America first" philosophy, one that views immigrants as a threat to the U.S. economy and national security. The order's specific targeting of six predominantly Muslim countries also underscores the strong influence of Trump advisers Steve Bannon and Stephen Miller, both of whom are bent on limiting immigration in general but who hold hard-line views on Muslims in particular.

The administration says the executive order is critical to stopping potential terrorists from infiltrating the United States. But, analysts say, there are already signs the White House's actions are having a chilling effect on the number of people from around the world who wish to visit the United States.

"What this document promises is the beginning, and not the end, of a new and potentially very broad set of immigration restrictions," said Omar Jadwat of the American Civil Liberties Union, one of several groups that turned to the courts to block Trump's original executive order.

The revised order takes effect on March 16. It imposes a 120-day halt to the admission of all refugees to the United States. It also imposes a 90-day ban on the entry of people from six Muslim-majority countries: Iran, Libya, Somalia, Sudan, Syria and Yemen. Both the refugee program and immigration relationships with the six countries are to undergo a review by the administration.

The president is also ordering the Department of Homeland Security, in the next 20 days, to "perform a global, country-by-country review of the identity and security information that each country provides to the U.S. government to support U.S. visa and other immigration benefit determinations," according to a fact sheet provided by the administration. "Countries will then have 50 days to comply with requests from the U.S. government to update or improve the quality of the information they provide."

That raises the possibility that countries beyond the six being singled out could find their citizens barred from reaching U.S. shores either as visitors or immigrants.

U.S. officials were coy about what information they would require other countries to provide about their citizens, or what other steps they would expect other capitals to take, and odds are that each country would be treated on a case-by-case basis. Still, it's hard to imagine U.S. rivals such as China or Russia acceding to every U.S. demand to help them vet their citizens. In some cases, the administrative burden may be too much for some governments to handle, especially in developing countries that have limited capacity.

That being said, political considerations also may play a role. The countries with stronger lobbying networks in Washington, or which are deemed strategically important allies or economic partners, could have an advantage.

Critics of the executive order point to the list of the countries whose citizens are banned for 90 days as an example of the questionable standards being applied.

Saudi Arabia and Pakistan, whose citizens have been implicated in several terrorist attacks on the United States, were left off the list. But both are considered important partners in the fight against terrorist networks, and the Saudis in particular have a strong lobbying presence in Washington.

Separately, the original executive order also included Iraq. But Iraqi officials, pointing to the fact that they are an ally of the United States in the battle against the Islamic State terrorist network, pushed hard for an exemption. Trump aides said the Iraqis pledged to step up their information sharing for the immigration vetting process.

Several of the other six countries may not be willing or able to meet new vetting standards demanded by Trump. That means that although the ban on the six is said to be temporary, in some or all the cases it could prove indefinite.

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Iran could be the hardest hit. Iranian citizens make up the largest number of immigrants or non-immigrant visitors among the six countries, with some 42,500 visas issued in 2015 out of roughly 74,000 for the six countries combined. But Iran doesn't have diplomatic relations with the United States, and it may balk at new U.S. vetting demands. Even if Iran decides to cooperate, it's not clear that the Trump administration would trust its government to provide accurate information.

The governments of Libya, Somalia, Sudan, Syria and Yemen all have other challenges; some are mired in civil wars while others are barely functioning states. And generally speaking, people from the six countries already have a very difficult time obtaining a U.S. visa, as American officials use a range of intelligence and other tools to examine their applications and vet them before granting them entry.

A great deal will depend on what standards U.S. officials choose to apply and how stringently and broadly they apply them. The revised order contains a number of provisions granting U.S. officials the ability to give waivers to individuals in unusual situations trying to reach the United States, and how often those waivers are used could also soften the blow.

But there are other elements in the executive order that could slow down the visa process, enough so that many people may consider it not worth trying to come to the United States. For one thing, the order requires the State Department to do more in-person interviews of foreigners seeking visas, meaning an extra hurdle for many visitors who in the past were not deemed security risks.

The order will have profound implications for a range of U.S. industries, including universities that rely on dollars from international students, hotels that count on foreign tourists and technology companies seeking talent abroad.

"The more onerous it becomes to come into the United States, the more Canada starts looking attractive, the more England starts looking attractive," said Leon Fresco, a prominent immigration attorney.

One major question is how the new vetting standards — whatever they are — will apply to the 38 countries that fall under the U.S. Visa Waiver Program. That program allows visitors, many of them from European nations, to visit the United States without having to obtain a visa.

Another question is how other countries will decide to treat Americans wishing to travel to their soil. Visa programs are, in theory, supposed to be reciprocal. So if the United States imposes new conditions for vetting, those other countries might do the same, making it harder for Americans to travel there.

Travel industry experts say there already is mounting evidence of a drop in international interest in visiting the United States following the issuing of the original executive order on Jan. 27.

The U.S. Travel Association on Monday released a statement that said "it doesn't appear that the administration fully seized the opportunity to differentiate between the potential security risks targeted by the order and the legitimate business and leisure visitors from abroad who support 15.1 million American jobs."

"Reputational fallout is a real thing," Jonathan Grella, executive vice president of public affairs for the association, recently told POLITICO. "It really boils down to people having choices to make. Price and convenience and efficiency and how welcome you feel all factor into that."

New Travel Ban Eases Some Legal Questions But Not All

By Gene Johnson And Sadie Gurman | Ap

Washington Post, March 6, 2017

President Donald Trump's revised travel ban eases some of the legal questions surrounding the previous order, but critics said it does not answer all of them, including accusations that the measure is a thinly veiled attempt to discriminate against Muslims.

Opponents promised to challenge the president again in court.

The new, narrower ban announced Monday temporarily bars new visas for citizens of six predominantly Muslim countries — one fewer than the original ban, with Iraq removed from the list. It also suspends the entire U.S. refugee program.

The measure applies only to refugees who are not already on their way to the United States and people seeking new visas. It removes language that gave priority to religious minorities. Critics said the language was designed to help Christians get into the U.S. and to exclude Muslims.

The changes will make the new executive order tougher to fight in court, but they "will not quell litigation or concerns," Stephen Yale-Loehr, an immigration law professor at Cornell University Law School, said in a written statement.

"U.S. relatives will still sue over the inability of their loved ones to join them in the United States," he said. "U.S. companies may sue because they cannot hire needed workers from the six countries. And U.S. universities will worry about the impact of the order on international students' willingness to attend college in the United States."

The American Civil Liberties Union promised "to move very quickly" to try to stop the order.

New York immigration attorney Ted Ruthizer said this ban will be "much, much tougher" for a federal judge to block.

Courts could find it compelling that the order does not cover all Muslims from all countries, he said. And judges have a history of upholding portions of immigration law that discriminate on the basis of race and nationality when national security is an issue.

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"There's still the argument that, when you take down all the window dressing, it's still a religion ban, but these are the kinds of nuances that the courts will look at," Ruthizer said.

Top Republicans welcomed Trump's changes. Sen. Orrin Hatch of Utah said the revised order makes significant progress toward what Hatch called for after the first version: to avoid hindering innocent travels and refugees fleeing violence and persecution.

He urged Trump "to continue the difficult work of crafting policies that keep us safe while living up to our best values."

House Speaker Paul Ryan said the order "advances our shared goal of protecting the homeland."

States that challenged the original travel ban claimed victory to an extent, saying the changes amounted to an "incredible concession" that the original order was flawed, as Virginia Attorney General Mark Herring, a Democrat, put it.

Herring and Washington Attorney General Bob Ferguson, who successfully sued to stop implementation of the original order after it created chaos at airports around the country, said they were reviewing the new order to determine what legal steps to take next.

"Although the new order appears to be significantly scaled back, it still sends a horrible message to the world, to Muslim-Americans, and to minority communities across the country, without any demonstrable benefit to national security," Herring said.

Massachusetts Attorney General Maura Healey, who joined in the court challenge, described the updated ban as "a clear attempt to resurrect a discredited order and fulfill a discriminatory and unconstitutional campaign promise."

Texas Attorney General Ken Paxton, who backed the first ban, said in a statement that the president had the authority to secure the nation's borders "in light of the looming threat of terrorism."

Chicago Mayor Rahm Emanuel, a sharp critic of the first ban, said the new version was "nothing more than a wolf in sheep's clothing, different packaging intended to achieve the same result."

A spokesman for the 9th U.S. Circuit Court of Appeals, which upheld a Seattle judge's restraining order in the Washington case, said the court was evaluating the new executive order's effect on the existing case. The Justice Department filed papers Monday in federal court in Seattle arguing that the restraining order should not block the new ban from taking effect as scheduled March 16.

Critics said the new order failed to address some other concerns, including the notion that the measure attempts to enact the Muslim ban Trump advocated during his campaign. Washington state, joined by Minnesota, argued that the order violated the First Amendment's separation of church and state.

The 9th Circuit's ruling did not deal with those arguments, but the court said it would evaluate them after further briefing. The states' claims "raise serious allegations and present significant constitutional questions," the judges wrote.

Larry E. Klayman, a founder of and lawyer for the conservative group Freedom Watch, supported the original ban when it was before the appellate court and called the new version "quite modest."

"Right now, we're in a state of war with certain countries, and this is a reasonable approach to it," Klayman said.

Additionally, a question remained over whether the new ban conflicted with federal immigration law, said Jorge Baron, executive director of the Seattle-based Northwest Immigrant Rights Project. His organization filed a class-action complaint over the initial ban and said it would amend its arguments in light of the new one.

"Our immigration laws specifically say you cannot discriminate on basis of nationality in this process," Baron said. "The president can't rewrite the law by executive order."

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White House Wants It Both Ways On Revised Travel Ban

In rolling out version 2.0—which could come this week—Trump and his team face a crucial test of their willingness to compromise.

By By Josh Gerstein, Josh Dawsey And Tara Palmeri

Politico, March 6, 2017

The White House has spent more than a month retooling President Donald Trump's suspended executive order barring travel and immigration from Muslim countries, all along promising the public that the revised version would be substantially the same as the original—while telling courts just the opposite.

In rolling out version 2.0—which could come this week—Trump and his team face a crucial test of their willingness to compromise in order to see their policy goals realized, at least in part.

About two dozen lawsuits were filed against Trump's first ban, resulting in a series of court orders blocking the key parts of the directive. The broadest block on Trump's initial travel ban order came from Seattle-based federal judge James Robart on Feb. 3. The Justice Department asked the 9th Circuit Court of Appeals to reverse Robart's order, at least temporarily, but a three-judge panel chose to leave the injunction in place.

Attorneys representing several states, the American Civil Liberties Union and other immigrants' rights groups are

poised to return to court as soon as Monday to challenge whatever new order Trump issues.

Robart on Friday highlighted one of the challenges the administration will face in defending the new order: statements of White House officials indulging Trump's reluctance to cave in under fire are in tension with Justice Department lawyers' promises that the new directive will be "substantially revised."

"Fundamentally, you're going to have the same basic policy outcome for the country," one of the architects of the both the old and new orders, Trump adviser Stephen Miller said on Fox News last month.

In a scheduling order, Robart said Justice Department lawyers did not appear to be on the same page as the president and his aides. "The court understands Plaintiffs' frustrations concerning statements emanating from President Trump's administration that seemingly contradict representations of the federal government's lawyers in this and other litigation before the court," the judge wrote.

The White House has invested heavily in preparation for the revised order, including consultation with senior officials at the Justice Department, State Department and the Department of Homeland Security.

Trump had dinner Saturday at his Mar-a-Lago resort with top staff and appointees involved in revising the order, including Miller, strategist Steve Bannon, Department of Homeland Security head John Kelly, and Attorney General Jeff Sessions. White House Counsel Don McGahn also attended.

McGahn has also been involved in exchanges with lawyers at other agencies about the new order, officials said. Some congressional leaders have also been briefed on the new plan, according to a top administration official.

"Everyone will know this time," said the official, who spoke on condition of anonymity.

One of the most significant changes expected in the new order: removing Iraq from the list of seven countries targeted for limits on travel to the U.S. Iraq's inclusion on the original list prompted anger among Iraqi officials at a time when U.S. and Iraqi troops are engaged in delicate operations against the Islamic State terror group.

Iraqi officials agreed to new cooperation with the U.S. that will allow for better screening of travelers and refugees from that country, a senior administration official told POLITICO.

However, blocking the arrival of refugees who had served as translators for American troops generated significant blowback from U.S. lawmakers, including Republicans sympathetic to other aspects of Trump's anti-terror agenda.

A State Department memo obtained by POLITICO reported that an Iraqi official called the ban "both surprising and insulting to Iraqis," while stating that the Iraqi government was willing to pull the plug on GE's expansion into the region in the health, transportation, and aviation sectors.

Aside from Iraq, the original order listed Iran, Libya, Somalia, Sudan, Syria and Yemen.

That order prompted protests at airports around the country, led to delays for some travelers and others being turned around and put on flights out of the country.

Nevertheless, Trump claimed publicly that roll-out of the earlier ban was "perfect."

Trump first suggested a new order was in the works back on Feb. 10, indicating it would emerge within a few days. Timing of an announcement was repeatedly pushed back for a couple of weeks, undercutting Trump's claims that the order was initially rushed because of concerns about national security.

The most advanced planning for a roll-out came last week, as aides prepared for a signing of the new order at the Justice Department on Wednesday, the day after Trump's prime-time address to Congress.

However, White House aides scuttled the executive order signing event late Tuesday night after positive reviews for Trump's speech began to roll in. Administration officials told reporters that they wanted to allow Trump to bask in the rare positive publicity rather than immediately confront another round of critical travel ban coverage.

It's unclear whether courts will be more inclined to give the Trump team credit for taking a more deliberate approach the second time around or whether judges' skepticism will be fueled even further by indications that public relations concerns played a key role in the timing of an order the administration insists was prompted by urgent national security concerns.

If the order is "tailored" to previous court rulings, as Trump has pledged, it could fare better in the courts. Still, the legal gauntlet could prove challenging for the administration. Any of the variety of judges handling the cases scattered across the country could block aspects of the new directive.

New Travel Ban Decried As Anti-Muslim By Immigrant Advocates

Newsday (NY), March 6, 2017

Muslim and immigrant advocates were dismayed at the Trump administration's issuance of a revised executive order Monday that temporarily restricts U.S. entry for people from countries seen as terror threats and halts refugee programs over national security concerns.

The order blocks entry for foreign nationals from Sudan, Syria, Iran, Libya, Somalia and Yemen for 90 days, while suspending the admittance of refugees for 120 days.

Iraq was dropped from the list of banned countries and the administration is clearing the way for travelers who were legal residents or had valid visas as of Jan. 27.

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But the restrictions, set to take effect March 16, are still seen by immigrant advocates and community leaders as an unjustified ban on countries where most people are Muslims.

"It is a Muslim ban, still," said Habeeb Ahmed, president-elect of the Islamic Center of Long Island in Westbury.

The temporary restrictions are "absolutely necessary" to improve security, said Rep. Peter King (R-Seaford). The revised order "should survive all the court challenges" with the new exceptions it makes, he said.

"We are talking about countries that are either enemies, such as Iran and Syria, or countries like Sudan, Somalia, Yemen, which have failed governments, and it's very difficult to determine who's violent and who's not and it gives us basically 90 days to make vetting arrangements," King said.

A Feb. 9 ruling by the Ninth U.S. Court of Appeals had denied the administration's request to reinstate travel restrictions under the original executive order.

Eric M. Freedman, professor of constitutional law at Hofstra Law School, said the thrust of the policy doesn't change. "The court will look to see the real intention of executive actions regardless of their proclaimed intentions."

Even though Long Island's Muslims are largely unaffected by the order's direct terms, because they are not new visitors and are largely from countries other than those listed, Ahmed said the policy has had a corrosive effect. He said many people in the community — particularly women wearing hijabs — have postponed travel to avoid getting stuck at ports of entry.

"People who are immigrants and citizens are given such a hard time coming through different airports — hours and hours they are being held up and people are watching like you are a culprit," Ahmed said. "There was no reason . . . to do this."

Immigrant and refugee advocates were mobilizing again Monday to monitor how the revised order is implemented. More legal actions are expected to challenge the policy's constitutionality.

"We consider this to be Muslim ban, version 2.0," said Ruthie Epstein, senior policy adviser for the New York Civil Liberties Union in Manhattan. "The president has made it clear to the entire world that he wants to ban Muslims, that he thinks this is a strategy worth pursuing, and he's made that claim based on an assertion that this is the best way to protect our nation from terrorist threats with absolutely zero information."

The Trump administration is linking the policy to serious national security concerns, with the U.S. Department of Homeland Security stating Monday that the order seeks "the proper review and establishment of standards to prevent terrorist or criminal infiltration by foreign nationals."

Nearly 20 metropolitan area advocates had headed to Kennedy Airport on Monday to start monitoring flights from those countries, said Camille J. Mackler, legal initiatives director at the New York Immigration Coalition.

One major concern was the refugee program's halt and the administration's decision not to exceed 50,000 refugees for the 2017 fiscal year that ends in September.

"Yes, there is a need for screening," said Monsignor Kevin Sullivan, executive director of Catholic Charities of New York, which aids hundreds of refugees each year, "but our approach should be America is a land of immigrants, a land of refugees. We should welcome them and we should be a country that's open to newcomers."

Malik Nadeem Abid, a Valley Stream businessman who had protested the previous Trump order, called this "the same thing, just different packaging" and said he expects it will be defeated in court. "A Muslim ban cannot be replaced or repealed with a better Muslim ban."

Lawyer Who Sued Trump Over First Travel Ban: "Time To Go To Court"

Los Angeles Times, March 6, 2017

Justin Cox, a lawyer at the National Immigration Law Center who took the Trump administration to court over the first travel ban and won a hold almost immediately from a Brooklyn federal judge, said he sees little "substantive" difference between the old ban and the new one.

Cox, who represents plaintiffs in Darweesh vs. Trump, a case that is still pending in the courts, said his organization is ready to fight the new ban.

"This new ban is just tinkering on the edges of the old one. But the underlying legal claims against it don't change that much," said Cox.

Cox said his group and others will "absolutely" be able to sue over the new order.

"What is more challenging is finding folks who clearly have standing" to sue, he said.

That's because the new order exempts people with green cards from the ban, doesn't state a preference for refugees who are religious minorities and will not go into effect immediately, leaving fewer chances for the chaos over admission and detention of visa holders at U.S. airports that came with the previous order.

Still, Cox said, it's "time to go to court" over the new order.

The Darweesh case was filed in U.S. District Court in Brooklyn, N.Y., on behalf of two Iraqis who had been approved for resettlement in the U.S. but were detained at John F. Kennedy airport because of the first travel ban. Iraqis are not included in the new executive order.

Mixed Reviews For Travel Ban In Refugee Friendly Utah

By Brady McCombs

FOIA CBP 001146

Washington Times, March 6, 2017

Utah refugee officials and Muslim advocates said Monday that President Donald Trump's revised travel ban doesn't alleviate their concerns about an initiative they contend unfairly targets refugees and Muslim countries.

But Republican U.S. Sen. Orrin Hatch and Rep. Chris Stewart applauded Trump for making improvements. Sen. Mike Lee offered a more lukewarm review.

Noor Ul-Hasan, a leader in Utah's Muslim community, said that federal officials should focus on figuring out if there are ways to strengthen an already strenuous refugee vetting process rather than singling out Muslim countries without providing evidence about why they are more dangerous, Ul-Hasan said.

Utah's unique political culture, dominated by the Mormon church, puts a premium on personal decency and openness to immigrants and refugees.

The embrace of refugees by the religion has roots in the history of the faith, which counted many immigrants among its early members.

The revised travel order leaves Iraq off the list of banned countries but still affects would-be visitors from Iran, Syria, Somalia, Sudan, Yemen and Libya. It is also narrower and specifies that a 90-day ban on people from the six countries does not apply to those who already have valid visas or people with U.S. green cards.

Trump's order keeps the entire U.S. refugee program suspended for 120 days, though refugees already formally scheduled for travel by the State Department will be allowed entry.

"They're trying to show they are more considerate and nice, but that's not enough," Ul-Hasan said. "Our government is supposed to be above other dictatorship regimes and have humanity."

Aden Batar, director of immigration and refugee resettlement for Catholic Community Services of Utah, said the ban leaves refugees stuck in dangerous countries.

He said his organization will likely have to lay off workers because of the temporary halt of refugee entries. The group employs about 65 people, most of them full time. Batar said many are former refugees, including him.

Refugee resettlement agencies receive federal money for every refugee they help resettle, which means his group will lose a key source of funding during the temporary halt of refugees entering the U.S. When the suspension is lifted, the number of refugees allowed into the U.S. will be capped at 50,000 for the 2017 fiscal year that ends Sept. 30.

"The new Trump administration says it's going to create new jobs, well he's cutting a lot of jobs for people who support their families," Batar said. "This new administration is creating a fear that doesn't exist. The refugees are not the enemy."

Hatch applauded Trump in a statement that the revised ban makes significant progress toward what Hatch called for after the first version: To avoid burdening innocent travels and refugees fleeing violence and persecution.

Rep. Stewart said in a statement that he learned as a member of the House Intelligence Committee that terrorist groups may be using the refugee program to infiltrate the United States.

"The top priority of the federal government must be to keep Americans safe, and this executive order is aimed at doing just that," Stewart said.

Sen. Lee said he agrees that national security is the top priority but also is proud of Utah's proud tradition of welcoming refugees. He said in a statement that he hopes the Trump administration can create a "safe and efficient" vetting system by the time the 120-refugee ban is lifted so the U.S. can continue to "open our hearts and serve those in need."

Gov. Gary Herbert's staff was still reviewing the revised ban and said the governor had no immediate comment.

After the first travel ban was issued, the Republican governor questioned how much the president's actions could combat terrorism and whether he was targeting the right people.

The Church of Jesus Christ of Latter-day Saints did not issue any new comment Monday, only referring back to its statement issued after the first ban. In that statement, the religion said it is concerned about people fleeing violence, war and religious persecution. It urged "all people and governments to cooperate fully in seeking the best solutions to meet human needs and relieve suffering."

It echoed a statement the faith issued in December 2015 when Trump floated the idea of a ban on Muslim immigration. One of the highest ranking current leaders, Dieter F. Uchtdorf, was a refugee as a child when his family fled the Czech Republic amid war and moved to Germany.

Ul-Hasan said she will continue to advise Muslim immigrants in Utah, many of who are from Somalia and have green cards or are citizens, to avoid traveling home to visit family because she said federal officials cannot be trusted.

New Travel Ban Brings Little Relief, Chicago Activists Say

Chicago Tribune, March 6, 2017

While President Donald Trump's revised executive order banning travel from six majority-Muslim countries and barring refugees from entering the U.S. is a small improvement over his earlier order, it remains an unacceptable ban on Muslims, Chicago immigration and refugee activists said Monday.

About a month after federal judges blocked Trump's temporary ban on citizens of seven Middle Eastern and

African countries, a move that Chicago advocates called "a backdoor ban on Muslims," the president on Monday signed a revised version of the executive order, banning immigrants from six of the seven majority-Muslim nations.

"Make no mistake that this is still very much a Muslim ban," said Ahlam Jbara, a board member of the Arab American Action Network. "Immigrants from six of the original seven Muslim-majority Middle Eastern, Arab and African countries will be targeted and disallowed entry into the U.S., and refugees won't be accepted here either."

Starting March 16, foreign nationals from Sudan, Syria, Iran, Libya, Somalia and Yemen who are outside the U.S. and did not have a valid visa when the original ban went into effect Jan. 27 may not enter the U.S. during a 90-day suspension. Iraqi citizens are no longer subject to the ban.

The new order maintains a 120-day suspension on refugee admissions and still reduces the total number of refugees to be accepted before Sept. 30 from 110,000 to 50,000 — a cap that quickly will be met after the suspension ends. Syrian refugees, who were barred indefinitely in the previous order, are now part of the four-month moratorium.

Mary Meg McCarthy, executive director of the National Immigrant Justice Center, applauded the administration for eliminating some portions of the previous executive order but said the revised order is still rooted in discrimination based on national origin and puts people in danger.

"The new order is simply a modified refugee and Muslim ban, and a continuation of the Trump administration's smear campaign against refugees and asylum seekers," McCarthy said in a statement.

Mayor Rahm Emanuel called the travel ban "nothing more than a wolf in sheep's clothing."

"It is a betrayal of our nation's values that our government would slam the door on refugees fleeing war, death and unimaginable conditions, that our government would divide families, and that our government would attempt to exclude people based on their religion," Emanuel said in a statement. "This executive order runs contrary to the ideas America was founded upon and the ideals that have made America a beacon of hope around the world."

To avoid chaos and confusion at airports on the day the ban goes into effect, the executive order clarifies categories of travelers that will not be admitted to the U.S. and gives federal agents more than a week to address questions about implementation. A day after Trump signed the January executive order, passengers who had been in the air were detained at airports across the nation, including at O'Hare International Airport, causing relatives to panic and drawing crowds of protesters.

Still uncertain that the new order will be enforced consistently, the Chicago chapter of the Council on American-Islamic Relations announced Monday that it had launched the Travelers Assistance Project, an opportunity for Muslims to register their travel plans so they can be matched with lawyers and interpreters on the ground who will track their flights and provide immediate legal assistance.

For Othman Alani, 32, a legal permanent resident of the U.S. who arrived from Iraq four years ago, the removal of Iraq from the executive order doesn't make his family any happier. His older brother has been waiting to join his parents and siblings in the U.S. as a refugee. The temporary ban to strengthen vetting procedures could add years to that wait, he said.

"There's no glimpse of hope," said Alani, who now works for the immigration legal clinic of the Iraqi Mutual Aid Society. "Don't let me talk about the security check for everybody arriving in the U.S. I spent four years and three months waiting for security checks. You can't work. You can't do anything but wait for a phone call that you are coming to the United States."

Alani's elderly mother, a green card holder, was detained in February on her way back from visiting his older brother in Egypt. Now, he said, she's too scared to leave the country again for fear she won't be able to see her other children. She's distraught now that it's unclear when her oldest son will join the rest of the family in the U.S., he said.

"This is not a relief for us," Alani said.

New Trump Immigration Order Grants Iraq A Reprieve

By Meredith Wadman

Science Magazine, March 6, 2017

President Donald Trump today dropped Iraq from a list of countries targeted in a controversial 27 January executive order on immigration. That proclamation caused chaos by blocking nationals of seven largely Muslim countries from entering the United States for 90 days, and indefinitely blocking Syrian refugees.

Today, Trump rescinded that order and replaced it with a 90-day ban, effective 16 March, on entry of nationals from Iran, Libya, Somalia, Sudan, Syria, and Yemen. The new executive order does not apply to those who currently hold a valid visa, or who held one at the time that the 27 January measure went into effect. It also exempts permanent residents, known as green card holders. It reduces the indefinite ban on Syrian refugees to a 120-day hiatus. And it drops preferential treatment for members of religious minorities fleeing persecution, which was widely read as favoring non-Muslims.

"It is the president's solemn duty to protect the American people, and with this order President Trump is exercising his rightful authority to keep our people safe," Secretary of State Rex Tillerson said in announcing the order.

The academic community was not appeased by the changes. "During the 2015–16 school year, more than 15,450

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students and over 2100 scholars from the six countries targeted in this ban studied and conducted research at U.S. universities," said Peter McPherson, president of the Association of Public and Land-grant Universities in Washington, D.C., in a statement. "The pipeline of new students and scholars from those countries—many of whom are in the midst of the college application process—is now cut off."

"The new order, like its predecessor, poses a fundamental long-term threat to America's global leadership in higher education, research, and innovation," added Mary Sue Coleman, president of the Association of American Universities, also in Washington, D.C.

Wael Al-Delaimy, an epidemiologist at the University of California, San Diego, who was born in Iraq, says that the exclusion of Iraqis from the new ban brings cold comfort. "It is the whole concept of barring people from traveling because of nationality and religion that is problematic, and this is still there in the new order," he says. "I am concerned for the interest of other colleagues and for the freedom of science and research. Many scientists and academics will have their careers or plans disrupted."

Donald Trump Signs New Extreme Vetting Order

By Dave Boyer, S.A. Miller

Washington Times, March 6, 2017

President Trump signed a new executive order Monday that temporarily bans visitors from six Middle East and African countries while the administration creates an extreme vetting program, taking pains to remove the pitfalls of the original order and the perception that it's a "Muslim ban."

The new order also dropped Iraq from the list of seven predominately Muslim countries covered by the original Jan. 27 executive order that was blocked by federal courts.

The ban will be phased in over a 10-day period to avoid the chaos at airports following the original executive order that caught travelers in transit, and the wording has been changed to avoid suspicions that it is a "Muslim ban," said a Department of Homeland Security (DHS) official.

"We are going to have a very smooth implementation period," said the official, who spoke to reporters on condition of anonymity. "The motivation behind it is a real concern by the American people for their security."

The 90-day halt of visitors from Iran, Libya, Somalia, Sudan, Syria and Yemen will take full effect March 16, according to the official.

The official stressed that the Trump administration was confident that the original executive order would have eventually prevailed in court, but for expediency the president opted for a new order that addressed the courts' concerns.

The inclusion of Iraq in the original ban raised objections from some U.S. military officials and the Iraq government because of special consideration previously given to Iraqis who aided in the war effort, including translators.

The administration said Iraq was removed form the list, despite the presence of Islamic State fighters in the country, because of extra steps the Iraq government was taking to share information and assist the U.S. in vetting travelers.

"As a result of this increased information sharing, Iraqi citizens are not affected by the Executive Order. Of course, all normal immigration processing requirements continue to apply, including the grounds of inadmissibility that may be applicable," according to the fact sheet.

In an attempt to demonstrate that the order is not a "Muslim ban," which was a chief criticism of the original order based on Mr. Trump's comments during the campaign, the new order removes language that exempted religious minorities from the targeting predominately Muslim countries.

The new order exempts people who currently have visas or legal "green card" status in the U.S., a carveout that was not included in the original order.

The modifications did not satisfy Mr. Trump's critics.

"This isn't about keeping America safe. Let's call it what it is. This ban is a racist and anti-Islamic attempt to divide us up," tweeted Sen. Bernard Sanders, the Vermont independent who emerged as a leading voice for the left after his 2016 run for the Democratic presidential nomination.

Another court challenge is likely for Mr. Trump's order.

Omar Jadwat, director of the American Civil Liberties Union's Immigrants' Rights Project, said the new order had the "same fatal flaws" as the last one.

"The only way to actually fix the Muslim ban is not to have a Muslim ban," he said. "Instead, President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people."

Jon Rainwater, executive director of the liberal activist group Peach Action, said the order was "the same Muslim ban with a fresh haircut, and a botched one at that."

"It still blocks refugees and travelers from six Muslim-majority countries. It still violates core American values of religious tolerance and providing refuge to those fleeing violence and persecution. It still makes Americans less safe by feeding into the recruitment narratives of violent extremists," he said. "There's no evidence that banning travelers based on nationality actually protects anyone."

The administration has delayed the signing as it works with federal agencies that will be responsible for enforcing the new order.

The order on tougher vetting of travelers from terror-prone nations was one of Mr. Trump's campaign pledges, and he signed the original order shortly after taking office. But

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a federal judge in Seattle blocked the action, and a panel of the 9th Circuit Court of Appeals upheld the injunction.

Since then, the administration has been working on a new directive while defending the initial order in court. In an address to Congress last week, Mr. Trump said his actions are justified due to national security concerns.

The extreme vetting program will include:

• Uniform screening standards for all immigration programs government-wide, as developed by DHS in conjunction with the Director of National Intelligence and State and Justice departments.

• A biometric entry-exit system for all targeted travelers entering and departing the U.S.

• A review by the State Department of all non-immigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

• New restriction on the Visa Interview Waiver Program and additional non-immigrant visa applicants will have to undergo in-person interview.

The executive order also temporarily halts the acceptance of new refugees into the U.S. for 120 days while DHS and other agencies review screening procedures to ensure refugees admitted in the future do not pose a security risk, according to a fact sheet provided by the Trump administration.

In another change from the original order, Syrian refugees will not be subject to a permanent ban.

Upon resumption of the Refugee Admissions Program, the executive order calls for refugee admissions not exceed 50,000 for fiscal 2017, cutting by more than half the 110,000 refugees projected to be admitted this year under Obama administration guidelines.

Supporting claims that the U.S. is at risk because of its refugee policies, administration officials said that of the FBI's 1,000 ongoing anti-terrorism investigations, 300 cases involved suspected terrorists who came to the country as refugees.

Unlike the public signing ceremony for the original order that Mr. Trump attended at the Pentagon on Jan. 27, the president signed the new immigration order at the White House without press coverage.

New Travel Ban Garners Same Verdict In Middle East: A Slap At Muslims

By Declan Walsh

New York Times, March 6, 2017

CAIRO — Lighter, tighter and more carefully worded, the reworked travel ban announced by the Trump administration on Monday aims to pass legal muster in the United States while meeting its stated objective of combating Islamist terrorism.

But in the Middle East, where its effects will be most keenly felt, the executive order was seen as boiling down to the same thing: a Muslim ban.

In Iraq, where the initial ban had drawn the sharpest criticism, relieved officials welcomed President Trump's decision to drop their country from the list of nations whose citizens will be barred from entering the United States for 90 days. That decision came after pressure from the State Department and the Pentagon — and as American troops are working closely with Iraqi soldiers in the battle for Mosul.

In a minor triumph, there were none of the earlier chaotic scenes of travelers and refugees being turned back at airports.

Yet in the other six countries still on Mr. Trump's list, his decision to push ahead with the ban only stoked their sense of grievance and discrimination. Regional experts repeated earlier warnings that Mr. Trump's order handed an easy propaganda victory to enemies and might ultimately weaken American security.

"The idea that this is a Muslim ban has been reinforced even further," said Maha Yahya, the director of the Carnegie Middle East Center in Beirut. "Islamic State will use this ban to say: 'I told you so. They only mean you harm. They only see you as the enemy.'"

The six countries left on the list are among the poorest, most chaotic or most politically isolated in the Middle East, so their inclusion carries ostensibly low costs for the Trump administration. Libya has multiple competing governments. Aid officials warn that Yemen, consumed by civil war, is on the verge of famine. Syria's vicious six-year conflict has left vast urban landscapes in ruins. Somalia has been in a state of rolling chaos since 1991.

Iran does not suffer domestic upheaval, but decades of diplomatic hostility with the West have left it political isolated.

Trump administration officials point out that parts of the banned countries have become havens for Al Qaeda, the Islamic State and other groups, largely as a result of war and chronic instability. But by the same token, studies have shown that the citizens of those countries are more likely to be victims than perpetrators of violence, and have historically not posed a major risk to security in the United States.

According to the New America Foundation, all 13 jihadist terrorists who have killed people in the United States since Sept. 11, 2001, were American citizens or permanent residents. None had ties to the seven countries first singled out by Mr. Trump in January. A federal appeals court, rejecting that order, said his administration had produced "no evidence" linking citizens from the seven affected nations to terrorist acts in the United States.

Among citizens in the banned countries, the sense of injustice is compounded when they look at richer or more powerful neighbors, like Egypt or Saudi Arabia, whose citizens have carried out major attacks in the United States,

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yet which have escaped Mr. Trump's censure because their governments are harder to push around.

"You know what they say: When the wife commits adultery, hit the maid," said Abdel Bari Taher, a Yemeni political analyst speaking by telephone from the war-ravaged country's capital, Sana. "They are punishing Yemen and others because they are the weak ones. Meanwhile, all the Gulf states that funded terrorism carry on as usual."

Mr. Taher said he had little doubt Mr. Trump's ban was driven by domestic political considerations. "He is going after us just to please his right-wing supporters at home," he said. Nonetheless, he added, it stung.

In Iraq, the initial ban had been taken as a grievous insult from an ally it was supposed to be partnering with in the fight against the Islamic State. When the ban was announced in January, it prompted calls from some officials in Baghdad for Iraq to reciprocate with a ban on Americans entering Iraq, putting the American-backed prime minister, Haider al-Abadi, under political pressure to act.

The plight of military translators who had worked for the United States government and been promised resettlement in the United States provided a further focus for popular outrage.

Mr. Abadi, however, ultimately decided not to impose any restrictions on Americans and instead worked through back channels to have the ban overturned. On Monday, relieved officials said their approach had been vindicated.

"We were hoping for the decision to be reconsidered, and this is what has happened," said Jasim al-Jaf, Iraq's minister of migration, in a telephone interview.

Still, it was equally likely that pressure from the Pentagon, which feared damage to the Islamic State campaign, played a significant part in Mr. Trump's decision.

In the revised executive order issued Monday, Mr. Trump dropped a provision to bar Syrian refugees from the United States indefinitely, but will still freeze all refugee admissions for 120 days.

David Miliband, a former British foreign secretary who leads the International Rescue Committee aid agency, denounced that decision as a "historic assault on refugee resettlement to the United States, and a really catastrophic cut at a time there are more refugees around the world than ever before," The Associated Press reported.

Ms. Yahya, the analyst, said the refugee decision was part of the growing "moral and reputational toll" from Mr. Trump's actions in the Middle East. Yet there was not much of an immediate outcry in many countries — possibly because, as elsewhere, citizens were becoming slowly used to a steady stream of far-reaching, yet often perishable, decisions from Mr. Trump's White House.

Some have been tickled by American news media coverage of the simmering conflict between Mr. Trump and the "deep state" — a phrase more commonly associated with discussions about the Egyptian security services, or Pakistan's Inter-Services Intelligence spy agency. Yet Mr. Trump's assault on the news media as an "enemy of the people" has uncomfortable echoes in many countries, and some have taken the parallels to signify that the United States has entered an unwelcome phase.

"Trump has taken America from its ivory tower to the level of a rotten banana republic," Mohamed Rageh Roweis, a Palestinian analyst, wrote on a Twitter.

Even in unaffected countries, the ban has stoked the belief that the true goal of Mr. Trump and senior advisers like Stephen K. Bannon is to pursue a civilizational war against Muslims, rather than to combat terrorism.

"It doesn't make any sense," said Mustapha Kamel al-Sayyid, a political-science professor at Cairo University. "These terrorist groups are multinational organizations. If they want to attack the United States, they don't have to send people from these six countries. They can just find someone from another country."

Iraq Welcomes Removal From Revised US Travel Ban

By Qassim Abdul-Zahra And Sinan Salaheddin

Associated Press, March 6, 2017

BAGHDAD (AP) – Iraq welcomed its removal from a revised U.S. travel ban on Monday, saying the move would strengthen its alliance with Washington as U.S.-backed Iraqi forces battle the Islamic State group in Mosul.

Iraq was among seven Muslim-majority countries whose nationals were temporarily banned from traveling to the United States in an earlier order issued by President Donald Trump in January, which sparked worldwide outrage and was blocked by the courts.

The White House says the ban is needed to prevent would-be terrorists from entering the country while stricter vetting measures are put in place. But it removed Iraq from the list under pressure from the State Department and the Defense Department, which had noted the close cooperation between the two countries in battling the IS group.

"Today our battle in Mosul is a battle that Iraqis are conducting on behalf of the entire world," Foreign Ministry spokesman Ahmed Jamal told The Associated Press, adding that the revision of the travel ban will "enhance" the U.S.-Iraqi partnership in that fight.

The original order angered many Iraqis, and prompted parliament to call for a reciprocal ban on Americans entering Iraq. Prime Minister Haider al-Abadi declined to impose such a measure.

The revised U.S. travel order is narrower and specifies that a 90-day ban on people from Sudan, Syria, Iran, Libya, Somalia, and Yemen does not apply to those who already have valid visas.

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A fact sheet detailing the order cited negotiations that resulted in Iraq agreeing to "increase cooperation with the U.S. government on the vetting of its citizens applying for a visa to travel to the United States."

Thousands of American forces are in Iraq providing air support and logistical help for a massive operation to drive IS militants from Mosul, the country's second largest city. Smaller numbers of U.S. special operations forces are embedded with some Iraqi units.

Support from a U.S.-led coalition has been critical in the fight against IS, helping Iraqi forces to slowly roll back the militants over the past two and a half years. Iraqi forces are now in the midst of their toughest battle yet against IS as they push to retake Mosul's west after the eastern half of the city was declared "full liberated" in January.

Iraqi troops on the front lines welcomed the revision to the travel ban while still expressing anger over the original order.

"To be honest, (the original ban) made me upset and that will not change," said Sgt. Maj. Asad al-Asadi of Iraq's special forces, who has been away from home battling IS for nearly three years. "I've lost three friends fighting terrorists and Trump calls me a terrorist."

Associated Press writer Susannah George in Mosul, Iraq contributed to this report.

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Iraq, Excluded From Travel Ban, Praises New White House Executive Order

By Mustafa Salim

Washington Post, March 6, 2017

IRBIL, Iraq — Iraqi officials on Monday praised the Trump administration's decision to exclude Iraq from a list of Muslim-majority countries whose citizens will be temporarily banned from entering the United States, calling it an acknowledgment of their nation's unique role in the struggle against global extremism.

A previous ban had prompted widespread anger and disbelief in Iraq, a country destabilized by cycles of conflict since the U.S.-led invasion in 2003 and a front-line battlefield in the fight against the Islamic State militant group.

A revised executive order signed by President Trump on Monday imposes a 90-day ban on the issuance of new visas to citizens of Iran, Sudan, Yemen, Somalia, Syria and Libya, citing national security concerns, but it called Iraq "a special case."

Despite the continued presence of the Islamic State in the country, the order said, other factors justified Iraq's exclusion from the list, including close cooperation between Baghdad and Washington, as well as "the significant presence of United States forces in Iraq."

A spokesman for Prime Minister Haider al-Abadi said that Trump and the Iraqi leader had discussed the ban in a telephone call several weeks ago and that the U.S. president had promised to review Iraq's status. The decision on Monday "showed an appreciation for the partnership with Iraq in fighting terrorism" and would speed up the fight against the Islamic State, the spokesman said.

The relief in Iraq was in sharp contrast to the criticism of the revised order from human rights groups, which derided it as effectively a ban on Muslims as well as refugees and their advocates. The order suspends the U.S. refugee program for 120 days.

The order "heartlessly targets the most vetted and most vulnerable population to enter the United States," David Miliband, president and chief executive of the International Rescue Committee, which resettles refugees in the United States, said in a statement.

"This ban doesn't target those who are the greatest security risk, but those least able to advocate for themselves. Instead of making us safer, it serves as a gift for extremists who seek to undermine America," he said.

The Trump administration says the ban is critical to public safety, and officials asserted Monday that the revised order would eliminate the chaos at airports worldwide that accompanied the initial executive order issued in January.

Mohamed Gabr, a Syrian refugee who lives with his family in Cairo and said he was supposed to be resettled in New Jersey before the initial ban, was still waiting to hear from his resettlement agency about when — and if — his family would be able to travel.

"My condition is intolerable. For a year and eight months, we have been stuck here. For two months, I have been told to wait," he said.

Despite the uncertainty about their future, Gabr and his wife, Lamis el-Hamawi, said they were happy that the executive order had been narrowed, if only slightly.

"We wish the Iraqis all the best," Hamawi said. "They are just like us, they faced the same horrors. We don't see any difference between us and them. We don't hate or discriminate."

"They do," she said, referring to U.S. officials. "But we don't."

The revised executive order comes as the United States is stepping up its involvement in the fight against the Islamic State in Iraq, including by sending hundreds of

military advisers to front-line positions with Iraqi security forces wrestling for control of the northern city of Mosul.

The original White House ban was seen as especially egregious by Iraqi troops and commanders representing units that have suffered heavy losses in the grinding fight for Mosul.

"It showed no appreciation at all for the sacrifices of Iraqis in fighting terrorism," said Lt. Gen. Sami al-Aridhi, commander of the second division of Iraq's U.S.-trained counterterrorism forces. "It had a negative impact on the psyche and morale of fighters, especially for the special forces, because we deal directly and closely with the Americans," he said.

On Monday, some of the resentment abated, Aridhi said, adding that he hoped to visit the United States someday, when the fight against the Islamic State has ended, "and enter the country with respect: as an Iraqi who fought against terrorism consistently since 2003."

Heba Mahfouz in Cairo and Louisa Loveluck in Beirut contributed to this report.

Trump Revises Travel Ban To Address Legal Issues, Exempt Iraqis

By Jennifer Epstein And Margaret Talev

Bloomberg Politics, March 6, 2017

President Donald Trump signed an order restricting entry into the U.S. by people from six predominantly Muslim countries, reviving a signature initiative of his presidency that stalled in the face of court challenges and sparked global protests.

The directive takes effect March 16 and removes Iraq from an initial list of seven countries whose citizens cannot travel to the U.S. for the next 90 days. Its scope was narrowed to address legal questions raised by federal courts, with the new version specifying that people who have already been issued visas, green-card holders and dual citizens won't be denied entry. The administration said the new order was needed to address urgent security threats.

The action "protects the United States from countries compromised by terrorism and ensures a more rigorous vetting process," a fact sheet released Monday by the administration says.

In addition, the U.S. Refugee Admissions Program is being suspended for 120 days while a review of screening procedures is undertaken. When it resumes, the number of refugees admitted to the country will be limited to 50,000 in fiscal 2017, according to an administration fact sheet. That's less than half the limit set in the final year of the Obama administration amid a humanitarian crisis in Syria. The U.S. took in 10,000 Syrian refugees last year.

Unlike with previous executive actions he's taken, Trump didn't make a public appearance to sign it. Instead, Secretary of State Rex Tillerson, Attorney General Jeff Sessions and Homeland Security Secretary John Kelly were set to deliver statements outlining the order.

Trump and his aides repeatedly have described the travel directive as an urgent national security matter. Administration officials said the FBI is looking into some 300 individuals admitted to the U.S. as refugees as part of counterterrorism probes, but a congressional aide said it's unclear whether any of those investigations have turned up anything.

But the administration has repeatedly delayed issuing a revised order after a federal court blocked his original plan. At the end of January, White House press secretary Sean Spicer described the delay caused by the court in catastrophic terms.

"The last thing that you want to do is to say well we could've done this Saturday, but we waited one more day. Or we wanted to roll it out differently. And someone's life got lost," he said on Jan. 31.

The changes reflect a tacit acknowledgment by the White House that the first order, hastily implemented at the end of Trump's first week in office, was flawed, vulnerable to lawsuits and disruptive to thousands of travelers.

The new travel ban is certain to trigger a fresh round of legal challenges, risking another blow to the administration's prestige as it tries to marshal political capital to win passage of an ambitious legislative agenda, including the repeal and replacement of the Obamacare health law, a rewrite of the tax code and a reordering of federal budget priorities to build up the military at the expense of domestic spending.

The administration has been working for weeks to address a federal appeals court's objections to the original version of the ban.

Initial Order

The initial Jan. 27 order barred citizens of seven nations from entering the U.S. regardless of their legal status. It set off a weekend of chaos at airports and border crossings as hundreds of immigrants and travelers, including at least one translator who worked with the U.S. military in Iraq, were detained or delayed in being admitted to the country. Companies, international allies and human rights activists assailed the ban and judges quickly blocked it, forcing the administration into retreat.

Trump also was lobbied by Defense Secretary James Mattis and National Security Adviser H.R. McMaster to remove Iraq from the list of countries covered by the ban. Both are veterans of the two U.S. wars in Iraq and argued it would hinder joint efforts by the U.S. and Iraqi forces to combat Islamic State.

The new order also omits a provision from the original directive that would have prioritized religious minorities in making admission decisions, according to a background telephone briefing arranged by the administration. In a break

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from traditional practices, the officials speaking weren't identified to reporters ahead of the briefing.

The Ninth Circuit Court of Appeals last month rejected the administration's bid to reinstate the initial order after a lower court judge temporarily blocked it. The states of Washington and Minnesota led the successful legal challenge to the ban, arguing it hurt their citizens and economies.

The appeals court faulted the administration for an inadequate explanation of why the seven countries were singled out: Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen. The administration says those countries were previously designated by Congress and former President Barack Obama as raising terrorism concerns.

Though the administration has denied its travel restrictions are based on religion, its legal defense has been hampered by declarations Trump made in his presidential campaign that he would keep Muslims out of the U.S. Former New York Mayor Rudy Giuliani, a close Trump ally and informal political adviser, also told Fox News when the order was initially issued that Trump sought to legally enact a Muslim ban.

Damaging Statements

The administration has argued Trump's orders should be judged on their own, but the San Francisco-based appeals court judges said that "evidence of purpose beyond the face of the challenged law" can be used to determine its lawfulness.

"Those campaign statements and the Giuliani interview will be damaging," said Danielle McLaughlin, a lawyer at Nixon Peabody and co-author of a book on the conservative legal movement. "It's almost like the administration had been hamstrung before it was drafted because of what had already been said."

A federal judge in Alexandria, Virginia, who was considering one of the lawsuits against the initial order, cited those statements in issuing a preliminary injunction against the ban's enactment.

U.S. District Judge Leonie Brinkema said on Feb. 13 that she gave little weight to the administration's assurances that it wasn't banning Muslims, considering Trump had in 2015 called for a "total and complete shutdown of Muslims entering the U.S." She also cited the Giuliani interview.

The initial order banned entry by people from the seven countries for 90 days. It barred Syrian refugees from the U.S. indefinitely, and blocked for 120 days all refugees fleeing their homelands claiming persecution or fear of violence.

After the appeals court ruling, Trump initially indicated he would challenge the decision, tweeting "SEE YOU IN COURT, THE SECURITY OF OUR NATION IS AT STAKE!" only to be persuaded by administration lawyers and other aides that a rewrite would better withstand legal scrutiny.

Another issue confronting the administration is that his original executive order risked violating the due-process rights of foreigners who have a connection with a U.S. resident or institution.

The federal appeals court in San Francisco said a 2015 U.S. Supreme Court decision left open the possibility of U.S. citizens suing on behalf of non-American spouses trying to enter the country. The appeals court also said the top court has made it clear that everyone in the U.S., legally or not, is entitled to due process, or the right to fair procedures before being deprived of freedom or property.

Trump's Claim That 'More Than 300' Refugees Are The Subject Of Counterterrorism Investigations

By Michelle Ye Hee Lee

Washington Post, March 6, 2017

"The Attorney General has reported to me that more than 300 persons who entered the United States as refugees are currently the subjects of counterterrorism investigations by the Federal Bureau of Investigation."

— President Trump, executive order on immigration, March 6, 2017

"In fact, today, more than 300 people, according to the FBI, who came here as refugees are under an FBI investigation today for potential terrorism-related activities."

— Attorney General Jeff Sessions, remarks on executive order, March 6, 2017

"The FBI is currently looking and investigating active terrorism-related investigations into approximately 300 individuals who are admitted to the United States as refugees. Not a small number. That's a tremendous administrative burden of manpower and resources."

— Unidentified senior administration official, news briefing via teleconference, March 6, 2017

"The Federal Bureau of Investigation has reported that approximately 300 persons who entered the United States as refugees are currently the subjects of counterterrorism investigations."

— Question and Answer fact sheet on executive order, March 6, 2017

Clearly, the administration decided this was a key talking point for the roll-out of its new immigration executive order: that more than 300 refugees are subjects of counterterrorism investigations.

On March 6, President Trump issued an executive order temporarily banning travelers from six Muslim-majority countries, revising the version that led to massive confusion around the world and a federal court decision that halted the order from going into effect.

Administration officials did not provide any information about the investigations, or any context to understand how significant the 300 figure is. In response to our inquiry, the

Justice Department declined to provide any additional information.

But here's the problem. Without any context, this 300 figure is meaningless. We will explain three reasons why. The Facts

The 300 figure is a tiny fraction of all resettled refugees in the United States.

On its own, 300 may seem like a large number of refugees. But since Congress created the Federal Refugee Program through the Refugee Act of 1980, about 3 million refugees have resettled in the United States, according to Pew Research Center. That comes out to an average of about 83,300 refugees per year. That means that even if the 300 refugees all came in to the United States in one year, they would represent less than 1 percent of the total number of refugees accepted on average per year since 1980.

When a reporter at the briefing expressed skepticism about the number, in effect asking how the public can trust the administration, an official said: "The salient fact here is that there are 300 individuals who were admitted and welcomed to the United States through a refugees admissions program who either infiltrated with hostile intent or who radicalized after their admission to the United States."

But we have no way to know whether the administration's claim is accurate. Many of these refugees could now be citizens or legal residents. This 300 figure doesn't tell us whether the individuals were radicalized in the United States, years after entering the country.

Since Sept. 11, 2001, roughly 190,000 refugees were accepted into the United States from the six countries (Syria, Sudan, Iran, Somalia, Libya and Yemen) identified in the new order, according to data from the State Department's Refugee Processing Center. So 300 represents one-fifteenth of 1 percent of refugees admitted from those six countries since 9/11.

In fiscal 2016, 38,901 Muslim refugees entered the United States — comprising 46 percent of nearly 83,5000 refugees admitted in that period, Pew Research analysis shows.

The 300 figure may represent 30 percent or 3 percent (or something entirely different) of total open investigations.

We don't know the full universe of open investigations, but previous reports give us a sense of how many investigations the FBI conducts in a given year.

There are at least 1,000 open investigations into "homegrown violent extremists," according to FBI officials interviewed by the New York Times in June 2016. On March 6, congressional sources told Reuters that the investigation of 300 refugees is a part of 1,000 counterterrorism investigations "involving Islamic State or individuals inspired by the militant group." So that means refugees comprise 30 percent of the open investigations into potential terrorism-related activities.

The FBI has averaged 7,000 to 10,000 preliminary or full investigations involving international terrorism annually in recent years, the Times reported in September 2016. So that means the 300 refugee investigations make up about 3 percent of the total number of assessments per year in recent years.

"In addition, the FBI receives tens of thousands of terrorism tips. All of those have to be tracked down. … That does not include information the FBI learns from foreign partners, war zones or American agencies. Most investigations never end in prosecution," the Times reported.

As we reported in May 2016, about 10 terrorism-related cases since 2009 have involved refugees. In 2015, a State Department spokesperson told us that of the nearly 785,000 refugees admitted through the U.S. Refugee Admissions Program since 9/11, "only about a dozen — a tiny fraction of one percent of admitted refugees — have been arrested or removed from the U.S. due to terrorism concerns that existed prior to their resettlement in the U.S."

It's unclear what — if any — counterterrorism charges are involved in these cases.

While the Justice Department did not provide any data to support its assertion, they may be deriving data from the Justice Department National Security Division's list of terrorism and terrorism-related convictions, wrote Shirin Sinnar, an associate law professor at Stanford Law School. Previously, Sessions used this data to claim that hundreds of people convicted of terrorism or terrorism-related activities were foreign-born. Sinnar obtained the division's list of public or unsealed international terrorism and related convictions from Sept. 11, 2001, to Dec. 31, 2015, through a Freedom of Information Act request.

Sinnar found this list to be a misleading source to support the administration's claims about its travel ban. (For more, read the full, detailed report.)

Among the problems is that it lists 627 "terrorism and terrorism-related" convictions through the end of 2015, but it does not include convictions related to domestic terrorism. So this list is not a credible source for assessing threat from foreigners of attacks in the U.S. homeland — or for screening who should enter the United States.

In the past, administration officials considered a wide range of charges to mean "terroristic activity." We previously awarded Three Pinocchios to White House Senior Adviser Stephen Miller's claim that 72 people from the countries listed in the travel ban were implicated in terroristic activity. Some of the charges involved people convicted of providing material support, such as money or personnel, to groups that are designated as terrorist organizations. But it also included people who were convicted of passport fraud, visa fraud and making fraudulent claims to federal investigators.

Regardless of the direct or tangential ties that investigators believe each individual may have to terrorist

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activities, these charges need to be proven in a court of law. Counterterrorism investigations are not actual charges, noted David Sterman, policy analyst at New America, a think tank that closely monitors jihadist activity in the United States.

New America found about 400 individuals charged with or credibly involved in jihad-inspired activity in the U.S. since 9/11, just under half (197) were U.S.-born citizens. An additional 82 were naturalized citizens, and 44 were permanent residents. Twelve of the roughly 400 individuals were refugees — meaning refugees represent 3 percent. That there were 400 terrorism related cases since 9/11 suggests that very few investigations actually turn into full cases, Sterman said.

"Far from being foreign infiltrators, the large majority of jihadist terrorists in the United States have been American citizens or legal residents. Moreover, while a range of citizenship statuses are represented, every jihadist who conducted a lethal attack inside the United States since 9/11 was a citizen or legal resident. In addition about a quarter of the extremists are converts, further confirming that the challenge cannot be reduced to one of immigration," according to the New America report on jihadist activity since 9/11. The Pinocchio Test

It's irresponsible for the administration to tout this number repeatedly without any context or giving the public additional information to understand whether refugees are a threat to the U.S. homeland. The burden of proof is on the speaker, yet administration officials repeatedly declined reporters' requests for more information. Moreover, the administration's credibility on factual accuracy is open to question, given the frequent false claims made by the president and other senior officials.

This 300 figure, without any context, is problematic for three reasons. It represents a tiny fraction of all resettled refugees in the United States per year (83,380 on average), and since the refugee program began in 1980 (3 million). Since Sept. 11, 2001, roughly 190,000 refugees were accepted into the United States from the six countries listed in the immigration executive order. The 300 figure represents a fraction — though unclear exactly how small or big — of the total open counterterrorism investigations (which could be 1,000 or up to 10,000). And we have no idea what charges are involved, or if these investigations will even result in any charges (or convictions, for that matter).

In the absence of any context or additional information from the administration, we find this figure highly misleading, worthy of Three Pinocchios. Should the administration decide to share more information to place this figure into context, we're happy to reconsider the evidence and the rating. Three Pinocchios

300 Refugees Subjects Of FBI Terror Investigations, U.S. Officials Say

Fox News, March 6, 2017

Hundreds of people admitted to the United States as refugees are the subjects of FBI counterterrorism investigations involving ISIS – including some individuals from countries cited on President Trump's revised travel ban.

Trump's order, which was announced late Monday morning, temporarily bans travel to those without valid visas from Sudan, Syria, Iran, Libya, Somalia and Yemen.

Nearly a third of the 1,000 FBI domestic terrorism cases – 300 – involve those admitted to the U.S. as refugees, a Department of Homeland Security official said Monday. That number was confirmed later in the day by Attorney General Jeff Sessions during a news conference. Officials said some of those 300 came to "infiltrate" the U.S., while others were radicalized once they were in the country.

"Like every nation, the United States has a right to control who enters our country and to keep out those who would do us harm," Sessions said.

The officials who spoke Monday morning didn't detail the current immigration status of those 300 people who were subjects of government terror probes, Reuters reported, citing a source.

One official also sought to clarify the apparent conflict with a leaked DHS report that appeared to show no connection between refugees and terrorism. The official said the draft document, which was reported by The Associated Press on Feb. 24, was not complete, had not been vetted through the interagency process and did not reflect classified information.

FBI Director James Comey said in late 2015 that some 900 terror investigations were going on, and probes were active in every state. But Monday's development marked the first official concrete linkage between the refugee program and terrorism.

At the time, Comey indicated the bureau was stretched thin by the sheer volume of investigations.

"If that becomes the new normal," Comey said, "that would be hard to keep up."

Secretary of Homeland Security John Kelly said the travel ban announced Monday was a key to ansuring the refugee program is conducted safely.

"We must undertake a rigorous review of our visa and refugee vetting programs to increase our confidence in the entry decisions we make for visitors and immigrants to the United States," Kelly said. "We cannot risk the prospect of malevolent actors using our immigration system to take American lives."

Several refugees have already participated in mass attacks in recent years motivated by apparent Islamic radicalism.

Somali refugee Abdul Razak Ali Artan rammed his car into a crowd at The Ohio State University in November after posting a message on Facebook warning America not to interfere with Muslim communities. Somali refugee Dahir Adan reportedly yelled "Allahu Akbar" and asked one victim if they were Muslim during a September rampage in which he stabbed and injured nine people at a Minnesota mall. Seddique Mateen, the father of Pulse nightclub shooter Omar Mateen, is an Afghan refugee. Countless other refugees have been convicted of plotting attacks or planning to join ISIS abroad.

Though they didn't enter the nation as refugees, several other terrorists have benefited from inadequate vetting to come to the U.S.

Tashfeen Malik, who was born in Pakistan, came to the U.S. on a K-1 "fiancée" visa prior to engaging in a deadly shooting spree with husband Syed Rizwan Farook that killed 14 and injured 22 others in December 2015. Dzhokhar and Tamerlan Tsarnaev, the brothers who orchestrated the 2013 Boston Marathon bombing, were born in Kyrgyzstan and entered the U.S. when their family filed for asylum.

Democrats Condemn Trump's Revised Travel Order As 'Still A Muslim Ban'

By Erin Kelly And Eliza Collins

USA Today, March 6, 2017

WASHINGTON — Democrats blasted President Trump's revised immigrant travel restrictions Monday, charging that they remain essentially a "Muslim ban" despite the president's decision to remove Iraq from the list of six countries covered by his executive order.

"A watered down ban is still a ban," said Senate Minority Leader Chuck Schumer, D-N.Y., who predicted the latest order would face "the same uphill climb" in court. "Despite the Administration's changes, this dangerous executive order makes us less safe, not more. It is mean-spirited and un-American. It must be repealed."

Sen. Lindsey Graham, R-S.C., said he believes Trump's revised order is better and will "pass legal muster."

"I congratulate the Administration for modifying the original order to ensure that it is prospective in application, protective of those with valid visas and legal status, and exempts Iraqis, as five thousand Americans are currently fighting alongside them against (the Islamic State)," Graham said. "I believe the new order will withstand legal challenges as it's drafted in a fashion as to not be a religious ban, but a ban on individuals coming from compromised governments and failed states."

House Minority Leader Nancy Pelosi, D-Calif., dismissed the changes as nothing more than "repackaging."

"The Trump Administration's repackaging has done nothing to change the immoral, unconstitutional and dangerous goals of their Muslim and refugee ban," she said. "This is the same ban, with the same purpose, driven by the same dangerous discrimination that weakens our ability to fight terror."

Rep. Keith Ellison, D-Minn., who is Muslim, declared on Twitter that "Trump's Muslim Ban is still a Muslim Ban."

House Speaker Paul Ryan, R-Wis., said the revised order "advances our shared goal of protecting the homeland."

"I commend the administration and (Homeland Security) Secretary (John) Kelly in particular for their hard work on this measure to improve our vetting standards," Ryan said. "We will continue to work with President Trump to keep our country safe."

House Homeland Security Chairman Michael McCaul, R-Texas, who criticized the Trump administration's abrupt, confusing rollout of its original order, said his committee will be overseeing the president's latest effort to ensure it is handled better.

"I have long supported taking bold steps to keep terrorists from entering America," McCaul said. "I look forward to reading the details of the President's new executive order and conducting oversight to ensure it is implemented smoothly. This month, I am also launching a bipartisan congressional task force focused on closing security gaps that might be exploited by jihadists to sneak into our country, and I hope the Administration will work closely with us to put in place new security checks to protect our people from the threat of terror."

Sen. Chris Murphy, D-Conn., tweeted that the new travel order still targets Muslims and is "still illegal."

Rep. Paul Gosar, R-Ariz., a member of the conservative House Freedom Caucus, said Trump's action will "strengthen our immigration and refugee screening process."

"It's refreshing to see an administration that isn't ashamed to uphold the most important Constitutional responsibility of the federal government: to protect the American people," Gosar said. "We can no longer ignore the facts that leaders from the FBI, National Counterterrorism Center and the Department of Homeland Security have testified before Congress that they do not have the necessary resources to thoroughly vet immigrants and refugees from terrorist strongholds. There is no question that the Constitution and federal law grant the president the authority to take these necessary actions, which will not only protect the homeland but also safeguard refugees and legal immigrants."

Corker, Critic Of First Trump Travel Ban Order, Positive On New One

By Patricia Zengerle

Reuters, March 6, 2017

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Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

President Trump Signs Revised Executive Order Restricting Travel To The U.S.

Travelers holding valid visas will be exempted; Iraq off list of targeted nations

By Laura Meckler

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Trump's New Travel Ban Raises Bar For Legal Challenges

By Mica Rosenberg And Dan Levine

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Washington State Attorney General That Brought Down First Travel Ban Is Looking At "Next Legal Steps"

Los Angeles Times, March 6, 2017

The attorney general of Washington state, whose case against President Trump's initial travel ban brought that planl to a halt, said Monday that his office is considering its "next legal steps" concerning the administration's new travel order.

"By rescinding his earlier executive order, President Trump makes one thing perfectly clear: His original travel ban was indefensible — legally, constitutionally and morally," Atty. Gen. Bob Ferguson said in a statement.

"The president has capitulated on numerous key provisions blocked by our lawsuit, including bans on Green Card holders, visa holders and dual citizens, an indefinite ban on Syrian refugees, and explicit preferences based on religion," he said. "We are carefully reviewing the new executive order to determine its impacts on Washington state and our next legal steps."

Ferguson said he would have more to say later Monday.

After Washington and Minnesota sued against the first travel ban in a Seattle federal court, U.S. District Judge James L. Robart issued a national restraining order on Feb. 3 blocking its enforcement until the constitutionality of the order could be decided. That restraining order was upheld by the 9th U.S. Circuit Court of Appeals after the administration challenged it.

In response to those rulings, Trump said the new executive order would be "tailored" to the "bad" decisions .

The Seattle case is still pending.

AG Bob Ferguson: Trump's Original Travel Ban Was Indefensible, We're Reviewing The New One

Seattle Times, March 6, 2017

Attorney General Bob Ferguson is claiming victory after President Donald Trump rescinded his previous executive order banning travel to the United States from seven Muslim-majority countries and replaced it with a much narrower ban.

Washington Attorney General Bob Ferguson is claiming victory after President Donald Trump signed a new, but much narrower, ban on travel to the United States from six Muslim-majority countries.

Ferguson said he still has constitutional and legal concerns about Trump's new order, but doesn't know yet whether he'll file another lawsuit.

"I do not take lightly suing the president of the United States," Ferguson said a news conference Monday in Seattle. He said his office will take time to review the new order, with a decision possible later this week.

What does it all mean?

Who qualifies as a refugee? How many refugees come here? How are they screened? What is a green card? How do people get green cards? And what about immigrants who enter the country illegally?

We help define and explain things you might not know about immigration.

Trump's executive order, signed Monday morning, limits travel to the United States for citizens of the six countries, but only for those seeking new visas. Those with pre-existing visas will be allowed to travel freely, as will those holding dual citizenship.

Trump's new order also explicitly revokes his prior order, which had been on hold following a court challenge from Ferguson.

Ferguson called that "capitulation" a vindication of the state's original lawsuit.

He needled Trump for the president's "SEE YOU IN COURT!" tweet following the state's initial win blocking enforcement of the travel ban order.

"It bears pointing out that the administration since that tweet has done everything in its power to avoid seeing anyone in court," Ferguson said, pointing to legal delays by the Justice Department, followed by Monday's withdrawal of the initial travel order.

"There is a reason for that: the president was essentially afraid to see us in court be he knew he would lose again," he said, calling the original order "illegal an unconstitutional."

The new executive order removed several key provisions of the original version, Ferguson said in a news release, including bans on Green Card holders, visa holders

and dual citizens, and a preference for religious minorities in the Muslim nations.

Trump's first executive order initially banned green-card holders, but that part of the ban was relaxed days later after it sowed confusion and chaos at airports across the country.

The first executive order applied to citizens of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen. The new order applies to those same countries, except for Iraq, which has been removed.

'Honor Killings' Highlighted Under Trump's New Travel Ban

By Nahal Toosi

Politico, March 6, 2017

It's a quick line, but it leaps out like few others in the revised travel ban President Donald Trump issued Monday.

The American government, the order says, will start publicizing information about "acts of gender-based violence against women, including so-called 'honor killings,' in the United States by foreign nationals."

The statement is part of a broader section that pledges the U.S. government will begin releasing data on terrorism-related offenses committed by immigrants.

"Honor killing" is a label often attached to the murders of girls and women by relatives or loved ones who believe the victims have shamed them in some way, such as by marrying without permission.

To some critics of the travel ban, the mention of "honor killings" sounds like a dog whistle. "It's based on a stereotypical view of Muslims and what their position is toward women," said Grace Meng, a senior U.S. researcher with Human Rights Watch.

The administration strongly denies the new order, which temporarily bars refugees and travelers from six predominantly Muslim countries, targets any particular religious group.

"Nothing in this executive order has anything to do with any particular faith, so any story stating or suggesting otherwise would be completely wrong," said Michael Short, a White House press aide. "This administration strongly believes that gender-based violence in all of its forms has no place in this country."

"Honor killings" are believed to be rare in the U.S. Scholars of Islam say there's no religious justification for honor killings, and that the roots of the crime are often more about cultural traditions than anything else.

Still, far-right conservative activists often focus on honor killings as an example of the potential "Islamization" of America posed by allowing Muslim immigrants into the U.S.

Several top Trump aides, including chief White House strategist Steve Bannon, have been labeled as Islamophobes by civil rights groups for making claims that Muslims living in America pose a particular threat.

It wasn't clear how the administration plans to define "gender-based violence" or how it expects to determine what is or isn't an honor killing.

The executive order issued Monday replaces another released in late January. Aside from barring travelers from six Muslim-majority countries for at least 90 days starting in mid-March, the revised order imposes a 120-day pause on the U.S. admission of refugees from all over the world.

Meng noted that many of those refugees now barred from the United States are women trying to escape rapists and others who have targeted them. The order, she said, is "going to harm people fleeing gender-based violence."

Donald Trump's Executive Order: Officials Must Identify Immigration Applicants Who Support 'Acts Of Violence'

By Neil Munro

Breitbart, March 6, 2017

Senior officials "shall implement a program, as part of the process for [immigration] adjudications, to identify individuals who seek to enter the United States on a fraudulent basis, who support terrorism, violent extremism, acts of violence toward any group or class of people within the United States, or who present a risk of causing harm subsequent to their entry," said Section 5 of the new Executive Order, which likely will reverse President Barack Obama's open-door policies to foreign migrants.

The anti-extremist language in the new March 6 Executive Order is narrower and more legalistic than the pro-American language in the judge-blocked Jan. 27 Executive Order, which said:

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

Allied left-wing and Islamic advocates, including Democratic activist Khizr Khan, complained that Trump's "hostile attitudes" language was intended to exclude immigrants with Islamic beliefs.

The language bolsters the often-ignored language in the current N-400 citizenship application document, which asks applicants if they have "EVER advocated (either directly or indirectly) the overthrow of any government by force or

violence? Have you EVER persecuted (either directly or indirectly) any person because of race, religion, national origin, membership in a particular social group, or political opinion?"

The new memo also directs officials to collect and share information about immigrants and refugees who commit crimes, including the terror and anti-women crimes associated with people from Islamic-majority countries. Section 11 of the new order declares officials should collect information about:

(i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation with or provision of material support to a terrorism-related organization, or any other national-security-related reasons;

(ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and who have engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States;

(iii) information regarding the number and types of acts of gender-based violence against women, including so-called "honor killings," in the United States by foreign nationals.

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security or the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

The new Executive Order says it does not "discriminate" against any particular religion, which is likely meant to rebut progressive claims that opposition to Islam's combined religious and political ideology is similar to legal curbs on the practice of Christianity and other religions which do accept the separation of church from state.

Executive Order 13769 did not provide a basis for discriminating for or against members of any particular religion. While that order allowed for prioritization of refugee claims from members of persecuted religious minority groups, that priority applied to refugees from every nation, including those in which Islam is a minority religion, and it applied to minority sects within a religion. That order was not motivated by animus toward any religion, but was instead intended to protect the ability of religious minorities — whoever they are and wherever they reside — to avail themselves of the USRAP in light of their particular challenges and circumstances.

The Executive order directs agency heads to quickly establish the new entry rules, saying:

The Secretary of Homeland Security, in conjunction with the Secretary of State, the Attorney General, and the Director of National Intelligence, shall submit to the President an initial report on the progress of the program described in subsection (a) of this section within 60 days of the effective date of this order, a second report within 100 days of the effective date of this order, and a third report within 200 days of the effective date of this order.

The president also directs the agencies to toughen routine screening of legal visitors, such as tourists or business executives. "

In the first 20 days, [the Department of Homeland Security] will perform a global, country-by-country review of the identity and security information that each country provides to the U.S. Government to support U.S. visa and other immigration benefit determinations. Countries will then have 50 days to comply with requests from the U.S. Government to update or improve the quality of the information they provide."

Trump's immigration and visitor rules will likely be very different from former President Obama's open-door policies. Obama described his globalist policy in a Nov. 2014 speech to Democratic supporters in Chicago:

Sometimes we get attached to our particular tribe, our particular race, our particular religion, and then we start treating other folks differently. And that, sometimes, has been a bottleneck to how we think about immigration. If you look at the history of immigration in this country, each successive wave, there have been periods where the folks who were already here suddenly say, 'Well, I don't want those folks' — even though the only people who have the right to say that are some Native Americans.

Obama made the same diversity-first claim in September 2015

When I hear folks talking as if somehow these [foreign] kids are different than my kids or less worthy in the eyes of God, that somehow that they are less worthy of our respect and consideration and care, I think that's un-American. I don't believe that, I think it is wrong and I think we should do better, because that's how America was made.

Obama's outside policy is expressed more crudely by the alliance of Islamic and left-wing groups which are protesting Trump's pro-America immigration policies.

Trump's Travel Ban Contains A Tool That Could Change How The U.S. Conducts Foreign Policy

By Brian Bennett, Contact Reporter

Los Angeles Times, March 6, 2017

A little-noticed provision in President Trump's revised restrictions on entry into the country could remake how the U.S. conducts foreign policy, creating leverage for a president

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who promised to bring his hard-nosed deal-making mind-set to American diplomacy.

In his new directive, Trump ordered a global review to determine whether citizens from additional countries should be blocked from coming to the U.S. as well. He asked the departments of State and Homeland Security, along with intelligence agencies, to determine which countries come up short on cooperating with U.S. immigration officials who are vetting travelers who want to enter the country.

"We're looking at an entire — at the rest of the entire world and all of the procedures that we use to address all countries," White House Press Secretary Sean Spicer told reporters Monday.

The review gives Trump, who spent his adult life working out real estate transactions, the opportunity to demand concessions from more than 190 countries. At stake is the ability of their citizens and nationals to travel to the United States.

For decades, the U.S. has welcomed a relatively free flow of travelers on the assumption that when people visit, they spend money, invest and learn about American culture and values and are able to take those impressions back to their home countries.

Negotiating over travel restrictions is risky, warned Stewart Baker, the former head of policy at Homeland Security during the George W. Bush administration.

"We have leverage, but it is not leverage you really would want to use in a real way," Baker said, adding that countries could begin blocking the entry of U.S. citizens. "It is like a nuclear exchange, and nobody comes off better in a nuclear exchange — everyone is weakened," he said.

The Trump administration has already shown signs of being willing to horse-trade.

In exchange for excluding Iraq from the new travel restrictions, for example, the Trump administration persuaded officials there to accept Iraqi citizens deported from the United States, a demand U.S. diplomats have fruitlessly been making for years.

Iraq had its own room to maneuver to make the deal. When Trump issued the first version of the order in January, including Iraq among the countries whose citizens were banned from entry, Iraqi officials threatened to shut out hundreds of U.S. contractors in the country supporting the American military units and U.S. oil companies.

The threat of restrictions won't be used to press countries on issues unrelated to national security, Spicer said, citing the Iraq negotiations as unique circumstances.

"This is a national security issue, plain and simple," he said.

Trump promised during the campaign he would force countries to receive all of their citizens expelled from the U.S.

About 22 countries don't accept deportations from the U.S., including Afghanistan, Algeria, China, Iran, Libya, Somalia and Zimbabwe. Courts have ruled that people from those countries can't be held indefinitely to await deportation, even if they have a violent criminal conviction. As a result, more than 8,000 immigrants with criminal records have been released from custody in the last three years.

But already the discussions are bleeding into other immigration issues. In addition to demanding countries take back citizens being deported, the Trump administration plans to look closely at countries with citizens who frequently stay past the expiration date on their U.S. visa,a senior Homeland Security official said Monday.

India, China and Mexico are among the top 10 countries that have high rates of people who overstay their visa. They are also among the top U.S. partners on trade and economic issues.

The temporary travel ban applies to six countries that are either state sponsors of terrorism — Iran, Syria and Sudan — or failed states that have terrorist organizations operating in their territory — Libya, Somalia and Yemen — administration officials said.

When considering other countries to add to the list, administration officials will look at the integrity of police forces and a country's ability to give accurate criminal histories, what measures are in place to prevent people from traveling on fake documents, and which countries have high numbers of people who overstay their visas in the U.S., said the Homeland Security official, who would not be named under the ground rules the administration set for the briefing.

A list of countries that fail the test is due to be handed to Trump in early April, and countries have until late May to make changes.

Trump's New Travel Ban Still Wouldn't Have Kept Out Anyone Behind Deadly U.S. Terror Attacks

By Mark Berman

Washington Post, March 6, 2017

President Trump on Monday signed a new executive order temporarily banning travelers from six Muslim-majority nations due to "heightened concerns about terrorism" coming from those countries.

"We cannot risk the prospect of malevolent actors using our immigration system to take American lives," Homeland Security Secretary John Kelly said at a news briefing announcing the new order.

This new ban, which came about after the first was frozen by federal courts, has something big in common with the earlier version: It would not have kept out of the United States anyone responsible for a deadly terror attack since 2001.

The revised ban keeps out people from six countries that the Trump administration says pose certain "national

security risks." There have been 10 fatal attacks tied to Islamist extremist ideology or otherwise deemed international terrorism since 2001 and the people behind those attacks are from none of the banned countries.

In fact, since the Sept. 11 attacks, every deadly jihadist attack inside the United States was carried out by a U.S. citizen or legal resident, according to data collected by New America, a Washington-based nonprofit group. The group issued a report determining that the danger had been posed by people here at home, rather than those looking to sneak into the country.

"Far from being foreign infiltrators, the large majority of jihadist terrorists in the United States have been American citizens or legal residents," the group said.

Trump and his aides have repeatedly argued that the travel ban is needed for national security reasons, pointing to the specter of past attacks as well as the threat of future ones to justify the order.

However, in doing so, the Trump administration has also repeatedly invoked attacks that the ban would not have prevented had it been in place.

After the first ban was signed, Kellyanne Conway, a senior adviser to Trump, and Sean Spicer, the White House press secretary, went on television and defended it by pointing to incidents like the Sept. 11 attack, the Boston Marathon bombing or the mass shootings in Orlando and San Bernardino, Calif.

This line of argument did not end when the ban was halted in court and Trump officials began working up a new order. Just last week, during his first address to Congress, Trump alluded to the forthcoming new ban and also pointed to San Bernardino, the Boston Marathon and Sept. 11 as reasons why "improved vetting procedures" are needed.

These claims do not hold up. None of the Sept. 11 hijackers were from banned countries (most were from Saudi Arabia, while the rest were from Egypt, Lebanon and the United Arab Emirates).

The two more recent mass shootings cited both involved people born in the United States. Omar Mateen, the Orlando gunman, was born in New York, the son of an immigrant from Afghanistan, a country not among those banned. In San Bernardino, Syed Rizwan Farook, one of the attackers, was born in Illinois. His wife, Tashfeen Malik, who came to the United States on a fiance visa, was born in Pakistan and later moved to Saudi Arabia, two countries not covered by the ban. According to the FBI, Farook had been radicalized and plotting attacks years before he met her.

The Boston Marathon bombers — Tamerlan and Dzhokhar Tsarnaev — were brothers born in Russia and Kyrgyzstan. Dzhokhar, the younger of the two, is a naturalized U.S. citizen. Several news outlets and politicians incorrectly reported that their parents were refugees; they instead came to the United States on travel visas and applied for political asylum.

Trump's new ban also suspends refugee resettlement, arguing that "more than 300" people who came into the country as refugees are the subjects of FBI counterterrorism probes. The FBI referred questions about these probes, along with the countries of origin of these people and their current status, to the Justice Department, which has declined to elaborate.

Refugees from the countries included in Trump's ban weren't responsible for any attacks in the U.S. between 1975 and 2015, according to a report published by the Cato Institute, a libertarian think tank. The report examined 154 people described as foreign-born terrorists who carried out attacks during that period; 20 were found to be refugees, and the only three who successfully carried out deadly attacks were Cubans admitted before the Refugee Act of 1980.

That report came before Abdul Razak Ali Artan, a refugee from Somalia, drove his car into a crowd on the Ohio State University campus late last year and injured 11 people before being fatally shot by a police officer. The FBI has said Artan might have been inspired by radical cleric Anwar al-Awlaki and the Islamic State, which claimed responsibility for the attack. (The chair of the Senate Judiciary Committee later alleged Artan should have received more thorough vetting when his family was seeking refu-gee status in the United States years earlier.)

The text of Trump's new order goes on to argue that the danger is posed not only from those who carried out successful attacks, but also those who were convicted of terrorism-related crimes and may have plotted attacks.

"Recent history shows that some of those who have entered the United States through our immigration system have proved to be threats to our national security," the order states. "Since 2001, hundreds of persons born abroad have been convicted of terrorism-related crimes in the United States."

It offers two examples for this, one of which involves refugees from a country — Iraq — that was on the overall ban list for the original order and removed from the new version.

That case — the so-called "Bowling Green massacre" cited by Conway during a widely criticized television appearance — involved two Iraqi citizens living in Bowling Green, Ky., who were sentenced to prison in 2013 after admitting to using makeshift explosive devices in Iraq and trying to send money to fund terrorism.

The other example is accurate, and points to Mohamed Osman Mohamud, a naturalized U.S. citizen from Somalia who was convicted of plotting to bomb the Portland Christmas tree lighting in 2010. According to federal officials, he began communicating with a Saudi national to discuss traveling to Yemen for training before undercover FBI operatives reached out and they began corresponding about plotting an attack.

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Mohamud was arrested after trying to detonate his bomb, which was inert.

Trump Immigration Ban Unpopular, Monmouth Poll Finds

Just 38 percent of the public was in favor of the president issuing a new executive order revising a ban on travelers from Muslim-majority nations.

By Gabrielle Levy, Political Reporter

U.S. News & World Report, March 6, 2017

Some are referring to President Donald Trump's revised travel ban as "Muslim ban 2.0." (Jim Lo Scalzo/EPA/Pool/Anadolu Agency/Getty Images)

Ahead of the rollout of President Donald Trump's new executive order banning people from certain majority-Muslim countries from traveling to the U.S., half of Americans said he should have moved on after courts blocked his original effort, and a similar percentage said the initial ban was a bad idea in the first place.

According to a new poll from Monmouth University released Monday, just 39 percent of U.S. adults said they believe the original travel ban was a good idea. Meanwhile, 49 percent said the executive order – which targeted people from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen – was a bad idea.

The poll, taken before the White House announced the new version of its executive order on Monday, found that approximately the same number – 50 percent – said Trump should have moved on from the ban to other issues, compared with 38 percent who favored his decision to take a second stab at it. The margin of error for the results was 3.5 percentage points.

Unlike the first version of the ban, which touched off widespread confusion and mass protests when it was released with no warning on Jan. 27, the new executive order explicitly exempts legal permanent residents. It also aims to bar only the issuance of new visa permits for travelers from the affected countries, and removes Iraq from the list of nations whose citizens will be restricted from entering the U.S.

"The president is exercising his rightful authority to keep our people safe," Secretary of State Rex Tillerson said in prepared remarks Monday. "As threats to our security continue to evolve and change, common sense dictates that we continue to re-evaluate the systems we rely upon to protect our country."

The new order, which is set to take effect on March 16, puts the restrictions in place for 90 days – a period Trump administration officials say is meant to give immigration and national security authorities a chance to review and revise screening procedures to ensure the security of the nation.

In a ruling that was unanimously upheld by a three-judge panel of the U.S. 9th Circuit Court of Appeals, Seattle-based U.S. District Judge James Robart halted the original order.

On Monday, opponents to the original quickly responded to the revised executive order, calling it a "Muslim ban 2.0" that would face the same fate as the first in court.

"The Trump administration has conceded that its original Muslim ban was indefensible. Unfortunately, it has replaced it with a scaled-back version that shares the same fatal flaws," said Omar Jadwat, director of the American Civil Liberties Union's Immigrants Rights Project, which has been involved in legal challenges to the bans. "The changes the Trump administration has made, and everything we've learned since the original ban rolled out, completely undermine the bogus national security justifications the president has tried to hide behind and only strengthen the case against his unconstitutional executive orders."

Tags: Donald Trump, polls, executive orders, national security, immigration reform, immigration

For Yale Law Group Fighting Trump's Travel Ban, Echoes Of 1991

By Clyde Haberman

New York Times, March 6, 2017

With President Trump recasting his executive order banning the entry of migrants from certain predominantly Muslim countries, it may be a moment to recall Dick the Butcher. Reaction to the new restrictions seems destined to reprise that to Mr. Trump's original order in January, and it echoes the Butcher's oft-quoted line from Shakespeare's "Henry VI, Part 2." There is a crucial one-word change, though. This version goes: "The first thing we do, let's call all the lawyers."

That's what opponents of the travel ban did in January. In short order, legal teams formed to represent immigrants who were suddenly detained at airports, with nowhere to go. Their challenge to presidential authority was sustained by federal judges, and their motivation underpins this short video from Retro Report, a documentary series that mines the past for guidance as to what may lie ahead. The focus is on a network of current and former students at Yale Law School who helped draft a legal petition that became part of the pushback that stopped the first Trump order in its tracks.

For Michael J. Wishnie, a Yale law professor involved in that effort, what happened in January was familiar. "It was very much a replay of what I had seen," he told Retro Report.

As a Yale law student in 1991, Professor Wishnie was part of a team that worked on behalf of Haitians who had fled their country by boat after a coup there. They sought asylum in the United States, but instead were sent to the American naval base in Guantánamo Bay, Cuba, and held behind

barbed wire. Ultimately, a federal judge ordered that more than 150 Haitians be released and allowed to enter the United States.

Then, as now, there were fears in this country that the migrants presented a threat. Nonetheless, "there have to be rules, and there have to be limits," said Lisa Daugaard, a 1992 graduate of Yale Law School who is the director of the Public Defender Association, a nonprofit group based in Seattle. And "if the executive agencies are not willing to observe the limits themselves," Ms. Daugaard said, it falls to the courts to sort things out.

From statements issued on Monday after the president's new order was announced, it appeared that various groups were prepared to call all the lawyers once again. The members of the Yale group said they were ready. They have support from one of their more prominent professors, Harold Hongju Koh, who was involved in the 1990s effort to help Haitian refugees and who was the State Department's legal adviser during President Barack Obama's first term.

At stake is the rule of law, Professor Koh told Retro Report. "If you're a lawyer," he said, "your goal is to make the law serve justice, not just make the law serve power."

Trump's New Travel Ban Is As Arbitrary And Senseless As The First

Washington Post, March 6, 2017

Such was the urgency of President Trump's temporary travel ban on citizens of seven mainly Muslim countries that he characterized its suspension by federal courts last month as a grave threat to national security. Then his administration moved rather deliberately in formulating a replacement. Three times Mr. Trump and his spokesmen announced the imminent issuance of a new order; three times they postponed it. Now, three weeks after the president first said a new order was imminent, he has signed it — a watered-down version of the original, tweaked to withstand court challenges but no less arbitrary and misguided as a means of enhancing national security.

Fortunately, federal courts had the spine to stand up to Mr. Trump's verbal assault on the judicial system's integrity, forcing the administration to strip some blatant excesses from the original ban, such as the exclusion of people holding valid green cards and previously issued visas. In other cases, specific cohorts of immigrants would be granted travel or visa waivers on a case-by-case basis, replacing the original order's blanket ban. Those are significant changes.

The new order also drops Iraq from the targeted list of countries whose citizens are barred from traveling to the United States, not because the administration suddenly deemed them a diminished threat but because alienating Iraq was a grievous diplomatic and military blunder. With U.S. forces fighting alongside Iraqi troops against a common enemy, the Islamic State, it dawned on the White House that it could ill afford to antagonize a critical ally.

However, in the case of the six countries that remain on the new temporary travel blacklist — Iran, Yemen, Somalia, Sudan, Libya and Syria — the justification for their inclusion remains as flimsy as it was before.

It is still the case, as a report last month from the Department of Homeland Security reiterated, that few people from the banned countries have mounted or tried to mount terrorist attacks in the United States. It is still the case that most of those convicted or killed attempting such attacks in recent years were U.S.-born citizens. And it is still the case, as U.S. District Judge Leonie M. Brinkema found in regard to Mr. Trump's first order, that a travel ban "may be counterproductive to its stated goal" of keeping the nation safe.

That's because the ban, while doing virtually nothing to deter terrorist attacks in this country, aids the recruitment efforts of the Islamic State and other extremist groups by substantiating their case that anti-Islamic bigotry thrives in the United States.

At least this time, the Trump administration subjected the executive order to careful legal vetting before the president signed it. By limiting the order mainly to people with few personal connections to or roots in the United States, the administration hopes to deter fresh lawsuits by states and others arguing that the order inflicted harm on them.

The courts will decide whether the order, which renews the suspension of all refu-gee resettlement for 120 days, passes legal muster. Already clear is that it remains antithetical to American interests, values, tradition and security.

Trump's Travel Ban Mulligan

It's still unnecessary, but this version has some important fixes.

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

The Travel Ban Do-over: Our View

USA Today, March 6, 2017

The highly anticipated sequel to President Trump's Jan. 27 travel ban is an improvement on the original, which spurred mass confusion at airports and was blocked by the courts. But, as with most sequels, the revised plan is still a disappointment.

The do-over version, announced Monday, strips away some of the more onerous and legally questionable sections of the hastily prepared original.

Legal U.S. residents are now clearly exempt from the ban, along with visitors with existing visas. The White House

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also excised wording that appeared to require preferential treatment for non-Muslim refugees, and another area of the order that indefinitely banned refugees from Syria, a nation where millions of women and children are aching to flee a brutal civil war.

But core restrictions from the original order survive, and the rewrite remains stubbornly arbitrary about who it bans, as if the president and his people remain hellbent on slamming the door on certain nations of people even if there's no logic to it.

The new directive still bans entry into the U.S. for 90 days people from Iran, Libya, Somalia, Sudan, Syria and Yemen. (Iraq, a crucial ally for the U.S. in fighting the Islamic State, has been pulled from the list.) The order also continues to bar all refugees for 120 days.

The almost leisurely pace with which the second version was rolled out cut the legs out from under the president's argument that the original needed to be sprung without warning to keep "bad dudes" from rushing in. The sequel allows a 10-day grace period.

To be sure, the responsibility of safeguarding the U.S. homeland is Job #1 for any president, and there's nothing wrong with a review of vetting procedures. But in a global war with radicals who offer twisted interpretations of Islam, much of battle terrain is a struggle over ideas.

The military and law enforcement need cooperation from Muslims at home and abroad to uncover terror plots and identify targets. Alienating them with sweeping policies that cast suspicion on entire populations is a dangerous game.

That's especially true when the facts don't support wholesale bans, even if they're temporary. Research by the Department of Homeland Security concluded that immigrants from the named countries posed no unique risk of becoming terrorists and that, in any case, "country of citizenship is unlikely to be a reliable indicator of potential terrorist activity," according to an internal report obtained by the Associated Press.

Trump often raises the specter of fear when pushing these policies, telling a joint session of Congress last week that "we have seen the attacks at home, from Boston to San Bernardino to the Pentagon and, yes, even the World Trade Center." So true, as the president likes to say. But none of those attacks were conducted by emigrants from the countries in his new order.

Whether the new order passes legal muster remains to be seen.

One man who faced exclusion from the United States because of the original Trump dictate was Asghar Farhadi, an acclaimed Iranian filmmaker who won an Oscar for best foreign language film. Farhadi never made it to the Academy Awards, boycotting last month's event to protest the travel ban.

"Dividing the world into categories of 'us' and 'our enemies' creates fear," Farhadi said. That's what the president's executive order does, and it's no way to fight terrorism.

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President Trump's Muslim Ban Lite

New York Times, March 6, 2017

President Trump was center stage when his administration hastily rolled out a sweeping travel ban targeting Muslims in late January, vowing it would ensure "we are not admitting into our country the very threats our soldiers are fighting overseas."

He was out of sight on Monday as administration officials unveiled a downscaled, but still pernicious, version of the ban, which targets refugees and travelers from six predominantly Muslim nations. It's not hard to see why. The Muslim Ban Lite is an implicit acknowledgment that the Trump administration stumbled spectacularly in its first major attempt to deliver on a campaign promise.

And yet, as administration officials made the case on Monday for the revised measures, there was no hint of contrition and plenty of reckless fearmongering. Secretary of State Rex Tillerson said the president was exercising his "rightful authority to keep our people safe." Attorney General Jeff Sessions warned, without providing context or evidence, that more than 300 people admitted to the United States as refugees had been investigated by the F.B.I. for possible terrorism links. Secretary of Homeland Security John Kelly, meanwhile, lamented that "our enemies often use our own freedoms and generosity against us."

The administration has failed to make a reasonable — let alone persuasive — case for barring people from the six nations. Intelligence experts at the Department of Homeland Security found that "country of citizenship is unlikely to be a reliable indicator of potential terrorist activity," according to a memo leaked to The Associated Press.

Yet, as Mr. Trump has pressed ahead with this dangerous campaign promise, he has missed his own deadline to unveil a secret plan to defeat ISIS. That plan remains a mystery.

The initial ban, which was imposed through an executive order issued on Jan. 27, locked out all travelers from seven predominantly Muslim nations: Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen. It indefinitely suspended the admission of Syrian refugees and temporarily halted the

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entrance of all other refugees. The order indicated that Christian refugees would get priority over Muslims.

In February, the United States Court of Appeals for the Ninth Circuit blocked key portions of the original travel ban, rejecting the administration's arguments that the exclusions were lawful and necessary to keep the nation safe.

The new order no longer bans citizens of Iraq. It also exempts people from the remaining six countries who have a valid American visa. The revised ban includes no mention of religious preferences and makes the ban on Syrian refugees temporary. Like the initial order, the new one reduces the number of refugees the United States is willing to admit this year to 50,000, down from last year's ceiling of 110,000.

While it may disrupt fewer lives, the new ban, and its justification, conveys the same spurious messages: that Muslims are inherently dangerous and that resettling refugees represents a dire threat. As part of the new order, the government intends to disseminate data on "honor killings" committed by foreigners in the United States. This step, and Mr. Sessions's unsubstantiated claim about refugees under F.B.I. investigation, can be read only as a cultural smear.

Resorting to these bunker mentality tactics, which are being peddled with plenty of innuendo and little convincing evidence, will do lasting damage to America's standing in the world and erode its proud tradition of welcoming people fleeing strife. While these steps are being sold as a means to make the nation safer, they stand to do the opposite.

Trump's Revised Travel Ban Is No Less Misguided And Self-defeating Than His Previous Version

Los Angeles Times, March 6, 2017

The new travel ban President Trump signed Monday is no less misguided and damaging to those trying to travel to the U.S., or to those seeking refuge from war-torn regions of the world, than the original. The two new executive orders implementing the ban also show that Trump learned little from the policy debacle of the first go-round. The courts will decide whether he has fixed all of the legal shortcomings with this new, narrower version (the original was put on hold by several federal judges), but it still will disrupt the lives of thousands of people while doing nothing to advance U.S. national security interests. In fact, it feeds into propaganda by Islamic extremists that the Western world is at war with Islam. None of that has changed with this scaled-back version.

The new orders suspend travel to the U.S. from six predominately Muslim nations (Iraq was dropped from the original list) for 90 days and freeze the resettlement of refugees from around the world for 120 days, ostensibly to give the administration time to review vetting procedures. Trump issued the first orders without offering credible evidence or a persuasive argument that there is a problem with the vetting, and he offers none here. Although it is reasonable to expect the government to conduct routine reviews of programs and procedures, that's no justification for freezing visas and the resettlement of refugees while that review is underway.

Even the timing of the new orders suggests how unnecessary they are. Trump said he rushed the original orders into effect because "if the ban were announced with a one week notice, the 'bad' would rush into our country during that week." Yet it's been more than five weeks since Trump issued the now-enjoined orders, with no indication that terrorists have somehow taken advantage of that window to evade vetting by the State Department and the Department of Homeland Security. And the new ban doesn't go into effect until March 16, presumably to avoid the kind of disastrous rollout that marked the original ban. So much for urgency.

The new orders, like the old ones, are just so much Trumpian showboating. People from Sudan, Syria, Iran, Libya, Somalia and Yemen who were issued a visa before Jan. 27 — the date of the initial orders — will be let in, but pending and new applications will be frozen for 90 days, the same time frame in the original order. But if the review of the vetting process is so critical to national security, one would presume it is already underway, so why a 90-day suspension for the new orders if the government already has spent more than 30 days on the review?

In fact, no one from the six affected countries has been implicated in a fatal terror attack on U.S. soil since 9/11, according to a review by Politifact. The nonpartisan Migration Policy Institute reported two years ago that 784,000 refugees were resettled in the U.S. in the 14 years after the 9/11 terrorist attacks, yet only three were later convicted on terrorism-related charges — two of them for plotting against an overseas target, and the third for hatching "plans that were barely credible." In issuing the new freeze on refugees, the administration cited the case of someone brought here as a child who was radicalized after becoming a naturalized citizen. What kind of vetting could possibly anticipate that?

At least the ban will not affect noncitizens with lawful permanent resident status (green-card holders) if they travel abroad. Yet the ban still may run afoul of the courts. Although the new orders drop the exemption for religious minorities suffering persecution in the countries affected by the ban, which raised constitutional questions, they still target nations that are predominantly Muslim, and immigrant-rights groups are poised to renew their legal challenges.

Ultimately, much like his proposed database to publicize crimes committed by immigrants in the country illegally, Trump's aim here is not to improve national security, but to ostracize. And it will be to Americans' shame if he gets away with it.

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New Travel Ban Addresses Some Problems, But Not The Most Critical Ones

By Dallas Morning News Editorial Connect With Dallas Morning News Editorial Email

Dallas Morning News, March 6, 2017

President Donald Trump issued a revised travel ban Monday that attempts to address several of the most glaring errors from the original January executive order. But it does nothing to fix the original's existential flaws: It attempts to fix a problem that does not exist, while offending American ideals and making the country less safe in the process.

Monday's executive order suspends the U.S. refugee program for 120 days and imposes a 90-day ban on new visas for citizens of six majority-Muslim nations; a seventh, Iraq, was removed from the original plan. The new travel order no longer targets travelers who already have valid visas, people with U.S. green cards, or those who have been granted asylum or refu-gee status. Those are all welcome changes.

The executive order was also improved by degrees by the removal of language that explicitly protected religious minorities, which seemed to favor Christians over Muslims in the Middle East. The indefinite ban on Syrian refugees has been reduced to a 120-day ban. And it will avoid some of the chaos that ensued in the sudden implementation in January; this policy won't go into effect until March 16.

Trump travel order targets people seeking visas in six Muslim-majority nations

And yet: Trump's insistence on a travel ban at all is a mistake.

Trump lacks compelling evidence that this order will make America safer. Refugees already undergo a vigorous vetting before coming to the U.S. In addition, last month, the Intelligence and Analysis branch of the Department of Homeland Security concluded that citizenship of a specified country itself is an "unlikely indicator" of danger to the United States. The same report also found that very few people from the targeted nations have been linked to terrorism in the U.S. over the past six years. The U.S. intelligence community also notes that the most serious terrorist threats to this nation are from U.S. citizens who have been radicalized by Islamic State propaganda, not new entrants.

Obviously, Trump has not let facts get in the way of the new order, which is more a bone thrown to his political base than an effective homeland security strategy. Although Trump wants a global review of immigration and travel safeguards, it is not at all clear what he hopes to accomplish that the high level of vetting already in place has not accomplished.

And the president's insistence on barring refugees is an affront to the ideals of the United States, which has long been a beacon of liberty to the world's persecuted and oppressed.

Trump's original executive order was frozen by the courts. The president excoriated the move, but Americans should be grateful for a system that pushed this administration to bring a more thoughtful approach to a significant rewrite of immigration policy.

Another reason to oppose Trump's travel ban: Immigrants get the job done

We can hope that this experience taught Trump to be more deliberate with policy execution in the future. As misguided as these executive orders are, the botched rollout of the original made the experience all the worse. What they said

"This is a retreat, but let's be clear — it's just another run at a Muslim ban."

Omar Jadwat, director of the Immigrants' Rights Project at the American Civil Liberties Union

"Even though this new order is far more narrow than the previous order ... the current order does not fully account for the 9th Circuit's concern."

Leon Fresco, an immigration lawyer at Holland and Knight

Trump Just Signed His New Travel Ban. Here's What It's Really About.

Washington Post, March 6, 2017

Today the administration released the new version of its travel ban, and unlike the first, bumbling time they did it, this time it actually looks as though they put some thought into it, particularly with regard to getting it upheld in court. There is one critical feature it shares with the original version, however: It will do nothing to keep Americans any safer than we already are.

Here are the basics of this order and how it differs from the previous one:

It bans nationals of Iran, Libya, Somalia, Sudan, Syria and Yemen from entering the United States. Iraq has been removed from the list.

It bars all refugees from entering the United States for the next 120 days, and no longer bans Syrian refugees indefinitely.

It says that the number of refugees who will be admitted once the ban is lifted will be cut by more than half, down below a cap of 50,000 a year.

The ban no longer applies to people with green cards or those who have already gotten valid visas to travel to the United States, as the first ban did.

It contains language making clear that the preference given to persecuted religious minorities does not only apply to Christians.

In short, unlike the first order, this one looks as though it was written by people who know what they're doing, with an eye to overcoming the legal problems that got the first order

blocked by the courts. So it may well survive the inevitable legal challenges. But that doesn't mean it actually enhances our security.

That's because the terrorism that would be stopped by this new ban is virtually nonexistent. That's for two reasons. First, experts have noted that there have been no fatal terrorist attacks on U.S. soil perpetrated since 9/11 by anyone from those six countries. Second, as an assessment from Trump's own DHS has concluded, most foreign-born, U.S.-based violent extremists probably were radicalized years after getting here, rendering screening procedures of limited value in preventing the entry of such potential terror plotters.

That doesn't even mention the fact that terrorism in general is a tiny threat: Fewer than 100 Americans have been killed here since 9/11, or an average of around six per year. I'm pretty sure that if the Trump administration can maintain the record established by Presidents Bush and Obama, they'll claim that their policies were spectacularly successful at keeping us safe.

That brings up something else to keep a close eye on. As this blog has warned before, don't be surprised if at some point in the future, perhaps after a few months pass and attention fades, the administration starts adding to that list of countries whose nationals will be banned. Just as no one seriously thinks we face a dire threat from nationals of these six countries, no one could think that the administration is worried about those countries and no others.

In fact, the best way to understand the travel ban is to see it as part of a broader effort on the part of White House, particularly Trump's key advisers Stephen K. Bannon and Stephen Miller and Attorney General Jeff Sessions, to wage an assault on the very idea of American diversity. Bannon has long believed that the white, Christian West is embroiled in a clash of civilizations with Islam. We learned this weekend that he often cites "The Camp of the Saints," a viciously racist French novel from the 1970s about white Europe being overrun by nonwhite immigrants, to describe what he sees in the world today.

And as The Post recently reported, "Sessions's ideology is driven by a visceral aversion to what he calls 'soulless globalism,' a term used on the extreme right to convey a perceived threat to the United States from free trade, international alliances and the immigration of nonwhites." Also, let's not forget that their boss won the presidency by promising to temporarily ban all Muslims from coming to the United States and build a wall on our southern border.

So even if this newest version of the travel ban was written more carefully than the first one, make no mistake about its intent. Like the administration's immigration crackdown, its stated justification is secondary. What it's really about is creating a particular kind of America, one that shuts out the "wrong" kind of people and sends a clear message to the world that if you aren't the right race or the right religion, we don't want you. That's what the Trump administration is after, and so far they're doing a pretty good job of it.

Paul Waldman is a contributor to The Plum Line blog, and a senior writer at The American Prospect.

Don't Be Fooled, Trump's New Muslim Ban Is Still Illegal

By Farhana Khera And Johnathan Smith

New York Times, March 6, 2017

President Trump's executive order barring immigrants from seven Muslim-majority countries experienced nearly universal defeat in the federal courts. On Monday, he issued a revised version of that order, but it still suffers from a fundamental, and fatal, flaw: It constitutes unlawful religious discrimination.

On the surface, this revised order looks different from the first version. It explicitly exempts Iraq from the travel ban, thus reducing the number of affected countries to six, as well as lawful permanent residents (that is, green card holders) and people who have visas. It no longer categorically bars Syrian refugees or includes a religious test to determine which refugees may enter the country. And in a marked departure from the earlier order, it goes into effect in 10 days, so that the chaos that unfolded in airports around the world when the January order became effective presumably won't happen again.

These changes are, no doubt, intended to address the due process concerns that led the United States Court of Appeals for the Ninth Circuit to affirm a lower-court ruling that put a hold on part of the original order. But while these changes are important, they do not fix the core problem with the executive order: The administration is waging an all-out assault on Islam and Muslims.

That's because anti-Muslim bias and bigotry that characterized the original travel ban remain in this revised version. The order is still limited to only Muslim-majority countries: namely, Iran, Libya, Somalia, Sudan, Syria and Yemen. Residents of those countries — and only those countries — will be severely restricted in their ability to travel into the United States for 90 days. Left off are the predominately Christian countries that the State Department lists as "Terrorist Safe Havens" like Colombia, the Philippines and Venezuela.

The revised order also continues to traffic in bigoted and largely false perceptions: By requiring the government to compile occurrences of "honor killings" by immigrants, it gives official recognition to an inflammatory and misleading trope of Islam that is perpetuated by anti-Muslim hate groups.

President Trump has not been subtle in his intentions. We need look no further than his own words to figure them

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out. On the campaign trail, he constantly conflated the vast majority of peaceful Muslims with the small handful of violent Muslims.

After the Paris attacks in November 2015, Mr. Trump said that "we're going to have no choice" but to close some mosques in the United States, where "some really bad things are happening." The next month, after the attack in San Bernardino, Calif., he called for a "complete shutdown of Muslims entering the United States" and released a factually dubious statement that "large segments of the Muslim population" have "great hatred towards Americans" and favor Shariah law. Astonishingly, that statement is still posted on Mr. Trump's website.

In December, when a reporter asked whether he had reconsidered his stance on Islam, President-elect Trump replied: "You know my plans. All along, I've been proven to be right." This dark and wholly unsubstantiated worldview about Islam and the American Muslim community is shared by several of the president's senior aides and advisers.

Let's be clear: This revised order is a Muslim ban. All the countries he has excluded are more than 90 percent Muslim. Three of them — Iran, Somalia and Yemen — are more than 99 percent Muslim. Even though Mr. Trump tailored his order to survive legal challenges, as his former adviser Rudolph Giuliani conceded on national television, his objective is clearly to exclude Muslims.

The Trump administration argues that the ban protects the country. Yet by excluding Iraq from the order, Mr. Trump has cleared travel from one of the two countries from which Islamic State terrorists operates. Moreover, the Department of Homeland Security concluded last month that "country of citizenship is unlikely to be a reliable indicator of potential terrorist activity." Former national security officials from Democratic and Republican administrations have made clear that the January order does not make our country safer. Instead, the bigotry that Mr. Trump spews at news conferences and on Twitter have been a boon for terrorists' recruitment efforts.

The twisted worldview does not match reality. Muslims have been part of America for centuries, since the first slave ships arrived in the 17th century. Today, Muslims represent 1 percent of the United States population: They are our teachers, doctors, neighbors and co-workers.

American Muslims will suffer a particular harm from this executive order: Those who have ties to the banned countries won't be able to see their family members and close friends. American Muslims will also be deprived of the instruction from the leading Islamic scholars who are from those countries.

Thousands of Muslim men and women serve in the armed forces; many have given their lives defending our nation and our ideals. They contribute to the diversity that has always been our nation's pride and strength. President George W. Bush paid tribute to this in the weeks after the Sept. 11 attacks when he said, "There are thousands of Muslims who proudly call themselves Americans, and they know what I know — that the Muslim faith is based upon peace and love and compassion."

President Trump and his top advisers would be wise to listen to President Bush. The Muslim ban and President Trump's relentless attacks on Islam are not just an assault on thousands of patriotic, innocent Americans — they violate our Constitution and our most fundamental American values and beliefs.

Uber, Airbnb Slam New Travel Ban

By Harper Neidig

The Hill, March 6, 2017

Airbnb and Uber called out the Trump administration on Monday over the president's new executive order temporarily banning people from six Muslim-majority nations from entering the country.

"Barring people from entering our country because of where they're from was wrong the first time around – still wrong," Airbnb CEO Brian Chesky wrote on Twitter.

"Our sentiment has not changed: President Trump's immigration ban is unjust and wrong," added an Uber spokesperson in a statement to The Hill. "We will continue to stand up for those in the Uber community affected."

President Trump's new executive order bans the entry of foreign nationals from Iran, Libya, Sudan, Somalia, Syria and Yemen. It comes after implementation of the previous order, which blocked entry from all of the above nations plus Iraq, was halted by a federal court.

The new order removes Iraq from the list of countries from which travel is temporarily banned and halts all refugee admissions to the U.S. for four months. The previous order also contained that provision, but it indefinitely barred Syrian refugees as well.

The administration also struck language that would have given preference to religious minorities — such as Christians from the Middle East — once refugee resettlement resumes.

The earlier travel ban was widely condemned among tech companies, a number of whom signed on to a legal filing in support of a lawsuit to put a halt to the executive order.

Uber and Airbnb were among the first major tech companies to come out against the new measure in the hours after it was signed Monday morning.

Lyft CEO Logan Green piled on later Monday, saying that he and co-founder John Zimmer would be collaborating with the American Civil Liberties Union (ACLU) efforts targeting the order.

"Lyft stands firmly against this order," Green said in a statement. "We will continue to speak out and take action when the values of our community are put at risk. John and I are meeting with the Executive Director of the ACLU on

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Wednesday to discuss how we can further support their efforts."

Technology Companies Respond To Revised Executive Order Barring Travelers From 6 Majority-Muslim Countries

International Business Times, March 6, 2017

Technology companies spoke out in near-unison against the first travel ban issued by the Donald Trump administration. On Monday, following the signing of a second executive order designed to bar travel from six majority-Muslim countries, top tech firms once again started to voice their opposition.

Uber, Airbnb and Lyft were first to issue statements condemning the decision.

Airbnb CEO Brian Chesky took to Twitter to respond to the Trump administration's latest executive order. "Barring people from entering our country because of where they're from was wrong the first time around — still wrong," he wrote.

Lyft CEO Logan Green told the Verge, "Lyft stands firmly against this order. We will continue to speak out and take action when the values of our community are put at risk." The head of the ridehailing service said he will meet with the executive director of the American Civil Liberties Union (ACLU) on Wednesday to discuss how the company can further support the group's efforts to challenge the ban.

In a statement issued to the Hill, a spokesperson for Uber said, "Our sentiment has not changed: President Trump's immigration ban is unjust and wrong. We will continue to stand up for those in the Uber community affected."

Lyft and Airbnb offered forceful rebukes of the original executive order in January. At the time, Lyft pledged to donate $1 million to the ACLU, while Airbnb offered free housing to anyone affected by the travel ban.

Uber's speedy response to the latest ban may be a reaction to the company being widely criticized in the wake of the first executive order. Company CEO Travis Kalanick was seated on President Trump's economic advisor board at the time— he has since stepped down — and the company was seen as attempting to break a taxi strike in New York by temporarily removing surge pricing during a travel ban protest at John F. Kennedy International Airport.

Those actions led to the #DeleteUber movement across social media. According to a report from the New York Times, the company lost nearly 200,000 users during the backlash.

Other major tech firms that led the charge within the tech community against the original travel ban — including companies like Apple, Microsoft, Google and Facebook — have yet to issue statements regarding the latest travel ban and have not responded to requests for comment from International Business Times.

DHS Chief: Agency May Separate Parents, Children At Border

By Alicia A. Caldwell

Associated Press, March 6, 2017

WASHINGTON (AP) – The Homeland Security Department is considering separating children from parents caught crossing the Mexican border illegally, Secretary John Kelly said Monday.

Kelly said such a move would be part of a broader effort to discourage families from making the dangerous trek across Mexico to the U.S. border.

He confirmed that he's considering the action during an interview with CNN Monday. The plan had previously been reported by several news outlets.

Tens of thousands of parents and children fleeing violence and poverty, mostly from Honduras, El Salvador and Guatemala, have been caught crossing the border illegally in recent years. Generally, the families are detained for a few days or weeks before being released into the United States to wait for an immigration judge to decide their fate.

"I would do almost anything to deter the people from Central America getting on this very, very dangerous network ... going through Mexico," Kelly said during his television interview.

Homeland Security officials have been trying to curb the flow of families since 2014 when a flood of both children and families overwhelmed immigration officials. The department launched a public relations campaign in Central America to warn about the dangers and advise families that there would be no free pass into the United States.

The Obama administration opened multiple detention centers that year, in part to deter others from crossing, to house families while immigration judges and asylum officers heard their cases

But a federal judge in California later ruled that detaining children violated a long-standing agreement that bars the government from detaining children in a jail-like setting, even if they are with their parents. That ruling prompted the government to start releasing families into the U.S.

With a backlog of more than half a million cases, it can take years for a case to be completed in federal immigration court.

Leon Fresco, who led the Justice Department's Office of Immigration Ligation under President Barack Obama, said the government has been considering such a move since that federal court ruling.

Kelly said if families are separated at the border, the children will be "well-cared for" by government officials.

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Homeland Security Chief Admits He's Considering Splitting Children From Parents At Border

Huffington Post, March 6, 2017

Homeland Security Secretary John Kelly said Monday that he's considering splitting children from their parents if they arrive at the U.S.-Mexico border without authorization.

"I would do almost anything to deter the people from Central America to getting on this very, very dangerous network that brings them up through Mexico into the United States," Kelly said on CNN's "The Situation Room," confirming a report that the policy shift

was under consideration.

The government has struggled since 2014 to deal with a larger number of mothers and children coming to the U.S. from Central America without authorization, many of them seeking asylum based on violence in their native countries. Former President Barack Obama attempted to stem the tide in part through detaining mothers and children, a highly controversial practice. President Donald Trump's administration is considering even harsher measures.

The argument Kelly made — and Obama administration officials did before him — is that extreme steps are needed to keep women and children from making a dangerous journey to the U.S., where they face an uncertain future. It's not baseless; Kelly noted that many women and girls are raped on the way.

But there aren't many legal options for people in Central America who fear violence or death to flee, and Kelly earlier Monday announced that the Trump administration

was limiting them even further.

The new executive order on travel that Trump signed Monday blocks all refugee resettlement for 120 days, beginning March 16, and reduces the overall number of refugees to be admitted this fiscal year. That will include a temporary shutdown of the Central American Minors program, which is part of the refugee resettlement. The idea behind the program was to give parents already lawfully in the U.S. a means to legally bring in their children if they could prove the kids were at risk in their native countries. Thanks to Trump, in an action defended by Kelly, that won't be an option for four months.

At the same time, the Trump administration is cracking down on those who attempt to come to the U.S. without authorization. Kelly announced last month that the administration would pursue deportation or even criminal prosecution for parents who pay to have their children smuggled into the U.S. The administration also seeks to deport people more quickly and end so-called catch and release.

The government is required to place undocumented children in the least restrictive setting possible, which has posed a problem when determining what to do with children traveling with their parents. Unaccompanied minors are transferred to the Department of Health and Human Services, which Kelly said does "a very, very good job of putting them in either foster care or linking them up with parents or family members in the United States."

The Obama administration came under fire from Democrats and immigrant advocates and faced lawsuits for long-term detention of children with their mothers, and it began to move most families through the system more quickly — screening them and releasing most while they waited for court hearings.

If the Trump administration splits children from their parents, it will avoid detaining children while still punishing their parents.

"I am considering it in order to deter more movement along this terribly dangerous network. I'm considering exactly that," Kelly said of separating parents and children. "They will be well cared for as we deal with their parents."

"The Situation Room" host Wolf Blitzer asked Kelly if he understands "how that looks to the average person."

"It's more important to me, Wolf, to try to keep people off of this awful network," he said.

In Trump's speech to the Republican National Convention as a presidential candidate in July, he discussed families from Central America as if they were a scourge that put Americans in danger.

"They are being released by the tens of thousands into our communities," he

said last summer, "with no regard for the impact on public safety or resources."

Homeland Security Chief 'Considering' Separating Illegal Immigrant Kids From Parents

By Daniel Halper

New York Post, March 6, 2017

Homeland Security Secretary John Kelly says he's considering a proposal to separate children from their parents who cross illegally from Mexico into the US.

"Yes, I am considering — in order to deter more movement along this terribly dangerous network — I am considering exactly that," Kelly said in response to a question on CNN about reports about the possible change in policy.

"They will be well cared for as we deal with their parents."

Kelly said the action would be a deterrent to prevent people from entering the US illegally.

Homeland Security officials say some people trying to sneak in bring along kids to take advantage of the system, which currently allows adults with children to stay in the US pending disposition of their cases.

"We are seeing kids essentially kidnapped and used to get here and stay," an unnamed official told CNN over the weekend.

Tens of thousands of parents and children mostly fleeing violence in Honduras, El Salvador and Guatemala have been caught crossing the border illegally in recent years. Generally, the families are detained for a few days or weeks before being released to wait for an immigration judge to decide their fate.

It can take years for a case to be completed in federal immigration court.

Kelly: DHS Is Considering Separating Undocumented Children From Their Parents At The Border

By Daniella Diaz

CNN, March 6, 2017

Secretary of Homeland Security John Kelly confirmed that the department is considering separating children from their parents at the border.

"We have tremendous experience of dealing with unaccompanied minors," he told CNN's Wolf Blitzer on "The Situation Room." "We turn them over to (Health and Human Services) and they do a very, very good job of putting them in foster care or linking them up with parents or family members in the United States."

He continued: "Yes I'm considering (that), in order to deter more movement along this terribly dangerous network. I am considering exactly that. They will be well cared for as we deal with their parents. ... It's more important to me, Wolf, to try to keep people off of this awful network."

A senior DHS official had previously told CNN that the department was considering a proposal to separate children from adults when they are trying to enter the country illegally at the southern border.

The official told CNN the proposal is meant to deter the exploitation of children.

Currently, when adults enter the country accompanied by children, they are generally released into the US and able to stay in the country, pending disposition of their cases, the official said.

The proposal would allow US immigration officials to separate children from the adults they came here with. The adults could be kept in detention, and the children could be moved elsewhere under protected status, possibly with family members already in the country or to state protective custody such as child protective services.

In a statement to CNN last week, DHS spokesman David Lapan said the agency "continually explores options that may discourage those from even beginning the journey."

"The journey north is a dangerous one, with too many situations where children – brought by parents, relatives or smugglers – are often exploited, abused or may even lose their lives," Lapan said at the time.

Leon Fresco, a former DOJ official in President Barack Obama's administration, said the previous administration considered, but ultimately rejected, the move.

"It was never implemented because the idea was that it was too detrimental to the safety of the children to separate them from their parents, and the thinking was it was always preferable to detain the family as a unit or release the family as the unit," Fresco said.

John Kelly: DHS May Separate Immigrant Children From Parents

TIME, March 6, 2017

Homeland Security Secretary John Kelly confirmed he is considering an initiative that would separate immigrant children from their parents if they enter the U.S. illegally.

During an interview with CNN's Wolf Blitzer, Kelly said he would do "almost anything to deter the people from Central America to getting on this very, very dangerous network that brings them up through Mexico and to the United States."

When pressed by Blitzer about whether DHS personnel would separate undocumented immigrant children from their parents, Kelly confirmed he was considering such protocol.

"Yes, I am considering, in order to deter more movement along this terribly dangerous network, I am considering exactly that," he said. "They will be well cared for as we deal with their parents."

Reuters reportedon Saturday that the DHS policy under consideration would permit the government to hold parents in custody and put children in protective custody until they can be put in the care of a U.S. relative or a state-sponsored guardian.

Kelly Confirms He's Considering Program To Separate Migrant Children And Parents

By Madeline Conway

Politico, March 6, 2017

Department of Homeland Security Secretary John Kelly confirmed Monday that the Trump administration is considering separating migrant parents and children who cross the U.S.-Mexico border together illegally.

Speaking to CNN's Wolf Blitzer late Monday afternoon, Kelly confirmed the gist of a recent Reuters report, saying

that he is "considering exactly that" as a way to deter people from Central America from traveling up through Mexico with the goal of entering the U.S.

"If you get some young kids who manage to sneak into the United States with their parents, are Department of Homeland Security personnel going to separate the children from their moms and dads?" Blitzer asked.

"We have tremendous experience in dealing with unaccompanied minors," Kelly responded. "We turn them over to HHS, and they do a very, very good job of either putting them in kind of foster care or linking them up with parents or family members in the United States."

He continued: "Yes, I am considering, in order to deter more movement along this terribly dangerous network, I am considering exactly that. They will be well cared for as we deal with their parents."

President Donald Trump campaigned on a promise to take a hard line on illegal immigration. But Kelly's statement is likely to prompt a rebuke from Democrats and immigrant rights advocates. Responding to Reuters' initial report on the program, Texas Rep. Henry Cuellar, a Democrat, released a strongly-worded statement.

"Bottom line: separating mothers and children is wrong," Cuellar said, according to Reuters. "That type of thing is where we depart from border security and get into violating human rights."

Kelly Says Considering Separating Women, Children At Mexico Border

By Eric Beech

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Under Proposed DHS Policy, Detained Immigrant Mothers Would Be Separated From Their Kids.

Slate, March 6, 2017

Immigrant mothers and children apprehended after coming north across the U.S.-Mexico border may be separated from one another if a proposed Department of Homeland Security policy goes through. Three government officials told Reuters that DHS is considering changing its current system, wherein families crossing the border are either detained together in family detention centers or allowed to live in the U.S. while applying for asylum or waiting for their court hearings, which could be months or even years away.

If DHS adopts the proposal, mothers would remain in the U.S. immigrant detention system and their kids would be removed into protective custody with the Department of Health and Human Services. Children would remain in government custody until a relative in the U.S. or a "state-sponsored guardian" could take over. Reuters' sources said that Donald Trump and members of his administration intend the proposed policy to act as a deterrent, making it even less attractive for women to leave their homes with their children to escape the violence and poverty that sends them fleeing across borders.

"It's hard for most Americans to imagine what level of unsafety and insecurity must exist to cause a parent to feel like this is their best option for keeping their family safe," Avideh Moussavian, a policy attorney at the National Immigration Law Center, told Slate, calling the proposal a "really gratuitous measure of cruelty" toward people who've already survived the trauma of a long journey from their home countries. "I think that it's appalling that we would receive those families, rather than by assuring that they're O.K. and that we can provide them safety, that we're subjecting them to this horrific possibility of being separated from their young children. It serves absolutely no policy purpose, and it is potentially in contravention of our international humanitarian obligations."

Moussavian believes the proposed policy shift, which is reportedly under consideration by DHS officials, has raised concerns that Immigration and Customs Enforcement will rapidly increase the number of families it detains. In response to rising numbers of unaccompanied minors coming across the border near the end of his time in office, Barack Obama oversaw the expansion of family detention, which hadn't been an enforcement tactic for many years, and the opening of new family detention centers. At the time, that, too, was explained as a deterrent measure.

To Laura Polstein, a senior staff attorney at the Centro Legal de la Raza in Oakland, the deterrent argument rings false and poses a threat to human rights. "People don't leave their country and travel through multiple other countries, often really dangerous journeys, with their children just for kicks. People are fleeing because their lives are under threat," she told Slate. "A lot of our clients, a lot of the stories we hear, are that people … get a threat and within that week, they're gone. I don't think people are looking into the details of border patrol policy at the moment when they make that difficult decision to leave their home."

The proposal isn't just inhumane—it's logistically untenable. Reuters reports that ICE logged about 54,000 children coming across the border with their guardians in the span of just four months this fall and winter, more than twice as many as were apprehended in those same months the year before. Detention centers and protective custody facilities are not prepared to take on that kind of surge in detainees, so facilities would overcrowd and many other detainees would have to be released. That means this proposed policy, or even just the leaks about its consideration, is more about instilling fear and shame into

immigrants—and providing supporters with a perverted sense of victory—than it is about protecting anyone's safety.

If the policy does go through, the detrimental effects on potentially hundreds of thousands of children and families would be enormous. Family separation has been used as a compliance tactic and a method of dehumanizing individuals in almost every system of state-sanctioned forced labor and detention, from slave plantations to concentration camps in Nazi Germany. "If the U.S. starts [separating mothers from their children] on a wide-scale basis … we're going to see an impact on the people that happened to for years into the future," Polstein said. "You hear stories now of much older adults who lived through Japanese internment, for example, as children. That experience had a huge impact on who they became. Mentally, emotionally—that kind of experience is really lasting."

Moussavian noted that young children are particularly susceptible to long-term harm from being kept in penal-like conditions, like those of the secured Office of Refugee Resettlement facilities kids would likely enter if the proposed DHS policy comes to pass. For parents who expect their trip to the border to be the most perilous part of their journey, arriving to find the government ready to take away their children would be "cruel and unexpected punishment," she said. "The idea that they wouldn't be afforded every protection—and that we wouldn't ensure that people who are afraid to go back have a chance to stay here—really speaks to [the Trump administration's] total lack of regard for due process protections, let alone just basic humanity."

IMMIGRATION AND CUSTOMS ENFORCEMENT

Police Allege IT Worker At Washington Post Was Impersonating ICE Officer

By Dan Morse

Washington Post, March 6, 2017

An IT worker at The Washington Post impersonated a federal law enforcement officer in Northern Virginia and was seen wearing a ballistic vest bearing the label "ICE" across the front, according to police allegations filed in Montgomery County District Court.

Itai Ozderman, 35, of Gaithersburg was suspended by The Post on Monday, his attorney Thomas Degonia said.

Ozderman has not been charged with impersonating a federal officer, Degonia said. But the FBI continues to probe his actions, according to police officials in Falls Church, Va., and to Maryland court records.

As part of the investigation into Ozderman, a Montgomery County SWAT team and FBI agents searched his home two weeks ago just before 6 a.m. They found a cache of guns, including two M4 assault rifles, court records show. Officers also searched a Volkswagen Jetta used by Ozderman and found a loaded Sig Sauer semiautomatic handgun, as well as a Baltimore County police badge, a police radio and tactical vests, court records show.

Those alleged discoveries led to two charges against him: transporting a loaded handgun and possession of the police badge while not being a Baltimore County officer, the court files state.

Kris Coratti, vice president for communications and events for The Post, said, "We are aware of it and are looking into it."

The case against Ozderman was reported earlier Monday by WJLA-7 in Washington.

"At this point, all indications are that the weapons were purchased and possessed legally," Degonia said.

He declined to comment on the police assertions about impersonating law enforcement. "At this point these are allegations, and he enjoys the presumption of innocence," Degonia said.

After his arrest two weeks ago in Montgomery County, Ozderman listed his occupation as an "IT Engineer" at The Post and said he had worked there for two years, according to the court records.

Authorities in Northern Virginia became concerned about Ozderman's alleged activities going back to late last year, according to court records. Susan Finarelli, a spokeswoman for the Falls Church Police Department, said officers there determined Ozderman was impersonating an ICE officer and turned the matter over the FBI. She declined to comment further.

An arrest warrant filed Feb. 22 in Montgomery District Court describes some of the events leading to Ozderman's arrest.

In the warrant, a Montgomery detective said his agency was contacted by the FBI, asking for help putting together a search warrant for Ozderman's residence in Gaithersburg.

An "investigation determined that Itai Ozderman was impersonating a federal law enforcement officer and a local law enforcement [officer] in the Falls Church, Va., area," Montgomery police wrote in court papers. "Ozderman was seen wearing a ballistic vest with an 'ICE' placard across the front of his chest. ICE stands for Immigration and Customs Enforcement. . . . Ozderman was also seen with a Baltimore County Police badge. It was also reported that Ozderman was enforcing or attempting to enforce criminal laws."

A Montgomery detective determined Ozderman had never been a Baltimore County officer. Ozderman also told detectives he had never been a law enforcement officer with any agency, court records show.

FBI Raids House Of Washington Post Employee Accused Of Impersonating Immigration Agents

Washington Examiner, March 6, 2017

Monday. Local law enforcement in Montgomery County, Maryland, served a warrant to Itai Ozderman at his home on Feb. 22 on allegations he pretended to be a federal immigration agent throughout Falls Church, Va., walking around the town with a bullet p

FBI and SWAT agents last month raided the house of a Gaithersburg, Maryland, man who is accused of impersonating an Immigration and Customs Enforcement officer in Virginia on multiple occasions, according to a report published Monday.

Local law enforcement in Montgomery County, Maryland, served a warrant to Itai Ozderman at his home on Feb. 22 on allegations he pretended to be a federal immigration agent throughout Falls Church, Va., walking around the town with a bullet proof vest, ICE placard and Baltimore County police badge.

Ozderman was born in Israel and worked as an IT engineer at the Washington Post at the time of the arrest. Baltimore County police confirmed Ozderman had never worked at the department.

During the raid, police recovered 10 weapons, including handguns, assault rifles and a shotgun. The 35-year-old man also had body armor, weapon magazines, bullets and a working police radio on hand at his home, according to a WJLA report.

Ozderman was arrested at the scene, but later made bond and was released from custody.

Md. Man Charged With Impersonating ICE Agent

WUSA-TV Washington, March 6, 2017

A Gaithersburg man pretended to be an ICE officer, Montgomery County Police said Monday evening.

According to charging documents, Itai Ozderman, 35, was seen wearing a ballistic vest with the word "ICE" across the front in Falls Church, Va. ICE stands for Immigration and Customs Enforcement. He also was seen trying to "enforce the law," according to investigators.

While searching his home, detectives said they found seven handguns, two assault rifles, and a shotgun. They also discovered body armor, tactical vests, and ammunition. They also said found what appeared to be a Baltimore County Police badge inside a vehicle parked at the home.

Detectives confirmed Ozderman wasn't a police officer, wasn't an ICE agent, never worked for Baltimore County Police.

Ozderman has been charged with impersonating a police officer and transporting a handgun in a vehicle.

Police believe he might have pretended to be a police officer in other cases that weren't reported.

Investigators are urging anyone who has information related to Ozderman impersonating a law enforcement officer to contact the Major Crimes Division at 240-773-5100.

US Army Veteran Faces Deportation To Mexico After Serving Two Tours In Afghanistan

The family of Miguel Perez say he is suffering from post traumatic stress disorder

By Andrew Buncombe New York

Independent (UK), March 6, 2017

A former soldier who served two tours in Afghanistan with the US military and where he suffered serious head injuries, is fighting an order to deport him to Mexico.

Military veteran Army Private 1st class Miguel Perez was born in Mexico and grew up in Chicago. He sustained a brain injury on his second tour of duty and suffers from post-traumatic stress disorder, his family said.

But now, Mr Perez faces being sent to Mexico. Four years he left the military, Mr Perez served prison time for a drug offence which sparked the deportation proceedings. Mr Perez, 38, was a legal permanent resident when he joined the army and said he thought he became a legal US citizen when he enlisted, but that was not the case.

Mr Perez is one of thousands of green card veterans who face deportation, according to the Ashley's Memory Project, which was started by the immigrant mother of a deceased veteran, and a local church. They said many enlist with the promise of citizenship.

"He's more American than most of us standing here, because he did pick up arms to defend this country," his mother, Esperanza Perez, told reporters at Lincoln United Methodist Church in the city's Pilsen neighbourhood.

Mr Perez's family has claimed that the former soldier did not did not get adequate medical attention when he returned home and turned to self medication with drugs and alcohol.

The Chicago Tribune said that a judge is weighing up the case and will issue a written response in weeks. Immigration judge Robin Rosche, is considering Mr Perez's claim under the United Nations Convention against Torture, a protection that resembles asylum.

InsideGov | Graphiq

Under that provision, the US agrees not to deport people who are not American citizens or nationals to another country where they could be tortured. Mr Perez told the judge that he fears for his life if he is sent back to Mexico.

His lawyer, Chris Bergin, said Mr Perez and other veterans who have been sent back to Mexico are targeted.

"Those kind of people are immediately targeted upon entry to Mexico as people who can help criminal gangs, cartels, through their military experience, their weapons training, all that. They are targeted in the sense that, 'You either work for us or we kill you'," Mr Bergin said.

Mr Perez's battle follows the issuing of an executive order by Donald Trump who told his administration to step the seizure and deportation of undocumented migrants. While Barack Obama's administration deported hundreds of thousands, they prioritised people with convictions for serious crimes.

Charlotte Student Facing Deportation Was Charged With Embezzling $2,900 From Harris Teeter Store

Charlotte (NC) Observer, March 6, 2017

A Charlotte high school student facing deportation was charged last month with embezzling almost $3,000 from a Harris Teeter store.

Gustavo "Gus" Zamudio was arrested Feb. 25 on felony larceny by employee, court records show. A Charlotte-Mecklenburg police report on the incident says Zamudio, 18, took $2,907 from the grocery store at 1015 Providence Road where he worked. Under North Carolina law, a theft becomes a felony when it involves property or services valued at more than $1,000.

The thefts at the Myers Park store occurred over a seven-week period, ending with Zamudio's arrest, the report says. Details were scarce, though the report says Zamudio stole the money by "putting it in his pocket."

Carnell Johnson, the teenager's immigration attorney, says Zamudio disputes the embezzlement charges.

Zamudio is scheduled to graduate in the spring from Northwest School of the Arts. His arrest, however, appears to have made the Mexico native eligible for a stepped-up effort by the Trump administration to deport undocumented aliens with criminal records.

Under a federal program known as 287(g), Mecklenburg sheriff's deputies, in partnership with U.S. Immigration and Customs Enforcement, or ICE, scan the jail population for potential undocumented immigrants or those who have violated their immigration status.

During their jail processing, all prisoners are asked where they were born and in what country they are a citizen or naturalized citizen. Depending on the answer, they could face additional scrutiny by deputies trained to work in the 287(g) program to see if the person is unlawfully in the country.

In the last fiscal year, 1,241 foreign nationals went through the county program and 100 were deported, according to ICE. Those detained at that center appear before an immigration judge who determines whether they will be released while the deportation process unfolds.

Johnson says he hopes to get a judge to agree to hold a bond hearing for Zamudio within the next two weeks in Georgia.

He said before his arrest, Zamudio had received protection under the Deferred Action for Childhood Arrivals, or DACA, a renewable two-year program started by the Obama administration that protected certain immigrants from deportation who had come into the country with their parents. DACA participants are also eligible for work permits.

Danna Robinson, the company's communication manager, said Harris Teeter does not discuss personnel matters. But she added that the company "confirms the identity and work authorization of every new hire," and that the company is enrolled in the federal eVerify program.

Under the previous administration, participants would lose DACA protections when convicted of a felony. Johnson said the Trump administration is revoking DACA status at the time of arrest.

"Six months ago, Gus would already have been released and he could have been home," Johnson said.

ICE spokesman Bryan Cox said last week that he was unable to immediately comment about Zamudio's case. But he added, "ICE is focused on identifying, arresting and removing public safety threats, such as criminal aliens and gang members, as well as individuals who have violated our nation's immigration laws."

Zamudio left the Mecklenburg County Jail on Feb. 27. He is now being held in a federal immigration detention center in southern Georgia, ICE records show.

His embezzlement case was scheduled for a preliminary hearing this morning at the Mecklenburg County Courthouse. Zamudio's criminal attorney, Jonathan Hipps of Charlotte, did not respond to a phone call seeking comment.

Friends Start GoFundMe Page To Help Charlotte Teen Detained By I

WBTV-TV Charlotte (NC), March 6, 2017

A Charlotte-Mecklenburg School (CMS) student is at an Immigration Detention Center in Georgia on the verge of deportation.

Eighteen-year-old Gustavo Zamudio was arrested February 25 on the charge of larceny by employee. Zamudio's lawyer, Carnell Johnson, said the teen is charged with stealing $2,900 from Harris Teeter and is requesting a bond hearing to address the charges to possibly free him.

"We will have a tremendous defense against the criminal charges," Johnson said.

After his arrest, Zamudio was released to Immigration Customs and Enforcement (ICE) officials. Friends said he has been in the United States since he was 5 years old. His family

came from Mexico and he has stayed here under Deferred Action for Childhood Arrivals (DACA).

"All I can think about is how terrified he must feel," friend Devyn Bauer said.

Johnson said under the Obama Administration, Zamudio would not have been a priority for deportation because people under DACA were protected. The lawyer now says under President Donald Trump's administration, there's no protection for people under DACA, even though they have been just charged with a crime and not convicted.

"When our current administration moved in – we all shared different concerns and fears that we had," Bauer said.

Zamudio's friends are now doing their part to help their classmate.

"I am speechless," friend Anna Butler said. "It's terrifying to have someone so close be in such a dangerous situation. We all care about him so much. We are scared for him. We are trying to do whatever we can to help him."

Friends have now set up a GoFund me page with a goal to raise $25,000.

"All proceeds will go to legal fees and to Gus and his family to help him out," Butler said.

Friends say Zamudio is a student at Northwest School of the Arts and is set to graduate in May. They believe what their friend is accused of doing is false.

"The charges I have seen being brought against him – I have seen no proof of," Bauer said. "He denies them and I don't believe it for a second."

Bauer said she talked to Zamudio Sunday night by phone. He told her he is worried if he has to go back to Mexico.

"He's not familiar with anything there," Bauer said. "He's lived here practically his whole life. Everything he knows and is familiar with is here."

Friends say they are not going to give up this fight to bring Zamudio back to Charlotte.

"We love him and he deserves to be here," Butler said. "He is a part of our country and we are doing everything we can to help him out and we will be here every step of the way."

ICE Southern Region Spokesman Bryan Cox sent WBTV this statement about the teenager:

"U.S. Immigration and Customs Enforcement (ICE) took Gustavo Zamudio-Aguilar, an unlawfully present Mexican national, into ICE custody Feb. 27 following his arrest by local law enforcement on a felony larceny charge in Mecklenburg County, North Carolina. ICE is focused on identifying, arresting and removing public safety threats, such as criminal aliens and gang members, as well as individuals who have violated our nation's immigration laws."

ICE says a federal immigration judge will determine what's next for Zamudio, while the teen's lawyer and friends hope letters from teachers and others on behalf of Zamudio will help with the case.

"It's not every day we get this kind of support, Johnson said. "This goes to his reputation. We hope it will make a difference."

California Sheriffs Say 'Sanctuary State' Bill Would Prevent Immigration Officials From Going After Violent Offenders

Los Angeles Times, March 6, 2017

County sheriffs on Monday slammed a Senate bill that would prohibit state and local law enforcement agencies from using resources for immigration enforcement, saying it would cause their departments to lose federal funding and allow violent offenders to go free.

At a press conference led by Republican lawmakers, the sheriffs said they did not want to enforce immigration laws or target hardworking families and students in the country illegally. But they argued the pending legislation would restrict collaboration between law enforcement agencies at different levels of government when going after crime suspects.

"If SB 54 passes, it will allow dangerous, violent career criminals to slip through the cracks and be released back into our communities," Sacramento County Sheriff Scott Jones told reporters.

Senate Bill 54 , introduced by Senate President pro Tem Kevin de León (D-Los Angeles), would prohibit state and local law enforcement agencies from using resources to investigate, detain, report or arrest persons for the purposes of immigration enforcement.

The so-called "sanctuary state" legislation has drawn wide support among immigrant advocates and some law enforcement officials who say the Trump administration's efforts to ramp up immigration enforcement is harming trust between police and immigrant communities.

But it has stirred fierce opposition from sheriffs who argue it would prevent them from leasing jail space to federal immigration officials, and from providing them with information on certain defendants.

On Monday, state Sen. Joel Anderson (R-San Diego), said the state should allow federal officials to look for hardened criminals in jails and prisons, not in neighborhoods.

"We are talking about rapists and child molesters," he said.

De León has countered that federal immigration officials would be able to obtain information from local and state officials through a court warrant.

Sacramento Sheriff Says California 'sanctuary State' Bill Invalid

Sacramento (CA) Bee, March 6, 2017

Sacramento County Sheriff Scott Jones said Monday that he believes pending legislation preventing state and local police agencies from using their resources to assist federal immigration authorities would be invalid because it conflicts with federal law.

"I have a strong belief that it violates federal law," Jones told reporters at the Capitol, where opponents of Senate Bill 54 by Senate President Pro Tem Kevin de León gathered to denounce the bill. "And federal law reigns supreme."

"Every sheriff is going to be in a very difficult position to decide what they personally are going to do should this pass," he added.

Jones, joined by colleagues from Kern and Kings counties, as well as GOP Sens. Joel Anderson and Jim Nielsen, did not explicitly say he would ignore the state law in favor of the federal statute. Instead, he said he hoped Democratic Gov. Jerry Brown, whom he described as the potential "last line of defense," "will see that law enforcement has already been hamstrung enough."

"This is just the latest in the ill-conceived basket full of poor public safety legislation," said Jones, a Republican with a law degree.

De León, other Democrats and immigrant rights advocates argue the measure would help build trust between law enforcement and immigrant communities, thus reducing crime. But they've acknowledged the powerlessness they feel in halting federal action.

Asked how big a problem countywide violent crime committed by undocumented immigrants is, Jones answered, "it's huge."

"We have a growing violent crime problem," he said. "I am not going to sit here and say that the undocumented criminals are far worse than the citizen criminals. That's just not the case. But you have to understand that there's a percentage of each group, (or) demographic, including undocumented, that commits horrific crimes and preys upon other people."

Jones said his department must be allowed to "passively cooperate" with immigration enforcement agents in his county jail.

He added: "We need to have that continue because there are people that the community needs to be protected from."

Police Chiefs Across The Country Support Sanctuary Cities Because They Keep Crime Down

By Chuck Wexler

Los Angeles Times, March 6, 2017

With an estimated 11 million undocumented people living in the United States, talk of a crackdown on illegal immigration has created tension in cities across the country.

For America's police chiefs, calls for enhanced enforcement of federal immigration laws bring a particular concern. Chiefs are afraid that such efforts will have the unintended consequence of actually increasing crime and making their communities less safe. The reasons for this can be found in recent incidents from some of the country's so-called sanctuary cities.

In Tucson, for example, an undocumented man confronted and physically struggled with a man who tried to steal a car with children inside. The immigrant held the criminal long enough for local police to arrive, then cooperated with detectives in the follow-up investigation. As a result, the suspect was charged with kidnapping, auto theft and burglary.

In Laredo, Texas, Sister Rosemary Welsh runs Casa de Misericordia, which provides shelter to women, many of whom are undocumented immigrants and victims of domestic violence. Because of the trust Sister Rosemary has built with local law enforcement and the women in her facility, more victims are reporting crime, and more offenders are identified and prosecuted.

Los Angeles, a city with an estimated 375,000 undocumented immigrants, has had a policy prohibiting police from engaging in enforcement activities based solely on a person's immigration status since 1979. Last year, LAPD officers had an encounter with a suspected gang member that resulted in a vehicle chase, a foot pursuit and shots being fired. An undocumented immigrant helped police locate the suspect by providing a description and vehicle information.

Had these undocumented people, and countless others in cities across America, not stepped forward to report crime and cooperate with the police, we would have more dangerous offenders committing more crime — and more serious crime — against innocent victims.

Police chiefs know that today's unreported domestic violence or sexual assault or robbery can become tomorrow's reported homicide. This is a special concern in immigrant communities, where many people fear that cooperating with the police may lead to scrutiny and even deportation. It's why cities have adopted policies like the one in Los Angeles, and it's why police departments have invested considerable time and resources to build trust and cooperation with all of their communities, including their immigrant communities. They know that when people step forward because they trust their local police, communities are safer.

For all these reasons, the label of sanctuary city is a misnomer. The term "sanctuary" dates to classical Greece and Rome, and to Christian traditions in the Middle Ages. Back then, sanctuaries provided certain protections to fugitives in churches or other sacred locations. The details changed over time, but sanctuary generally consisted of

limited, temporary protections to people suspected of certain types of crimes, and only in narrow circumstances.

The use of the term to describe a set of protections for undocumented immigrants implies that they somehow get a pass to commit crime within those jurisdictions. This is simply not the case. It is the mission of all police departments, including those in so-called sanctuary cities, to go after serious and violent criminal offenders for investigation, arrest, and prosecution, regardless of their immigration status.

In reality, sanctuary cities are hardly sanctuaries for any criminals. Because of the trust and cooperation they have developed with undocumented immigrants, police in these cities are often able to identify, arrest and prosecute dangerous offenders who might otherwise still be on the streets victimizing residents — both citizens and undocumented immigrants.

The issues of public safety and immigration are too complex to be captured in a catchphrase, and they are not new. In the decade that our organization has spent exploring the role of local police in immigration issues, police chiefs have consistently reported several key points.

First, the current system of enforcement is a logical division of labor in which all parties know what is expected of them. Federal agencies, such as Immigration and Customs Enforcement (ICE), enforce immigration laws, which are federal statutes. Local police agencies enforce state and local criminal laws. These roles are compatible and complementary.

Second, local police have their hands full — investigating murders, robberies, sexual assaults, burglaries, thefts and other crimes, and working to prevent these and other crimes from occurring. When local police identify a suspect and have probable cause, they make the arrest, without regard to the suspect's immigration status.

Finally, police chiefs warn that if their agencies are required to enforce federal immigration laws, it will hurt their ability to investigate and solve serious crimes in their communities. If people are afraid to have contact with the local police, they will not report crime, serve as witnesses, or tell police what is going on in their neighborhoods. Without information from the community, investigating crime becomes difficult and crime levels rise.

So that we can have a constructive discussion on public safety and immigration, let's retire the tired misnomer "sanctuary cities" once and for all. Let's focus on what it really takes to make our communities safer.

Chuck Wexler is executive director of the Police Executive Research Forum, which works with police departments to improve the policing profession.

Under Trump, Cincinnati Immigrant Families Preparing For Separation

By Mark Curnutte

USA Today, March 6, 2017

In case they are separated under President Donald Trump's approach to immigration policy, many of Greater Cincinnati's migrant families are going through wrenching discussions about living apart.

The conversation is ongoing around one kitchen table, at least. Mauricio Vivar, 20, will become the guardian of his three U.S.-citizen siblings if their parents are deported to Mexico. His brother is 14 and sisters 11 and 4.

"They would be in culture shock if they went there," said Vivar, who has legal status through Deferred Action for Childhood Arrivals, known more widely as DACA or as the "Dreamers" program.

The Vivars are not alone. Immigrant families across Greater Cincinnati are making separations plans. In fact, advocates and attorneys are encouraging them.

A 10-page packet titled "Family Preparedness Plan" was available in English and Spanish during a recent immigrant rights rally and prayer service at San Carlos Borromeo Church in Carthage.

"People are trying to figure out the best way of going back," said Don Sherman, a labor lawyer and chair of civil rights for the Cincinnati League of United Latin American Citizens.

Though sending mixed signals at times, the Trump administration promises to increase enforcement and deportations of undocumented immigrants living in the United States. Most are Mexicans or Central Americans who arrived from some of the world's most violent and impoverished nations.

As a result, some families are seriously considering a return to their countries of origin or Canada, according to local immigration lawyers and advocates. Decisions are complicated because, like the family of Mauricio Vivar, some relatives are citizens or have legal immigration documents and others don't.

The Trump administration's deportation priorities are broader than those in Barack Obama's second term as president, when only unauthorized immigrants with serious criminal histories were targeted for removal.

"President Trump changed how immigrants are viewed and characterized," said Randy Capps, director of research for U.S. programs at the nonpartisan think tank Migration Policy Institute. "They are now seen as criminals and security threats. This context is new and different, not seen in any recent administration, Republican or Democrat."

Long-term studies of metropolitan areas by criminologists show that immigration does not cause crime to increase and may, in fact, suppress it.

ICE vows to honor 'sensitive' sites: schools, churches, hospitals

Since Trump's election, immigrant communities have been on edge, crackling with rumors that spread like electricity. Not long after Immigration and Customs Enforcement deportation raids in early February netted 680 arrests in six states, rumor spread via word of mouth and over social media. Immigration agents are parked at the Paddock Road exit of Interstate 75. They are monitoring churches and social service agencies.

Not true, said Khalid Walls, spokesman for the Detroit office of immigration enforcement, known widely by the acronym ICE. Detroit ICE has jurisdiction over Ohio.

"Our work is targeted … in which specific individuals are sought," Walls said.

ICE officials say its agents continue to conduct operations to arrest "deportable foreign nationals." Immigration enforcement agents, who do not drive marked vehicles or wear a uniform, are not waiting outside the offices of Catholic Charities Southwestern Ohio in Bond Hill or Catholic churches with large Central American immigrant memberships, Walls said.

Under the Trump administration, immigrant advocates fear ICE and the Department of Homeland Security would no longer honor the "sensitive locations" policy implemented in 2012 under Obama. In Texas, ICE is detaining an unauthorized immigrant from El Salvador who has a brain tumor. In Virginia, agents arrested two undocumented men as they left a church-run shelter from cold weather.

But the ICE spokesman said agents will not start showing up in hospitals, medical clinics, houses of worship and schools.

"DHS is committed to ensuring that people seeking to participate in activities or utilize services at any sensitive location are free to do so," Walls said.

Cincinnati Public Schools services 34,000 students, some of them unauthorized immigrants or their children.

"We have not received any requests from ICE agents to enter our schools or school property," said Janet Walsh, director of the district's public affairs department. "It's also hard to imagine why they might attempt to do so, given that federal law gives immigrant students the right to a free public education, regardless of their documentation status."

Two weeks ago, officials with Chicago Public Schools said the district would deny access to federal agents unless served with a criminal warrant.

Cincinnati, like many major U.S. cities, has a sanctuary congregation movement. One congregation, Christ Church Cathedral, home of the Episcopal Diocese of Southern Ohio, has committed to housing and protecting unauthorized immigrants.

Capps, the expert on unauthorized immigrant populations and immigrant trends, said he understands the confusion related to enforcement of illegal immigration. In the second Obama term, people with felonies or serious misdemeanors were the removal priority for ICE. The Trump administration has expanded the priority to the parameters of the early Obama years and second half of the George W. Bush administration.

The enforcement shift and inconsistencies of Trump's statements on immigrations — will he protect young Dreamers? — have left many immigrant families considering their options. Even if they don't have a criminal record, do unauthorized immigrants run the risk of sudden arrest and fast-tracked deportation? Do they leave on their own terms? Where do they go, back to Mexico or Central America or north to Canada, which is perceived to be more immigrant-friendly?

Canada is an option for some local immigrant families, advocate Sherman said. Canada in December lifted a visa requirement and anticipated a likely surge in Mexican and Central American migrants.

Data on Canadian immigration applications since Trump's election is not available. Canada showed increases in temporary residence applications in the first nine months of 2016 (compared to the same period of 2015) from El Salvadoran, Honduran, Guatemalan and Mexican nationals. Increases in numbers of African and Muslim refugees crossing into Canada from North Dakota and Minnesota have been reported.

"All applicants who apply to Canada's immigration programs are treated equally no matter where they are from," said Remi Lariviere, of Immigration, Refugees and Citizenship Canada, in the country's capital of Ottawa. "Anyone can emigrate to Canada provided they meet the qualifications."

Besides weighing migration and legal options, families with undocumented relatives are also relying on their faith. An immigrant rights rally Feb. 25 at San Carlos in Carthage ended in an hour of prayer.

The voices of undocumented people mixed that night with pleas for changes to U.S. immigration laws and for Trump's protection and well-being.

We came here to work. …Thank you to Americans who support us. … We didn't come here to take anything away from anyone. … We pay $12,000 a year in taxes. … Families are terrorized by the news. … We came to educate our children. … It's only in the hands of God.

Mauricio Vivar and his family lean on their Christian faith, even as they work hard every day. "We have a plan for everything," said Mauricio, who works with his father.

Mauricio was 4 and another Mexican-born brother 11 months old when his parents crossed the border illegally in 2000 in search of work. They went first to Los Angeles before migrating to the Cincinnati area.

If they return to Mexico, his parents would resettle in the more urban state of Morelos, just south of Mexico City, not in their native rural area of another neighboring state, Puebla.

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The family is going to invest in dual Mexican-U.S. citizenship of the three U.S.-born children, so if they are forced to return to Mexico, they will not be undocumented there.

"My parents don't want to show us they're scared," said Mauricio, who recently renewed his DACA for two more years. It cost him $495.

"They have brought us up to be strong," he said of his parents. "Even in the face of adversity, we have to do our best and keep moving forward."

Dairy Farms Fear Trump's Immigration Policies

By Rick Barrett

Milwaukee Journal Sentinel, March 6, 2017

Donald Trump won big in Wisconsin farm country, but now large dairy farms that rely on immigrant labor are threatened by the president's hardline stance on undocumented workers.

The realities of Trump's presidency are sinking in, said John Rosenow, a Buffalo County dairy farmer who milks about 550 cows and has employees from Mexico.

Rosenow has become an outspoken advocate for comprehensive immigration reform nationally because it's needed to provide a stable, secure dairy workforce.

He's worried about the president's call to deport millions of undocumented workers.

"Trump said in his campaign he was going to do all this stuff," Rosenow said.

By some estimates, up to about 80% of the hired help on large Wisconsin dairy operations is immigrant labor – with a large percentage of those workers being undocumented.

Without the foreign-born help, many farmers say, they would be forced to quit milking cows because there aren't enough other people willing to accept such physically demanding jobs for $13 an hour.

"If you remove Mexican labor, farms would go out of business. That's a given," Rosenow said.

Rosenow said a "significant number" of his western Wisconsin neighbors – who don't employ immigrants – would probably want the government to deport undocumented workers, citing Trump's pledge to end illegal immigration.

"But it's not their business on the line," Rosenow said.

Bracing for trouble, he said, one large dairy farm operator in northwest Wisconsin is seriously thinking about closing and selling off a herd of 1,000 cows before the market gets flooded with livestock that nobody wants.

"If they get out early, they might be able to salvage something from it," Rosenow said.

Rural meatpacking and food processing plants also are threatened by Trump's immigration policies, as are furniture factories, although nobody knows for sure how deep the deportations could go.

Immigrants, including undocumented workers, play an important role in the U.S. economy because they fill the jobs that most Americans won't do.

Dairy farmers say they get almost "zero response" from native-born job applicants, even when the pay is comparable with nearby factories.

They say it's difficult to find reliable help, even in areas where people were born and raised on farms.

And the rural labor shortage isn't limited to dairy farms. Some manufacturers are running buses from Eau Claire and La Crosse, for instance, in order to attract workers.

Wisconsin's workforce is now shrinking rather than growing, especially in some northern counties, said Mark Tyler, chairman of the Governor's Council on Workforce Investment, and president of OEM Fabricators in Woodville.

A few farmers say they've tried recruiting help from cities, thinking that a higher jobless rate in places like Milwaukee would be in their favor.

But that hasn't worked, said Jason Vorpahl, owner of Rockland Dairy near Random Lake.

"We need some way to keep our (immigrant) labor force, that's here, intact. I am OK with deporting the felons. And I am OK with deporting people who are looking for a handout and aren't working. But I am not OK with deporting the hard-working, tax-paying immigrants who are here right now," said Vorpahl, who employs about 26 people.

Erich Straub, a Milwaukee lawyer who handles immigration law cases, says it's difficult to glean much from Trump's statements on deportations and how they will affect the dairy industry.

"But if you want to know what the policy is, look at the people surrounding him that are making the policy. They are all adamantly in favor of rounding up people and deporting them," Straub said.

Straub said he's heard from dairy farmers who are worried that their workers will "just leave now" rather than wait for the government to come and arrest them.

"Their workers are terrified, based upon the executive orders that have been released, and the memos that are coming out of the Department of Homeland Security," he said.

One undocumented worker, from Green Bay, said she's very anxious.

She and her husband have been in Wisconsin for 17 years. They've bought a home, they have two cars and a comfortable life.

"We could lose everything. We have family in Mexico, but no place to stay, no job and no future there. If we have to go back, it will be very bad for us," she said, speaking on the condition that her identity not be revealed.

Some Mexican immigrants say they came here thinking of dairy-farm jobs as temporary work, hoping to make enough

money so they could return home and do something like start a business.

But once they get to the U.S., they often find that it's tough to put away much money and pay off their debt from coming here.

"Expenses come up that they hadn't anticipated," said Julie Keller, an assistant professor of sociology at University of Rhode Island, and co-author of a report titled, "Milking Workers, Breaking Bodies: Health Inequality in the Dairy Industry."

While dairy farm jobs offer some stability as year-round positions, most are far from ideal, according to Keller.

"Immigrants are clustered in arduous, entry-level positions with low wages, late shifts, monotonous work, extreme temperatures and constant exposure to manure," the report notes.

These are also some of the most dangerous jobs in America, with many injuries and a few deaths.

In 2010, a 17-year-old immigrant from Mexico was crushed while herding animals on a Wisconsin dairy farm and died from his injuries. A year later, a 23-year-old immigrant worker was fatally trampled by a bull on another Wisconsin dairy farm.

Although farm safety training is a critical issue for all workers, it is particularly important for immigrants who have a language barrier.

Fear of encounters with local law enforcement also nags foreign-born laborers.

Keller and her colleagues interviewed dozens of immigrants in rural Wisconsin and upstate New York.

"Some workers told us that their fear of law enforcement was so great that they only left the house to go to work and, twice per month, to buy groceries," the report noted.

Some farms discouraged their immigrant laborers from leaving the property at all if there was on-farm housing.

"Driving became a double risk. Workers might be viewed as insubordinate, and they risked arrest," the report said.

Keller said she met dairy farmers who were great employers and cared about their immigrant employees.

"You can have good bosses and bad bosses, just like in any job," she said, but most of the employees she spoke with lacked health insurance and basic benefits.

Unlike migrant workers who can get a work permit for seasonal agricultural jobs, foreign workers on dairy farms can't get the H-2A visa because their jobs are year-round rather than temporary.

That would change under one dairy industry proposal aimed at getting undocumented workers out of the shadows.

"A vast majority of these immigrant people aren't concerned with becoming citizens. They just want to be able to come here and work," said Paul Fetzer, a dairy farmer in Elmwood with 26 employees.

"Rather than leaving everything in limbo, like it's been for the last decade at least, let's just get something done that allows immigrants to come here legally and work. They also should be able to go home, when they want to, and come back again," Fetzer said.

Clamoring for help, some big farms that milk cows 24 hours a day have raised wages to $15 per hour. More typically, it's between $11 and $13, according to workers.

"Not long ago it was closer to $8," said Scott Gunderson, a University of Wisconsin-Extension agent in Manitowoc County.

Some farms now offer health insurance, a 401k retirement plan and perks such as gasoline for employees' cars and beef for the dinner table.

Wages aren't likely to climb much higher as farmers are under pressure to make ends meet themselves.

"If we paid people $20 an hour, we may just price ourselves out of business. In fact, we would," said Shelly Mayer, a dairy farmer from Slinger and executive director of Professional Dairy Producers of Wisconsin.

Getting to work is a problem for people seeking jobs at big farms located in some of the state's most rural areas.

It's difficult for some people to get across town for a job, let alone 40 miles to a dairy farm, said James Golembeski, executive director of the Bay Area Workforce Development Board in Green Bay.

A low unemployment rate complicates things, too.

"Even some of our really good jobs in this area have trouble filling second and third shifts," Golembeski said.

Farmers say many immigrant laborers who come to them have little or no experience milking cows, but they do well if they've worked around livestock.

"If there isn't a hint in someone's resume that they've been exposed to agriculture, in some fashion, then it just isn't a good match," said Tom Mickelson, president of AgJobs LLC in La Crosse.

One largely untapped source for dairy farm workers is an unlikely place: the state Department of Corrections farms near Waupun, Fox Lake and Oregon.

Combined, those farms have a herd of 1,093 cows.

Inmates in those operations learn valuable skills, including milking and animal health care. Upon release from prison, some of them have found jobs on dairy farms near Elmwood, Eagle River, Bayfield, Marshfield, Greenleaf, Reedsville, Pulaski and Randolph, according to the Department of Corrections.

They learn basic employment skills as well.

"They learn to get to work, to get through work, and to get work done," said Wes Ray, director of the Bureau of Correctional Enterprises that oversees the farms.

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CUSTOMS AND BORDER PROTECTION

Trump's Border Wall Is Estimated To Cost $8 Million To $25 Million Per Mile

By Stephen Dinan

Washington Times, March 6, 2017

NACO, Arizona — The estimates of President Trump's proposed border wall run anywhere from $8 million to $25 million a mile, White House budget director Mick Mulvaney said in a radio interview Monday — though he said no decisions have been made on exactly what the wall will look like.

Mr. Mulvaney, speaking on the "Hugh Hewitt Show," said the White House will ask for some money in the next couple of weeks but won't know the details of the cost and construction until it prepares its 2019 budget, which won't be for another year.

The director also raised the possibility that much of the new barrier will be fencing, rather than a complete concrete wall stretching the 1,950 miles of the U.S.-Mexico border.

"It just depends on the kind of wall that you want to build, and I don't think we've settled yet on the actual construction," Mr. Mulvaney said. "You can do steel, you could do concrete, you can do a combination of concrete and steel. You can supplement it with different types of technologies and so forth. So it sort of depends on what you want to build."

He also said the Office of Management and Budget is looking to match the type of fence or wall with the terrain.

Mr. Trump made building a wall along the southwest border a major theme of his campaign. But he gave conflicting details. He did, however, insist it would be a wall, not a fence.

Some 654 miles of the border currently have a barrier, though just 354 miles are covered by a substantive fence that is designed to keep out people and vehicles. Another 300 miles are covered by vehicle barriers that are easy for those on foot to step over or slide under.

The Border Patrol has experimented with different styles of fence and has concluded that those with alternating slats, which allow some visibility through to the Mexican side, are the most effective and the safest. Earlier versions with solid "landing mat" plates proved to be dangerous to agents because they allowed those on the Mexican side to wait in ambush and throw rocks over the fence with impunity.

Border Patrol agents said they used to be anxious when they got close to the wall because of the threat of being bombarded. But the new style of fencing has dramatically reduced the number of assaults on agents, they said.

The cost of Mr. Trump's wall has been a major source of contention. Democrats say that building a barrier along the southwestern border would be a waste of money.

A recent round of fence building in Naco, Arizona, cost $6 million per mile, according to U.S. Customs and Border Protection figures provided to the Government Accountability Office.

But the White House is looking at figures higher than that, according to what Mr. Mulvaney told Mr. Hewitt on Monday.

"I've got, I don't know, six or seven different papers on my desk. I've got one that goes, starts at $8 million per mile. It goes up to about $25 million per mile. So again, it just depends on, when you're talking about across 2,000 miles or so, what you decide to build in what areas," he said.

The debate about what fencing or wall is appropriate for which areas has raged for years. Congress in 2006 passed the Secure Fence Act, calling for 850 miles of a two-layer fence.

But that was reduced to just 700 miles of whatever type of barrier the Homeland Security Department deems necessary.

The department is 46 miles short of that goal.

In 2013, the Senate approved a bill that would have demanded an additional 350 miles of pedestrian fencing. That bill was approved with the support of every Democrat and about a third of Republicans.

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Afghan Family, Detained In California Despite Visas, To Be Released: Lawyer

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

An Attorney For An Afghan Family Who Traveled To The U.S On Special Visas And Were Detained By Immigration Officials At The L.A. Airport Says The Father Worked For The U.S. Military For More Than A Decade

Associated Press, March 6, 2017

The Latest on an Afghan family that was detained after entering the U.S. on special visas (all times local):

4:30 p.m.

An attorney for an Afghan family who traveled to the United States on special visas and were detained by immigration officials in Los Angeles says the father worked for the U.S. military for more than a decade.

The father, mother and three young sons were detained Thursday after they arrived at the LA airport for a connecting flight to Washington state, where they planned to resettle. They were released Monday.

Attorney Rob Blume says the father worked different jobs for the U.S. military in Afghanistan for more than a decade and was assaulted and shot during his time there.

Lawyers say the family went through a more than yearlong process to obtain special immigrant visas, which are given to foreigners who work for the U.S. military in their countries.

Government officials say the family will be interviewed April 5 to determine if they're eligible to use the visas to stay in the country.

2:40 p.m.

The U.S. government says an Afghan family has been released after being detained when they arrived at Los Angeles International Airport on special visas while en route to Washington state.

Government officials said Monday in a California federal court that the family was given back their passports and visas and will be interviewed in Seattle on April 5 determine if they are eligible to use those visas to remain in the United States.

U.S. District Judge Josephine Staton says she will retain jurisdiction of the case and that the government cannot detain or remove the family from the U.S. without providing 72 hours' notice to their attorneys.

A lawyer for an Afghan family of five who traveled to the United States on special visas and was detained in Los Angeles says immigration officials have agreed to release them.

Talia Inlender, a senior staff attorney at Public Counsel, says the government agreed to release the family Monday.

Messages seeking comment were left for Immigration and Customs Enforcement and the Department of Justice.

The family was detained after arriving at Los Angeles International Airport on Thursday on their way to resettle in Washington state. Lawyers say the father obtained special immigrant visas for his family after working for the U.S. government in Afghanistan.

A federal judge ordered a court hearing for Monday on the family's case after this weekend blocking government officials from removing the family from California.

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Afghan Family Detained By Ice In Los Angeles To Be Released, Lawyer Says

Immigration authorities agreed to release family of five on Monday, after they were taken into custody at airport on their way to relocate in Washington state

By Associated Press

The Guardian (UK), March 6, 2017

An Afghan family of five who traveled to the United States on special visas and were detained by immigration officials at the Los Angeles airport will be released on Monday, one of their lawyers said.

The mother, father and their three young sons, including a baby, arrived at Los Angeles international airport on Thursday for a connecting flight to Washington state, where they planned to resettle. Instead, they were detained by US immigration officials.

Homeland Security officials haven't said why the family was held, while immigrant advocates asserted in a court petition there was "absolutely no justification whatsoever".

Over the weekend, a federal judge issued a temporary order blocking federal authorities from removing the family from California and calling for a hearing on Monday afternoon on their case.

Talia Inlender, senior staff attorney for Public Counsel, said immigration authorities had agreed to release the family from custody. The family will be allowed to remain in the country subject to an immigration review at a later time, said Inlender, one of a team of lawyers representing the family.

A spokesman for US Customs and Border Protection, which screens travelers at airports, declined to discuss the case. A justice department spokeswoman also wouldn't comment on the family's situation.

Earlier Monday, US Immigration and Customs Enforcement officials said in a statement that the agency would comply with the judge's order "and all other legal requirements".

After being stopped at the airport, the father who worked for the US government in Afghanistan and was able to obtain special immigrant visas for his family after intense vetting was held at a detention center, his lawyers said. His wife and young sons were held at a hotel, they said.

In addition to detaining the family, Customs and Border Protection prevented attorneys from communicating with them, lawyers said in court filings.

Becca Heller, director of the International Refugee Assistance Project, declined to discuss the type of work the father did for the US government but said he spent years working on US military bases.

The family's names have not been released.

The case comes as Donald Trump is stepping up immigration enforcement at US airports, on the border with Mexico and in many local communities. On Monday, Trump signed a reworked order of his previously blocked travel ban barring new visas for citizens from six Muslim-majority countries. Afghanistan is not one of them.

Immigrant advocates have decried Trump's efforts to block visitors from overseas and ramp up deportations of immigrants in the country illegally. On Monday, advocates in Los Angeles called for a rally to support a man who was

arrested by immigration agents after dropping off his daughter at school.

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This Family Got U.S. Visas After Risking Their Lives For America. Then Immigration Officials Tried To Deport Them.

By Abigail Hauslohner

Washington Post, March 6, 2017

An Afghan family with special visas, which they earned for risking their lives working with U.S. forces in Afghanistan, was released from U.S. custody on Monday after immigration authorities arrested them at a U.S. airport and detained them for four days.

Each of the family's five members are recipients of Special Immigrant Visas (SIVs) explicitly reserved for Afghans who helped the U.S. mission in Afghanistan. Immigration officials detained the family, including an infant and two young children, on Thursday after their arrival at Los Angeles International Airport. Authorities held them incommunicado and without access to lawyers for more than 40 hours before placing them in deportation proceedings, the family's lawyers said Monday.

Officials with the Department of Homeland Security's Customs and Border Protection on Monday agreed under legal pressure to release the family without charge, but provided no justification for the family's detention. Lawyers representing the family and the International Refugee Assistance Project sought a judge's injunction over the weekend, after the family had been detained for two days.

"The betrayal of this family by the U.S. government shocks the conscience," the lawyers wrote.

Robert C. Blume, one of the family's pro-bono attorneys, said Monday that none of what the U.S. government did in the case makes sense.

"So they've held them since Thursday on nothing," Blume said. "And now today they've handed them back their visas and handed them back their passports without so much as a 'Sorry.'"

The family was released on parole, meaning that they are still vulnerable to sudden deportation. Federal immigration authorities agreed Monday in the U.S. District Court for the Central District of California to process the family's visas by April 5. Judge Josephine L. Staton also asked the government to confirm that the family does not currently pose any safety or national security threat, Blume said.

Staton on Saturday night issued a restraining order to block immigration authorities from moving the mother and children to a facility in Texas. The father — who was identified in court filings only as John Doe I, a man who served the U.S. military in Afghanistan for a decade — had been held in the Los Angeles County Jail since Saturday, said Becca Heller, the director of the International Refugee Assistance Project, which appeared on the petition as the family's "Next Friend."

The Department of Homeland Security did not respond to questions about the family's case.

Former U.S. President George W. Bush in 2007 authorized a program of Special Immigrant Visas (SIVs) for Afghan and Iraqi nationals who helped the U.S. missions in their respective countries. The program, which has enjoyed broad bipartisan support in Congress and in the military during the past decade, has allowed more than 43,000 Iraqis and Afghans to immigrate to the United States. Many of them worked as military interpreters who faced threats or injuries as the result of their service.

Successful applicants for the special visas must show that they have experienced or are experiencing "an ongoing serious threat" due to their employment with the U.S. government, and they typically undergo years of intensive vetting by multiple national security agencies. Program advocates have consistently criticized the process for moving too slowly to help some of those living in grave danger.

Afghanistan is not one of the majority-Muslim countries included in President Trump's new travel ban, signed Monday. But Attorney General Jeff Sessions tried as a Senator to block funding for the SIV program, and he spoke in favor of a Muslim ban during Trump's campaign.

Heller, whose organization routinely advocates on behalf of Special Immigrant Visa applicants and recipients, said she believes the family was detained by "rogue" immigration agents acting on prejudice. But she predicted that more Afghans and Muslims from other countries could be subject to similar treatment, regardless of whether their home country appears on the ban list.

"I think you're going to see lots of people profiled and denied entry for these reasons," she said.

This Afghan family, identified in court filings using pseudonyms, waited more than a year for their U.S. visas, documents that, under SIV protocol, were approved by the Departments of State, Homeland Security, CIA and other agencies before they were allowed travel to the United States last week, their advocates said.

Heller said the father served the U.S. government for more than a decade at Bagram air base in Kabul, and survived being shot at, as well as numerous other "threats to his life" as a result of that work. His wife, Heller said, is illiterate and speaks no English. Their three children include an infant, a seven-year-old and an eight-year-old.

Heller said she was able to speak to the mother, with the help of an interpreter, by telephone, after the family had

been detained for more than two days. "She was crying and asking me how to get milk for the baby," Heller said.

Blume said Monday night that the family is "mentally exhausted" after the ordeal and would soon travel to their planned resettlement location in Washington State.

$6.9 Million Inspection Station At Los Indios Overdue, Stalled

Rio Grande Valley (TX) Morning Star, March 6, 2017

The $6.9 million Border Safety Inspection Facility at the international bridge here sits partially built and virtually abandoned.

On one morning last week, a pair of jackrabbits bobbed up and down as they leisurely patrolled the project's silent grounds. Elsewhere, rusting cable and construction pipe lay askew in random piles along the fresh concrete roadways.

Weeds rise up to 4 feet high around the two giant, open-air inspection bays, which are backdropped to the south by a solid section of border wall.

Construction on the new inspection facility began in February 2015 and is more than three-quarters complete.

It's now eight months overdue.

"The Texas Department of Transportation has an agreement in place with the General Services Administration (GSA) and the United States Customs and Border Protection (CBP) on a concept to re-design the connection between the Border Safety Inspection Facility (BSIF) and the GSA facility," TxDOT spokesman Octavio Saenz said via email.

"Currently, there is a lengthy land donation process that must be completed prior to moving forward," he added.

The land donation involved seems to be an internal issue within the federal government, since the property involved no longer appears to be in private hands.

The inspection facilities at border bridges like the Free Trade Bridge at Los Indios aren't involved with drug interdiction or immigration issues, but they have their own important role in ensuring trucks coming out of Mexico meet U.S. vehicle safety standards.

Just up the road on FM 509 sits the old vehicle inspection facility which the new BSIF will replace.

Orange and white barrels block off the primary open-air inspection bay, designed to allow Texas Department of Public Safety inspectors to perform work on trucks from Mexico and stay out of the rain.

But inspectors say the rusty-red, 30-foot tall metal bay has been deemed too dangerous to work under due to structural problems.

Inside the nearby trailer-like offices where inspectors work at the old station, one of them was asked recently when they'd be moving into their new facility.

"Maybe by the time I retire," he grumbled.

The problems with the new inspection station appear to involve entry and exit lanes for trucks transiting the station. Behind the facility to the south is the solid border fence and it would seem a hole would need to be punched through it to accommodate a truck entrance ramp from the bridge crossing to the station.

Also in question now is just where the trucks would exit, whether out onto FM 509 or some alternative route to reach U.S. 281 to the north.

Changes to the project, as always, are expected to push the final price higher.

As of now, there is no firm date for when construction on the inspection facility will resume.

"There will be a modification to the budget to encompass design changes that were requested by the federal government," TxDOT's Saenz said. "Work on the facility was put on hold on September 16, 2016, and a new timetable for construction will be in place as soon as the land donation goes through."

An email seeking comment from GSA officials yesterday was not returned.

Gold Star Father Khizr Khan Canceled Speech In Toronto After Being Told His Travel Privileges Were Under Review

By Alene Tchekmedyian

Los Angeles Times, March 6, 2017

Gold Star father Khizr Khan has canceled a scheduled speech in Toronto after being told his "travel privileges are being reviewed," according to the event organizer.

It was not immediately clear which government agency contacted him or what was under review. Khan has lived in the U.S. since 1980 and is a naturalized U.S. citizen.

He was scheduled to speak Tuesday at a luncheon hosted by the Toronto-based organization Ramsay Talks.

The two-hour event was slated to include a presentation and question-and-answer session on "what we can do about the appalling turn of events in Washington – so that we don't all end up sacrificing everything," according to the organizer.

In a statement posted on Facebook, Khan said he was not told why his travel status was under review.

"This turn of events is not just of deep concern to me but to all my fellow Americans who cherish our freedom to travel abroad," he said, according to the statement. "I have not been given any reason as to why. I am grateful for your support and look forward to visiting Toronto in the near future."

Khan, whose family is Muslim, made national headlines after his fiery speech at the Democratic National Convention, during which he blasted Donald Trump's rigid stance on Muslim immigration.

"Donald Trump, you're asking Americans to trust you with their future. Let me ask you, have you even read the United States Constitution?" Khan said before pulling a pocket Constitution from his jacket. "I will gladly lend you my copy. In this document, look for the words 'liberty' and 'equal protection of law.'"

Khan immigrated to the U.S. from Pakistan in 1980. He and his wife, Ghazala, became American citizens six years later.

Their son Humayun Khan was killed by a suicide bomber in Iraq in 2004. The Army captain was running toward a taxi cab approaching his troops when a bomb inside exploded. Khan was killed while the other soldiers remained safe.

Khan received the Purple Heart and the Bronze Star posthumously.

Muslim Gold Star Father Khizr Khan Cancels Trip To Canada, Says His Travel Privileges Are Being Reviewed

By Christopher Diamond

Military Times, March 6, 2017

Khizr Kahn, the Muslim Gold Star father who made headlines this fall after delivering a powerful speech at the Democratic National Convention, abruptly canceled a trip to Canada on Monday after receiving a warning that his travel privileges are being reviewed.

Kahn was scheduled to speak in Toronto on Tuesday

at an event coordinated by Ontario-based Ramsay Talks. Kahn planned to talk about his opposition of President Donald Trump and how others can join in in opposition of the new president.

Khan reportedly had to cancel his travel plans last minute after being "notified that his travel privileges are being reviewed," according to a post on Ramsay Talks Facebook page

. It's unclear who notified him of the review.

"This turn of events is not just of deep concern to me but to all my fellow Americans who cherish our freedom to travel abroad," Kahn said in the statement posted by Ramsay Talks. "I have not been given any reason as to why. I am grateful for your support and look forward to visiting Toronto in the near future."

Born in Pakistan, Kahn and his wife, Ghazala Khan, have been U.S. citizens for more than 30 years. Although the White House announced a new Executive Order on Monday

limiting travel from six Muslim-majority countries, the order does not affect Pakistani or American citizens.

Khizr Kahn, whose son U.S. Army Cpt. Humayun Kahn was killed in Iraq in 2004, stood next to his wife as he gave an impassioned speech at the Democratic National Convention last July on the same night that Hilary Clinton became the first woman to claim the nomination for a major political party.

The speech was a rebuke of campaign rhetoric of then-Republican nominee Donald Trump, who made frequent statements about limiting Muslim immigration into the United States, even suggesting the idea of creating a Muslim registry early on in his campaign.

"If it was up to Donald Trump, he never would have been in America," said Khizr Kahn in reference to his son's Muslim faith.

In a memorable moment from the speech that circulated on social media and throughout the news world, Khzir Kahn pulled out a pocket-size copy of the U.S. Constitution. "Let me ask you: Have you even read the U.S. Constitution? I will gladly lend you my copy. In this document, look for the words 'liberty' and 'equal protection of law,'" said Kahn.

Rosa Hwang of CTV Television Network in Canada first tweeted about the cancelled travel plans Monday afternoon

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Khizr Khan Travel Privileges Reportedly Under Review

By By Nolan D. McCaskill

Politico, March 6, 2017

Gold Star father Khizr Khan's "freedom to travel abroad" is reportedly under review, and he says he doesn't know why.

Khan was scheduled to speak at a luncheon in Toronto on Tuesday "on what we can do about the appalling turn of events in Washington — so that we don't all end up sacrificing everything." The two-hour event was to include a presentation and then a question-and-answer session.

But Khan was told late Sunday that his traveling privileges were under review, according to Ramsay Talks, which organized the luncheon.

"As a consequence, Mr. Khan will not be traveling to Toronto on March 7th to speak about tolerance, understanding, unity and the rule of law," it said in a statement. "Very regretfully, Ramsay Talks must cancel its luncheon with Mr. Khan. Guests will be given full refunds."

Individual tickets were priced at about $100, while tickets for a table of 10 cost a little more than $1,000.

"This turn of events is not just of deep concern to me but to all my fellow Americans who cherish our freedom to travel abroad," Khan said in a statement. "I have not been given any reason as to why. I am grateful for your support and look forward to visiting Toronto in the near future."

It's not clear exactly what Ramsay Talks meant by "traveling privileges."

Khan became a national name when he blasted then-Republican presidential nominee Donald Trump from the stage of the Democratic National Convention, telling the GOP

candidate he has "sacrificed nothing" and, as he held up a pocket-size Constitution, asked Trump if he had even read it.

Khan has been a U.S. citizen for more than 30 years, and his son, Humayun Khan, a University of Virginia graduate and Muslim American Army captain who died in Iraq in 2004, was posthumously awarded a Bronze Star and Purple Heart.

News of Khan's travel restrictions, first reported by CTV News, followed the release of Trump's revised executive order banning travel from six Muslim-majority nations, although it won't go into effect until March 16.

Report: Ariz. Official Passed Over To Be CBP Commissioner

American Shipper, March 6, 2017

There have been few, if any, signals so far about who President Trump is considering to lead U.S. Customs and Border Protection (CBP), the nation's largest law enforcement agency with almost 60,000 employees. But, we now know someone who won't get the job.

Last week, the CBS News local affiliate in Phoenix confirmed

that Frank Milstead, the Arizona director of public safety, was passed over for CBP commissioner by the Trump administration.

Arizona Public Media has also reported

that former Pinal County Sheriff Paul Babeu was on the Trump short-list for the job.

Babeu, a vocal supporter of Trump during the presidential campaign who lost a recent election for Congress, has been a fierce advocate for securing the southwestern border to prevent illegal immigration, and recently supported the administration's travel ban from seven Muslim-majority countries. He has also called for expedited deportations of illegal immigrants who have committed criminal acts, according to the Casa Grande Dispatch.

The news suggests the first focus of a Trump administration Customs commissioner may be on the border patrol and other aspects of immigration control. The agency is also responsible for efficiently managing the cross-border flow of legitimate imports and exports, while preventing smuggling of dangerous materials, unsafe products and illegal shipments.

'I Feel Like I've Done Something Wrong'; Montreal-born Woman Told She Needs Visa

Toronto (CAN) Sun, March 6, 2017

A Montrealer who is a Canadian citizen by birth says she was barred from entering the United States and told to get a valid visa if she ever wants to cross the border.

Manpreet Kooner said she was turned away at a crossing along the Quebec-Vermont border on Sunday after a six-hour wait where she was fingerprinted, photographed and questioned before being refused.

She said she was told she was an immigrant without a valid U.S. visa.

Kooner, 30, is of Indian descent and was born in Montreal to parents who came to Canada from India in the 1960s and have lived in the same LaSalle district duplex for decades.

There have been several reports of Canadians encountering issues at the U.S. border, including a Canadian Muslim woman from Quebec who believes she was denied entry because of her religion.

Kooner said she's perplexed given she was travelling on a Canadian passport and has no criminal record.

The only issue she had was a computer glitch that prevented her from crossing into New York State for 24 hours in December.

Kooner didn't think much of that snafu until Sunday when she was stopped at Highgate Springs as she was travelling with two white girlfriends.

Her friends were not questioned but she was asked about the December incident.

"At the end of it, they told me I was not allowed going in and that I would need a visa if I ever went in the States again," Kooner said.

Kooner claims the border agent told her, "I know you might feel like you're being Trumped," in reference to U.S. President Donald Trump — a statement she found odd.

A U.S. Customs and Border Protection spokeswoman said Monday the department can't comment on individual admissibility inspections, but noted that possession of a valid travel document does not guarantee entry to the United States.

Asked how she feels, Kooner said, "Just so bad, I feel like I've done something wrong, like I'm a criminal or something, but I'm not."

Kooner went to the U.S. Embassy in Ottawa, as suggested at the border, and was told the situation was "odd" and that a visa isn't necessary for Canadians.

"Maybe there is no valid reason, maybe this is something that I can't shake because I'm born like this," Kooner said of her skin colour.

Her travel plans are up in the air: Kooner is supposed to go to a U.S. music festival at the end of March and her bachelorette in Miami in May.

"I've never had issues before, that's the part that kills me," Kooner said. "Now I'm just debating whether I should cancel."

Her experience came up in the House of Commons on Monday as the NDP peppered the Liberals with questions about her case and about allegations of racial profiling against Canadians at the border.

"We are talking about a Canadian citizen, born in Canada, illegally turned back at the U.S. border, and we want a prime minister who knows how to stand up," NDP Leader Tom Mulcair told Prime Minister Justin Trudeau during question period.

Public Safety Minister Ralph Goodale said each country has the sovereign right to control its own borders.

"We also have the high expectation that all of our citizens will be treated respectfully and in a fair manner," Goodale told reporters.

Montreal-area MP Anju Dhillon is looking into the Kooner case to help remedy the situation.

Canadian Woman Denied Entry To Vermont

WCAX-TV Burlington (VT), March 6, 2017

A Canadian woman taking a day trip to a Vermont spa was denied entry at the border.

Federal authorities won't confirm why, but she claims she was told she needed an "immigrant visa" to enter the United States.

A longtime immigration attorney in Vermont says there's really only two reasons a Canadian would need an immigration visa, for work purposes or as a fiancé preparing for a wedding with a U.S. citizen.

The woman in this case says neither applies to her and she's still wondering why she was turned away.

"It's upsetting. It's like your being treated like a criminal and you've been singled out, even though you haven't done anything wrong," said Manpreet Kooner.

Kooner says she's been coming to the U.S. for years, but the 30-year-old says she was denied entry to the U.S. on Sunday despite having a passport.

"We had decided to take a road trip to Vermont. We were going to a spa in Stowe," said Kooner.

After more than five hours of questioning and waiting, Kooner says U.S. agents told her she needed a valid immigrant visa typically required only for foreign citizens who want to live in the U.S. permanently.

"At one point she even said to me I know you may feel like you've been Trumped and she carried on talking. And I was thinking in my head, did she just say that," said Kooner.

Customs and Border Protection would not comment on this case, but in a statement they say applicants must overcome more than 60 grounds of inadmissibility including health-related grounds, criminality, illegal entrants, immigration violations and documentation requirements.

Leslie Holman is a Burlington-based immigration lawyer. She says reasons for being turned away are limited, but concerns may heighten based on how often someone travels and where they reside.

"Could someone who has no other issues that would make them inadmissible come to the border, to go to a spa for the day, that's Canadian, there should be no reason that they wouldn't be permitted and they wouldn't be required to have a visa," said Holman.

Kooner says she's been traveling to the U.S. for years and only had trouble entering for the first time last year citing a computer glitch that was later resolved. Future visits planned to the U.S. including a bachelorette party may now be canceled.

She's seeking answers from the U.S. Embassy and reaching out to her member of parliament.

"They did assure me that they know that I have no criminal record and that I'm not tagged. But yet, it feels like i am," said Kooner.

Kooner went to the U.S. Embassy Monday morning to ask about getting a visa, but she says they were unsure why she was directed to do so and that it wouldn't be worth her money.

Kooner is the child of Indian parents, but was born and raised in Canada. The U.S. Department of State's website says citizens of Canada traveling to the United States generally do not need a nonimmigrant visa.

Governor Scott's office says they are reaching out to Customs and Border Protection for a further explanation.

He and Vermont's congressional delegation did that in the past for a similar incident, but there's no indication they ever received any further information.

Border Towns On Edge About Illegal Immigration Traffic

KRDK-TV Fargo (ND), March 6, 2017

Some in the northern valley people are concerned about the people trying to get out of the United States.

In one year, over 180 people have been caught trying to get into illegally cross into Canada. It's places where there's nothing around for miles and the only thing between the U.S. and Canada is a snow covered field. Now, some people in town concerned about who is coming through.

"I don't like it," said Sheyne Huffman, from Wahalla.

Pembina, North Dakota is seeing a little more traffic.

"Everybody ought to be going through the process, like everybody else. Do it the legal way," Huffman said.

Their traffic isn't at the port of entry into Canada. It's farm fields stretching from the U.S. into Canada.

"More you get coming up this way, and where are they coming from? Are they coming from the southern border? Why do they want to get into Canada?" Huffman said.

Concerns aren't bound to this side of the border.

"If they're escaping here they can't have a very clear conscience if they're coming into our province," said Kevin Hradowy, from Winnipeg MB.

More than 60 people have been caught this year alone. Emerson, the nearest border town on the Canadian side, is where many fleeing America are going through.

Still much is unknown about who is crossing or why they're leaving which leaves some in town speculating.

"There seems to be more theft going on. Whether it's local or whether it's these. Who knows?" Huffman said.

Troubles some say come with the territory of being a border town.

TRANSPORTATION SECURITY ADMINISTRATION

TSA Quietly Launches New 'Enhanced' Pat-down Procedure

By Hugo Martin, Contact Reporter

Los Angeles Times, March 6, 2017

The Transportation Security Administration has quietly adopted new "enhanced" pat-down searches for screening passengers at U.S. airports, a response to weaknesses in airport security.

The TSA on Thursday began using a "universal pat-down" procedure that includes "enhanced security measures" to replace several pat-down tactics used in the past by TSA screeners that are presumably less invasive.

The TSA is standardizing its physical search procedure rather than allow screeners to choose among types of searches to reduce the chance of poor decisions at crucial security checkpoints.

"The UPD [universal pat-down] lessens the cognitive burden for our officers and reduces the possibility for confusion with passengers and employees as well," the agency said.

TSA officials declined to detail the new universal procedure or the previous pat-down tactics, but the industry is bracing for passenger unhappiness about more invasive searches.

An airport trade group has told its members that TSA screeners will be allowed to use the front of their hands, instead of just the backs of hands, to search passengers if a previous screening indicated the presence of explosives, Bloomberg News reported, based on a "security notice" distributed by the Airports Council International-North America.

The TSA is briefing local law enforcement agencies "in case they are notified that a passenger believes a [TSA security screener] has subjected them to an abnormal screening practice," according to the notice.

The TSA said the standardized pat-down process comes in response to a 2015 undercover test of airport security measures by the Department of Homeland Security.

The results of the 2015 test are classified but John Roth, the inspector general of the Department of Homeland Security, told a congressional committee that the study "found layers of security simply missing." According to news reports, the test found that the screening procedures failed to detect handguns and other weapons.

The pat-down searches will be used on passengers who decline to go through the full-body screening machine used at most major U.S. airports or for those travelers who trigger a warning from the machine. TSA officers can also use a pat-down search on random travelers.

Passengers have the right to request a private pat-down screening and ask to be accompanied by a companion of their choice.

TSA Warns Local Police About Its New Airport Pat-Downs

By Justin Bachman

Bloomberg News, March 6, 2017

The U.S. Transportation Security Administration has declined to say exactly where—and how—employees will be touching air travelers as part of the more invasive physical pat-down procedure it recently ordered.

But the agency does expect some passengers to consider the examination unusual. In fact, the TSA decided to inform local police in case anyone calls to report an "abnormal" federal frisking, according to a memo from an airport trade association obtained by Bloomberg News. The physical search, for those selected to have one, is what the agency described as a more "comprehensive" screening, replacing five separate kinds of pat-downs it previously used.

The decision to alert local and airport police raises a question of just how intimate the agency's employees may get. On its website, the TSA says employees "use the back of the hands for pat-downs over sensitive areas of the body. In limited cases, additional screening involving a sensitive area pat-down with the front of the hand may be needed to determine that a threat does not exist."

Now security screeners will use the front of their hands on a passenger in a private screening area if one of the prior screening methods indicates the presence of explosives, according to a "security notice" that the Airports Council International-North America (ACI-NA) sent its U.S. members following a March 1 conference call with TSA officials. 1 The TSA informational call was with several airport industry groups.

"Due to this change, TSA asked FSDs [field security directors] to contact airport law enforcement and brief them on the procedures in case they are notified that a passenger believes a [TSA employee] has subjected them to an abnormal screening practice," ACI wrote. 2 Each major airport generally has a single director to oversee federal security operations at that airport. These directors also act as liaisons among the TSA, airports, local law enforcement, and

other pertinent entities. An FSD may also oversee multiple airports.

The TSA screens about 2 million people daily at U.S. airports. The agency said it doesn't track how many passengers are subject to pat-down searches. These searches typically occur when an imaging scanner detects one or more unknown objects on a person or if a traveler declines to walk through the machine and opts for the physical screening.

"Passengers who have not previously experienced the now standardized pat-down screening may not realize that they did in fact receive the correct procedure, and may ask our partners, including law enforcement at the airport, about the procedure," TSA spokesman Bruce Anderson wrote March 3 in an email, describing why the agency notified police.

The pat-down change, first reported Friday by Bloomberg News, is "intended to reduce the cognitive burden on [employees] who previously had to choose from various pat-down procedures depending on the type of screening lane," the ACI-NA wrote in its notice.

Physical screening has long been one of the public's strongest dislikes about airport security protocols. The TSA has all pat-downs conducted by an employee of the same gender as the traveler and allows a passenger to request a private area for the screening, as well as to have a witness present. Likewise, the traveler can request that the pat-down occur in public view.

The TSA won't reveal specific procedures on how its pat-downs are conducted beyond the general information on its website. "Knowing our specific procedures could aid those who wish to do travelers harm in evading our measures," Anderson said.

The TSA's calls to police were an effort to provide local law enforcement "situational awareness" about the new pat-down method, Christopher Bidwell, ACI-NA's vice president of security, said in an interview Saturday. U.S. airports have not expressed any reservations or concerns about the pat-down change, the association said.

"We appreciate our partner, the TSA, providing us information about these universal pat-downs and the standardization," Bidwell said.

The TSA informational call was with several airport industry groups.

Each major airport generally has a single director to oversee federal security operations at that airport. These directors also act as liaisons among the TSA, airports, local law enforcement, and other pertinent entities. An FSD may also oversee multiple airports.

TSA Announces Pat-down Policy For Fliers Who Refuse New Technology

Fox News, March 6, 2017

The Transportation Security Administration (TSA) has just announced that it will be conducting a potentially more invasive physical pat-down procedure to customers who refuse to be scanned electronically.

On Monday, TSA says it decided to inform local police of the new pat-down in case a passenger calls to report "abnormal" federal frisking, Bloomberg reports, but the agency has declined to say exactly where-and how-employees will be touching air travelers.

Previously, if a flier was selected, one of five separate types of pat-downs were used but the new search procedure said is to replace all five of the other pat-downs.

According to the agency's website, "TSA officers use the back of the hands for pat-downs over sensitive areas of the body. In limited cases, additional screening involving a sensitive area pat-down with the front of the hand may be needed to determine that a threat does not exist."

Now, security screeners will use the front of their hands on passengers in a private screening area if one of the prior screening methods indicates the presence of explosives. TSA requires all pat-downs to be conducted an officer of the same sex.

Two million people are screened by TSA daily throughout airports nationwide.. The searches normally occur when an imaging scanner detects one or more unknown objects on a person or if a traveler declines to walk through the scanner and instead for the physical screening. Passengers who decline the screening technology are automatically subject to enhanced physical searches.

The agency says the new screening procedure is not expected to increase overall airport security delays though TSA pre-check passengers may also receive an enhanced pat-down.

The change is partly due to the agency's study of a 2015 report criticizing different aspects of current agency screening procedures. That particular audit, conducted by the Department of Homeland Security's Inspector General, reported that airport officers failed to detect handguns and other weapons.

Airline pilots, flight attendants and crew members are also subject to receiving the new pat-down but overall number of random searches for airline crews will remain at a very small percentage. Airport employees may also be subject to additional, random screenings.

TSA Agents Will Be Touching Passengers In A Way That Would Get Other People Arrested, Report Says. What Else Is New?

By Fredrick Kunkle

Washington Post, March 6, 2017

The Transportation Security Administration (TSA) has already been accused of touching passengers in ways that would land other people in jail.

But now passengers who opt out of electronic screening will have to undergo a full pat-down instead of one of five others that were slightly less aggressive.

Things may be getting so intrusive at TSA checkpoints these days that the federal agency thinks it is necessary to alert local police about its new method of conducting pat-downs, according to a Bloomberg News report.

The TSA says the full, one-size-fits-all pat-down doesn't involve any different areas of the body that were frisked under the previous methods. Speaking on background to talk frankly about the change, a TSA official said Monday that although little has changed in the procedures for pat-downs, the agency has taken steps to make the searches more uniform and thorough.

On the TSA's website, the agency stipulates that everyone, including passengers in its Pre✓ program, may be required to undergo a pat-down from a person of the same gender. A passenger might be required to undergo a frisk after the TSA's screening machines trigger an alarm, as part of "random or unpredictable security measures, or as an alternative to machine screening. The agency says its officers use the backs of their hands on sensitive parts of the body but, 'in limited cases," may use the front of the hand in "sensitive areas."

The official said the revised measures have been developed in response to a 2015 report by the Department of Homeland Security's (DHS) Inspector General that found troubling lapses in the TSA's screening procedures, including the failure by TSA screeners to find a fake explosive taped to the body of an undercover officer who was part of an operation designed to test airport screening measures.

"It's probably the least favorite task they have to do," the official said.

But Bloomberg — citing a security notice sent by the TSA to the Airports Council International-North America, which is a trade organization — says some passengers may be in for a frisking that's a little friskier than usual. The news agency also says that the TSA will not specify what a "comprehensive" pat-down means, exactly. But the TSA wanted to alert local law enforcement in case anyone calls to report an "abnormal" pat-down, Bloomberg says.

And yet American travelers have been complaining about TSA frisk jobs for years now. The TSA security notice cited by Bloomberg talks about replacing five existing methods, but these already range in intensity — using only official classification here — from "Prohibited at Any Strip Club" to "Proctologists Only."

This isn't news to any airline passenger who's traveled since the Sept. 11, 2001, terrorist attacks or anyone following social media. A producer from Martin Scorcese's movie "Silence" made a wisecrack — the TSA staff mistook "IUD" for "IED" — that led to a body search that included her groin, and CNN commentator Angela Rye raised questions about her pat-down.

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GOP, Democrats Blast TSA For Withholding Information

Washington Post, March 6, 2017

A hard-hitting, bipartisan congressional oversight hearing is good government at work — especially if you like blood sports.

It can be a brutal experience for an agency head in the hot seat when Republicans and Democrats are rightly and mutually disgusted with a bureaucracy's performance and its leaders.

That was the case with Huban A. Gowadia, the acting administrator of the Transportation Security Administration (TSA) at a House Oversight and Government Reform Committee hearing Thursday.

The committee has had petty, partisan, politician-promoting disputes, but this wasn't one of them.

Outraged members, both red and blue, lambasted TSA's refusal to provide the independent Office of Special Counsel (OSC) all the documents needed for its whistleblower-retaliation investigations.

The hearing pointed to issues beyond the importance of principled, bipartisan oversight — the lack of transparency, whistleblower revenge, collusion to deny employee rights — that stain many agencies.

Yet TSA, more than others, uses a fictional claim of attorney-client privilege to thwart the special counsel's work. And a December report by the Department of Homeland Security inspector general cited TSA's "unjustifiable and … inconsistent and arbitrary" use of the "sensitive security information" (SSI) designation to avoid release of even innocuous material.

Citing reports from "as far back as 2005," Inspector General John Roth testified that TSA's "aggressive approach to restricting information from being made public … is deeply rooted and systemic."

He pointed to examples where the agency's misuse of security information "bordered on absurd," including when officials attempted to redact this line — "passengers are not required to remove shoes, belts, laptops, liquids or gels" — from a report, while that information was publicly posted on TSA's website.

Similarly, TSA considered the entire, blacked-out page of a document to be privileged, including the date.

"There's simply no basis for federal agencies to assert the attorney-client privilege during an OSC investigation," Special Counsel Carolyn Lerner said at the hearing.

The IG's December report was blunt, saying the agency "cannot be trusted to administer the (SSI) program in a reasonable manner."

Reading that statement during last week's committee hearing, a head-shaking Chairman Jason Chaffetz (R-Utah) said, "That's about as damning as it gets."

TSA's sorry history with whistleblowers includes losing a Supreme Court case involving retroactive designation of information as sensitive to justify the 2006 firing of air marshal Robert MacLean. But even now, the record shows it can't be trusted to treat its employees fairly. Rep. Elijah E. Cummings (Md.), the committee's ranking Democrat, complained about a now-discontinued policy of "forcing employees to move entirely to … new locations as punishment for raising concerns." Added Cummings, "it was punishment, punishment."

The whistleblower, attorney-client privilege and SSI issues were bad enough for TSA. Gowadia's quandary made it worse.

Her inability or unwillingness to answer many questions and her reluctance to name another federal official directly involved in the attorney-client dodge left committee members upset and incredulous.

"Unfortunately, the TSA is not fulfilling their legal obligation to produce documents, frustrating OSC's investigative efforts," Chaffetz said. "And I can tell you with a passion on both sides of this aisle, it is not acceptable to withhold information."

Gowadia was in a tough spot. Essentially, her defense was that the bosses made her do it. When Chaffetz demanded she explain the attorney-client-privilege defense, she blamed the bureaucracy: "I have to say we follow departmental guidance. … My hands are tied by departmental policy."

Chaffetz said he wanted to see this guidance. Gowadia's answer surprised him.

Gowadia: "Sir, to … best of my knowledge, the guidance is not in writing …"

Chaffetz: "So wait a second. You don't have — you just made this up? It's not in writing?"

When he insisted on getting the name of the official preventing her from providing OSC all of the information it needs, she demurred as if that, too, were secret.

Chaffetz: "Give me some names. I want to know who to call up here."

Gowadia: "The Office of General Counsel."

Chaffetz: "No, no."

Gowadia: "The general counsel to the secretary."

Chaffetz: "Give me a specific name. That's a big office, there's lots of attorneys, tell me the attorneys that are telling you not to provide this information to Congress, and tell me the names of the attorneys that are telling you not to provide this to the OSC. I want names."

Gowadia: "Sir, sir … I will follow up with your — with you and your staff right after this."

Chaffetz then had the TSA staffers attending the hearing — agency heads always come with a crew — raise their hands. He counted seven.

"One of these seven people has got to get on the phone, get your butt up out of this committee and go get that information before this hearing's done," he demanded. "I want to have names."

Later in the hearing, Gowadia said she had received permission to reveal the name of Joseph Maher, the acting general counsel.

After much of the testimony, Chaffetz concluded that TSA whistleblowers "know the deck is stacked against them."

Congress likes whistleblowers. And it doesn't like it when they are victims of official reprisal, which happens much more than taxpayers realize.

"Ladies and gentlemen, if we don't stand up for whistleblowers, we don't need to be here," Cummings told his colleagues. "We must do everything in our power, at all times, to protect them."

FEDERAL EMERGENCY MANAGEMENT AGENCY

22 Million At Risk For Bad Weather In Central United States

Associated Press, March 6, 2017

NORMAN, Okla. — Forecasters say tornadoes are possible from Arkansas and Oklahoma to Minnesota as warm weather reaches well into the nation's midsection.

The area at the greatest risk Monday runs from near Tulsa, Oklahoma, and Joplin, Missouri, into eastern Iowa and northwestern Illinois. Storms should begin late Monday afternoon and continue into the night. Some tornadoes could be strong, with winds above 111 mph.

The storm threat covers 22 million people.

Isolated storms with the potential to produce tornadoes are forecast to form in eastern Kansas and eastern Oklahoma and move into Missouri. Supercell storms are also possible in the upper Midwest.

As a cold front approaches, high winds will be the greater threat.

Strong winds from the south will carry a threat into Illinois, Indiana and Wisconsin overnight.

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Feds Spend More Than $300 Million On Louisiana Flood Relief; Here's Where The Money's Going

By Steve Hardy

Baton Rouge (LA) Advocate, March 6, 2017

The federal government has now spent more than $300 million fixing health centers, schools and other public facilities damaged in last summer's flood.

Monday, the Federal Emergency Management Agency announced that the Public Assistance program has obligated $304.3 million in reimbursements to the state and local governments in 26 parishes impacted by floodwaters.

Approximately one in every five dollars spent has gone to fix schools in the worst-hit parishes, including East Baton Rouge. At the state level, the Department of Health and Hospitals and the Department of Wildlife and Fisheries each received hundreds of thousands of dollars. The Gonzales wastewater plant alone stands to receive nearly a million, according to a news release.

The federal government typically reimburses local agencies for 75 percent of their disaster costs, including clearing debris, fixing roads and replacing damaged vehicles like police cruisers. However, after especially cataclysmic events, including the recent floods, the amount jumps to 90 percent.

Agencies continue to haggle with FEMA over what can be claimed for reimbursement. East Baton Rouge officials, for example, have tried to get public assistance to help pay for hauling off debris from demolishing blighted properties that were damaged in the storm.

US CITIZENSHIP AND IMMIGRATION SERVICES

Trump Puts The Brakes On H-1B Visas

San Jose (CA) Mercury News, March 6, 2017

In what could be a blow to Silicon Valley's ability to import the best and the brightest tech workers to fuel its innovation engine, the Trump Administration's immigration gatekeepers have announced they are suspending their 15-day "premium processing" program to fast-track applicants of H-1B visas.

The visas, which allow companies to recruit foreign nationals for highly skilled jobs in the United States, are prized in a tech world where companies like Google, Facebook and Apple have come to depend heavily on workers holding these coveted passes to America's workplace.

While the program is intended to help tech companies recruit talented immigrants without displacing American workers, it has become a lightning rod for criticism in recent years as politicians on both sides of the aisle push bills to hem in the aggressive use of H-1B visas by outsourcing firms. Trump's recent executive orders on immigration, including the revised travel ban announced this week, have helped fuel a battle with Silicon Valley's leaders. And many CEOs are concerned that the new suspension is only a prelude to a broader attack on the H-1B program, which some close to the administration have criticized.

The H-1B program currently allows 85,000 per year to enter on the visas, but the process can be painfully slow, and many choose to accelerate it by paying extra for a 15-day expedited process. Under rules announced by the United States Immigration and Customs Services late Friday, known as the USICS, the expedited service, which cost $1,225 per application, will be suspended for any H-1B petition filed on or after April 3.

"I've seen these applications take anywhere from 8-12 months," said Tahmina Watson, a Seattle-based immigration lawyer, in an interview. "Even though the advertised processing time is four months, I've never seen anything take four months."

This will not only affect new workers coming to the country on the H-1B program, but those who already hold an H-1B visa and are changing jobs within the country too, says Watson. An example would be an engineer who had an H-1B visa with Microsoft taking a new position at Google.

The suspension of the premium processing may last up to six months, according to the USICS website.

USICS says that it's making the change in order to catch up on "long-pending petitions" — which the agency says has been difficult because of the large number of H-1B applications and requests for premium processing it receives.

The announcement by Trump's immigration team is not a surprise, considering the well-publicized attacks on America's immigration policies by his chief strategist, Steve Bannon. Breitbart News, where Bannon served as executive chair before joining the Trump team, published articles last year blasting the H-1B program, alleging that the political establishment in Washington has draped it in secrecy.

"Frightened political and business insiders have gone to great lengths to keep the American public from learning about the controversial H-1B guest worker visa program, which helps explain why the Silicon Valley elites and the Republican old guard are coming together to try and destroy Donald Trump," Lee Stranahan wrote last May. "The lengths the H-1B advocates have gone to keep their secrets hidden is cause for alarm and shows exactly why the whole rotten immigration system needs to be exposed."

Stranahan said "Silicon Valley's current business model is based on two things that presumptive GOP nominee Trump has spoken out against: cheap overseas manufacturing and a cheaper, more malleable domestic labor

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force created through government programs like the H1-B foreign guest-worker program.

"Silicon Valley has been used to the Republican political establishment playing nice with them on programs like the H-1B guest-worker visa program that keeps their cheap labor pipeline rolling."

Expedited H-1B Visa Program Suspended: How This Affects India's Tech Giants

Christian Science Monitor, March 6, 2017

The United States' decision to temporarily suspend expediting processing of H-1B visas last week could have a significant impact not only on American tech giants, but Indian companies as well.

On Friday, US Citizenship and Immigration Services (USCIS) announced a six-month suspension of the H-1B expedited-service option, effective April 3. The announcement came just hours after India's Foreign Secretary S. Jaishankar and Commerce Secretary Rita Teotia urged top Trump administration officials to view the H-1B program as a matter of trade and services, rather than immigration. A number of Indian IT firms currently use the expedited service option, which lets companies pay an extra fee to get an H-1B application processed within 15 days, to outsource tens of thousands of professionals for project work in the United States each year.

The announcement by USCIS on Friday marked what many saw as the first move in a broader reform effort under President Trump, who in November vowed to crack down on "all abuses of visa programs that undercut the American worker." As The Christian Science Monitor reported last week:

H-1B's stated purpose is to attract highly educated specialists to US jobs that companies can't fill, and while it applies to a number of industries, the majority of recipients work in technology. A 2015 USCIS report to Congress found that the previous year, 65 percent of approved petitions were for computer-related jobs. Facebook is classified as an "H-1B dependent" company, with more than 15 percent of its employees relying on the program....

The "premium processing" option, first introduced in 2001, allowed companies to pay an extra $1,225 to have their petitions reviewed in two weeks, rather than the usual two to three months. As of April 3rd, that service is dead, although USCIS says that an expedited option will remain available in special cases such in emergencies and for humanitarian reasons.

USCIS claims the measure is necessary to work through a backlog of applications, but this explanation confuses some, who point out that faster processing was cited as a reason for the premium option in the first place.

While meeting with Trump cabinet officials and lawmakers last week, Secretary Jaishankar suggested that bringing in skilled Indian workers helps the US economy and keeps companies – and jobs – in America, a primary stated goal of the Trump administration.

"If the Trump Administration's intention is to bring back American companies to the United States and attract more foreign investment in America, then it is important America remains competitive," said Mr. Jaishankar at a briefing, as reported by the Times of India. "So, there would actually be [a] growing need for this partnership."

Many experts agree that in order to remain competitive, the US must take a global approach in recruiting professional talent.

"In a globalized economy, the best and the brightest want to work in the best places – and if they're unable work in the United States, or it takes too long or is too difficult, they'll find a place in Canada or Europe or India where their talents can be appreciated," Stephen Yale-Loehr, a Cornell University immigration law professor, told NPR last month.

This argument, Jaishankar told reporters at the end of the visit, was met with "a degree of understanding." But, he noted, he saw hope in Mr. Trump's calls for a "merit-based" immigration system while addressing a joint session of Congress for the first time last week.

"Switching away from this current system of lower-skilled immigration, and instead adopting a merit-based system, we will have so many more benefits," the president said, according to transcripts.

This kind of "points-based system" looks for such factors as education, profession, and linguistic proficiency to determine the usefulness of prospective immigrants, the Monitor reported following the speech.

"What I would remind you that the President himself in his address to the Congress preferred a merit-based approach to the subject," Jaishankar said, as reported by the Times of India. "We heard across the board a lot of respect expressed for Indian skills in the United States."

The U.S. Government Changed H-1B Visa Rules. Here's What It Means For Tech

CNBC, March 6, 2017

U.S. immigration authorities suspended a program last Friday that expedited visas for skilled workers — a darling class of workers in the tech community.

Despite stoking tension in tech companies, it's a relatively routine decision that's happened under administrations past. But it is missing one key piece of information — a timeline— and that could impact businesses.

What has changed?

"Premium processing" of H-1B visas, which allowed skilled workers to pay extra to request faster approval to work

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in the U.S., will no longer be available starting April 3, immigration authorities announced. That basically means all applicants will have to wait the standard period to see if they have won the "lottery," without the option to pay an extra $1,225 filing fee for guaranteed answer after 15 days.

Essentially, the government is shifting around which administrative tasks they'll tackle first, said said immigration attorney Rajiv Khanna.

"This is not new for anybody. Last year they did the same thing," Khanna said. "It simply means a diversion of resources toward other programs that lack resources."

Indeed, last year immigration authorities said they were delaying premium processing until May 16. But this year's announcement gives a six-month window, not a specific date, for the premium processing delay.

That's where things get tricky.

"At least last year, we knew that by May, the premium track would kick in. It's fair for them to want a month, because they get this flood of applications and go through the lottery process. Getting a month is reasonable," said attorney Piyumi Samaratunga. "[Now] we don't know if it will be implemented in May or at all."

For highly skilled foreign nationals hoping to work in the U.S., the H-1B visa program was already a gamble, as a relatively small number of spots are allocated through a lottery process. Almost all H-1B visa workers start working in October, and that won't change, Khanna said.

H-1B visas applicants must apply six months in advance of their start date — meaning an April 1 application for an Oct.1 start date. Indeed, last year, the H-1B visa program hit its cap for petitions by April 7.

What will change is how fast employers and workers get a "yay" or "nay" on whether they were one of the lucky ones.

Why is this changing?

The change quickly prompted reports that the Trump administration is "dismantling the H-1B visa" and will "leave many people and companies in limbo."

But the H-1B announcement (not to be conflated with an updated travel ban signed Monday) is closer to a supply chain issue, Samaratunga said.

U.S. immigration authorities said temporary suspension will free them up to sift through a backlog of long-pending applications. That means the majority of visa applicants won't face the long wait times they have in years past.

"The stated intent of the temporary suspension is to clear the backlog, which is an important step for those companies that have been waiting for months," Manan Mehta, founding partner of Unshackled Ventures, a venture capital firm that helps immigrant-founded start-ups deal with immigration issues.

So while it's entirely possible that president Donald Trump will upend the skilled immigration program, this announcement is more of a hiring headache than anything.

Still, immigration lawyer Greg Siskind suggested in a blog post that the change might be a "slow walk" to make H-1B visas a less attractive option, especially in the medical field.

Tweet: Yes, USCIS has suspended H-1B PPS in the past, but only for a few weeks and only for a few kinds of cases. This is a much different thing. 2

Who is affected?

Employers are first and foremost, going to have the toughest time adapting, Samaratunga said.

Let's say an employer extends a job offer, alongside an H-1B visa sponsorship, to a worker, ahead of the April 1 rush. With the fast track option, they could know very soon if their petition was likely to be accepted, and could start planning the onboarding accordingly. If it was likely to be denied, they could begin looking for a new candidate.

But now, they'll have to wait in line, like everyone else. The average wait time is three to six months, Mehta said. So, the employer might not know until September whether their employee will be authorized to work.

The suspension could especially be a sticking point for tech companies that are hoping to get to the cutting edge faster than their competitors. The technology community is in the midst of a talent war, poaching each other's workers and setting up relationships with universities to snare top engineers.

Companies like IBM, Amazon, Microsoft, Google, and Apple have been among the top recipients of H-1B visas in past years, New York Times data analysis shows, aside from a massive swath of visas issued to consulting firms that are known to outsource.

Alphabet chairman Eric Schmidt said last year that H-1B visa reform was a top policy priority for tech, noting that Google has brilliant engineers who are languishing in condos in Canada waiting to get to work.

The new delay does mean a little more uncertainty for some workers. Particularly, workers who are on the verge of losing their current visas, and were hoping to have a quick insight into whether they should sign a new lease or pack their bags.

Also affected are H-1B visa applicants that are not subject to the usual cap — especially those working at universities, Khanna said. And a small group of foreign nationals may have to take a break from working while they wait for a visa change to take hold, said Mehta.

Then there are practical inconveniences, like getting one's driver's license renewed or traveling while immigration status is pending, Siskend wrote.

Given all the uncertainty, Samaratunga said, some employers might be more reticint to hire foreign workers —

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although if they had another choice, hiring a domestic worker is almost always the more practical choice either way, she said.

But there are plenty of loopholes to push through the most urgent cases, Khanna said. Severe financial loss to a company, emergencies, non-profit and humanitarian causes can all still merit requests expedited H-1B visas, Khanna said. And students or H-1B workers changing jobs have special protections to cover the gap while they wait for their new visa to kick in.

Mehta suggested that workers hoping to change their visa status to another type apply to do so by the end of the month to avoid being affected by the suspension.

US Suspension Of Fast Track For H1B Visas Leaves Foreign Workers In Limbo

The visas, which allow skilled workers to come to the US temporarily, are in especially high demand in Silicon Valley and the medical sector

By Olivia Solon In San Francisco

The Guardian (UK), March 6, 2017

The US has temporarily suspended the fast-track processing of H1B visas, leaving many foreign workers in limbo.

H1B visas allow skilled workers to come to the US temporarily. They are in high demand, particularly in Silicon Valley and the medical sector, and are allocated by lottery. It can take more than six months for an application to be reviewed. Premium processing allows applicants to pay an extra fee ($1,225) to ensure a response within 15 days.

The US Citizenship and Immigration Services (USCIS) announced on Friday that it was putting that facility on hold from 3 April 2017, justifying the move as a means to clear a backlog in processing of H1B visas. However, some fear the suspension – which USCIS said could last up to six months – is a first step towards the Trump administration clamping down on this type of immigration.

"Is this something related to the current administration? We don't know," said Avinash Conda, a senior manager Shutterfly based in Redwood City, California.. "But the entire mood seems to be slowly moving towards an anti-immigration tone whether it's the Muslim ban or this."

"I don't think [UCSIS] would voluntarily take such a massive budget hit," added Boston-based immigration attorney Matthew Cameron. "The UCSIS is almost exclusively funded by application fees so they are giving up hundreds of millions of dollars."

The H1B visa program currently admits 85,000 immigrants each year. Technology companies have been lobbying to extend the program to allow for more foreign immigration, of which Donald Trump has been a vocal opponent. In the run-up to his election, Trump criticized Facebook CEO Mark Zuckerberg for pushing for more specialist H1B visas, arguing it was a threat to jobs for American women and minorities. Meanwhile documents obtained by numerous news outlets have offered vague suggestions that White House reforms may seek to prioritize American workers and restrict outsourcing companies that have dominated the program.

"Whatever you think of H1 policy and the way it's being used, it's unfair to have a sneak attack on the whole system," said Cameron. "A lot of massive companies rely upon [premium processing] every year for their hiring and budgeting schedules."

For those part-way through the recruitment process, the announcement comes as a major blow. Recruiter Amy Caruso from Grit Matters said that it is having "an extreme impact not only for candidates but also my income".

She told the Guardian she has two candidates for jobs who can no longer proceed as a result of the decision. "I'll need to cover the legal fees, and the attorneys will only be paid for the work they have completed prior to the suspension thereby affecting their incomes as well," she said.

It's not just new recruits who will be affected, but those seeking to extend their H1B visas (something required every three years) or those switching from one employer to another.

"Most of the big companies file with premium processing," said Conda. Without the fast-track processing, employees will have to wait six to eight months and they cannot travel during that time.

"Switching jobs becomes almost impossible for a lot of people," he added.

He didn't believe that the measure would have the intended result of cutting down average processing times, because the fast-track option brings the average down.

One country that will be disproportionately affected by the decision is India, home of many of the skilled immigrants who come to the US on H1B visas. It is common for Indian IT companies to send workers to the US at short notice to work on projects. According to local news reports, the suspension of fast-track processing will likely hit domestic software exporters hard.

The news comes at the same time as Donald Trump signed a revised executive order to reinstate a ban on immigration from certain Muslim-majority countries.

IT Services Firm Stocks Dip After Govt Suspends Fast Tech Visas

By Noel Randewich

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Visa Change Could Affect Doctors Planning To Serve Neediest Areas Of Illinois

Chicago Tribune, March 6, 2017

Just days before President Donald Trump signed a new travel ban Monday, his administration made a separate visa change that could frustrate many workers' and employers' plans, including those of foreign doctors hoping to serve Illinois' neediest areas.

On Friday, U.S. Citizenship and Immigration Services announced it would temporarily suspend expedited visa processing for all petitions for H-1B visas — visas that allow highly skilled people from other countries to work in the U.S. Those visas are how foreign doctors who train at hospitals in the U.S. are able to stay and work in the U.S.

Most doctors who come to the U.S. from other countries for their residencies — periods in which medical school graduates train in hospitals — are required to work in underserved areas, such as rural places or high-need parts of Chicago, for a period of time after their residencies if they want to stay in the U.S.

The change announced Friday means doctors from most countries — other than those named in the new travel ban — will still be able to get the visas, but they might not be able to get them quickly enough to start working right after their residencies end this summer.

"Some of the most needy areas may lose out if they're actually recruiting practicing physicians to those areas," said Dr. Atul Grover, executive vice president of the Association of American Medical Colleges.

Grover estimated that at least 1,500 doctors finishing their residencies seek H-1B visas each year across the country.

According to the government, petitions for H-1Bs might still be expedited if they're for "humanitarian" reasons or "emergency situations." A spokeswoman for U.S. Citizenship and Immigration Services wasn't immediately able to comment Monday on whether the exceptions might apply to doctors.

Doctors won't have to leave the country while they're waiting for their H-1B visas, but they won't be able to start work either, said Carl Shusterman, a Los Angeles immigration attorney who specializes in medical-related immigration issues.

"Without (expedited) processing it could take four or five months, and they'll just be sitting there not working and not serving the underserved communities," Shusterman said.

The change to the visa approval process might be just one more factor that could drive away foreign doctors, who are needed to ease the nation's doctor shortage, some say.

About 29 percent of Illinois' licensed practicing doctors graduated from medical schools outside the U.S., and the majority of them were likely born outside the U.S., according to the Federation of State Medical Boards. The Association of American Medical Colleges projects the U.S. will have a shortage of between 46,100 and 90,400 doctors by 2025.

"There's a concern that if the environment is not viewed as welcoming for you as an immigrant ... if the feeling is 'thanks-but-no-thanks,' they're going to look to other countries," Grover said.

U.S. Citizenship and Immigration Services said Friday it was suspending expedited review in order to focus on processing "long-pending petitions" for H-1B visas that it has been unable to get to because it's been so busy.

Some, however, question whether other factors may be at play.

Jeanne Batalova, senior policy analyst at the nonpartisan Migration Policy Institute, said the suspension may be a response to political pressure to do something about the H-1B system. And it may backfire.

"In reality it will affect many employers and probably put the administration at odds with employers of immigrants," Batalova said.

The majority of H-1B visas go to the technology sector, but universities, research institutions, manufacturers and financial services companies also will be affected.

Expedited approvals have been suspended before, but those earlier suspensions generally did not apply to most doctors and academic medical center workers, said Chicago immigration attorney Kristen Harris.

To Really Reform The H-1B Visa Process Will Take A Lot More Than Friday's Freeze

Fast Company, March 6, 2017

The move by the U.S. Citizenship and Immigration Services (USCIS) on Friday to suspend "premium" processing of H-1B visas puts the issue of high-tech worker immigration reform back in sharp focus. Big tech companies routinely pay the $1,225 fee to get a decision on an applicant's work visa in weeks instead of months. This adds to the thousands in attorneys' fees that sponsor companies pay to navigate the tricky and unforgiving legal waters of the H-1B application process.

The suspension, which takes effect on April 3, appears to be President Trump's attempt to begin fulfilling his campaign promise to curb H-1B abuse, wherein companies recruit foreign (mostly Indian) skilled workers for lower salaries than they'd have to pay American workers. And it comes just after Senator Dick Durban released a statement calling on the White House to follow through on its H-1B reform campaign promises. But the USCIS's move on Friday seems more like a small administrative tweak than the precursor to real reform.

USCIS says that it's suspending premium processing for administrative reasons, as a way of speeding up H-1B applications generally.

"This on its own makes no sense; the (premium processing) program has been working well, and it's been effective for the better part of a decade," says immigration attorney David Leopold, who routinely represents U.S. companies seeking visas for foreign IT workers. "There's simply no rational reason for it, except for political reasons." Leopold is former president of the American Immigration Lawyers Association.

"It's only because of the agency's inefficiency that we need this to begin with," Leopold says. "Companies need this, they need premium processing to get their business done."

Speeding up the application process is important, but it's just a small part of the problem. The main issue is that companies, foreign and domestic, are gaming the system as a way to hire cheap labor at the expense of U.S. workers.

Several bills have already been introduced in the new Congress to reform the H-1B system,

two of them from Rep. Darrell Issa (R-CA) and Rep. Zoe Lofgren (D-CA) both of whom represent Silicon Valley districts.

But there may be no simple legislative fix to H-1B abuse—though increasing funds for enforcement (bigger government) would likely help.

The government issues 85,000 H-1B visas each year, with 20,000 of them reserved for foreign grad students studying in the U.S. The number of applications always dwarfs the supply of visas, so the government uses a lottery system to distribute them.

But the lion's share of the H-1B visas get swallowed up by Indian labor outsourcing firms like Tata Consulting Services and Infosys. These companies hire IT and engineering talent in India and send them to the U.S. to work in the U.S., H-1B visas in hand.

Lawmakers are concerned that U.S. companies shift work to the outsourcing firm contractors as a way to save money, even as (more expensive) U.S. workers are available. Some lawmakers, like Issa, believe that imposing a minimum yearly salary requirement (in Issa's bill, $100,000) for the foreign workers might remove the incentive for the skilled labor arbitrage game that some U.S. companies have played using the Indian outsourcing companies.

That might do some good in places like New York and San Francisco, one expert tells me, but might do more harm in other places.

"If you live in San Francisco or New York, $100,000 might be barely enough to get by," said work visa expert Theo Negri. "But what if you're in Nebraska where you can live well on $50,000? It doesn't seem fair to require that the company to pay twice that much." Negri runs the Jobsintech.io website, where employers can post H-1B jobs in the U.S.

Negri says the key is to make sure that employers, including the outsourcing companies, pay the "prevailing wage" for a given position, or more. In fact, the USCIS requires it. Almost all of the H-1B jobs listed on Jobsintech.io list salaries that are at or above the prevailing wage. The H-1B jobs posted by U.S. companies like Apple and Facebook are all well above the prevailing wage.

The same can also be said of lower-paid job listings by Indian outsourcing companies, which illustrates how the program has been exploited. Those outsourcers use a different way to post jobs with lower salaries, Negri says. Since the "prevailing wage" is based on the job title, the outsourcing companies often make up their own titles for the positions. So a highly skilled software development position might instead be advertised as a "technology lead" role. Using such a generic job title, Negri says, the outsourcers can set the salary at whatever they want.

Still, those lower-wage jobs are often snatched up, because for the predominantly Indian workers who take the positions, the salaries are still far more than what they'd make at a similar job in their home country, Negri said. Sounds like a win-win for employers and workers, except for those Americans with similar levels of experience who might be beaten out of a job by foreign workers who will work for less. Or those Americans could be booted out of the jobs they currently have. At least 400 IT workers at Southern California Edison were laid off last year and replaced by workers from India, some of whom they had reportedly trained for their new roles.

The Indian outsourcing companies consider H-1B reform a material threat to their businesses. And when Indian leaders met with Trump last week, they expressed their concerns about changes proposed to the program. In its most recent 10-Q filing, Infosys stated: "Anti-outsourcing legislation in certain countries in which we operate, including the United States and the United Kingdom, may restrict companies in those countries from outsourcing work to us, or may limit our ability to send our employees to certain client sites."

Infosys declined to comment for this story.

American companies like Apple and Microsoft hire a certain amount of H-1B visa workers every year, but not nearly as many as the outsourcing firms. Those tech giants have a harder time seeing into the future to know how many H-1B workers they might need during the coming year. So they sometimes bring foreign employees to the U.S. on a temporary work visa, Negri says, then gamble that the employee can get an H-1B visa when the lottery opens up again the following April.

In comparison, the outsourcing firms know they will need contractors during the year, so they file for thousands of H-1Bs when the application period opens April 1. Demand for the workers recruited by the outsourcing firms to work at U.S. companies is high and fairly predictable.

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"You should not be able to get 80% of the total number of visas," Negri says. "In what world should a company that produces nothing—they're just consulting companies—be able to get that many visas? It's not like they are Google or Facebook—companies that actually make real products."

And yet, as the outsourcing companies have argued in court, they are not breaking the law by vacuuming up all the H-1B visas. Well, not the letter of the law, in any case. There's no law saying that U.S. companies must use U.S. natives as employees, and no law prescribing how many H-1B visas any one sponsor company can receive.

Negri believes the outsourcing companies go further than just flooding the system with applications. "People have been cheating the system for a long time," he told me.

The outsourcing companies, for instance, sometimes try to bring employees to the U.S. with the wrong kind of visa, like a J1 temporary visa, Negri says. The J1 is meant to bring researchers, professors, and exchange students to the U.S. to promote "cultural exchange." But the J1 can get a foreign person into the country for a year while the sponsor company works to get the employee a proper H-1B, which can be used for six years.

That's just one technique. Negri says there are many others. "Where there's a will, there's a way." Gaming the system is part of the outsourcing companies' business model, he claims. The potential cost of fines from getting caught is built into their business model as a risk factor. If the outsourcers beat the system more than they lose, they're happy.

David Leopold would not comment on the visa practices of the Indian "job shops" (they are not among his clients), but he would say that it's often the case that he can't get one of his client companies an H-1B visa for an employee simply because there are none left.

There may be too many ways to game the system to fix it all with a new federal law. And, Leopold points out, H1-B visa are already the most regulated of all the temporary visas.

"The Department of Labor has their requirements in it, the USCIS has their requirements in it," he says. "It's already company-specific, employee-specific, salary-specific, venue-specific . . . In many ways it's not a great visa; it's expensive and full of red tape."

"What we need is more enforcement," Negri says. U.S. agencies may need new funding and new powers to monitor H-1B visas on a case by case basis.

This isn't asking too much, Negri notes. When you remove the graduate students, we're only talking about 65,000 visas. Asking the Labor Department to monitor 65,000 people out of 300 million people living in the U.S. isn't asking the impossible.

"Companies should be made to play it more straight in getting visas," Negri says. "and if you get caught cheating there should be real consequences."

Nasscom Says H-1B Visa Delay Not A Significant Impediment, But To Affect Indian IT Firms

American Bazaar, March 6, 2017

The United States' decision to temporarily suspend the premium H-1B visa processing is not a "significant impediment" for the IT Industry, the National Association of Software and Services Companies said in a news media statement. But, the trade association cautioned that it would lead to delays Indian IT firms.

"The current issue of the temporary suspension of premium H-1B processing will create some process delays for the companies- Indian and American- but is not a significant impediment," the organization said in a statement.

The United States Citizenship and Immigration Services (USCIS) announced

on Friday its decision to suspend premium H-1B processing from

April 3, 2017. This came just days after New Delhi pressed for a fair and rational approach on the matter from a trade and business perspective.

The 'premium processing' allows companies to get decision on its H-1B petition

in 15 days by paying $1,225 as an additional fee for processing their application. Otherwise, the normal time period may take a few months.

Nasscom said that it will work with the US embassy in India to ensure that movement of professionals is not hit by such process issues.

"This has happened in the past for a couple of months to clear the backlog and we will work with the US embassy in India to enable mobility of skilled talent is not impacted due to process issues," Nasscom said.

Nasscom had recently taken a delegation to Washington DC in a bid to engage with the members of the new US administration. The agency also postponed its annual forecast till May for the first time as it anticipates an overhaul of the visa regime.

Led by TCS, Infosys, Wipro, HCL and others, the US market contributes about 60 percent of the export revenue for the Indian software sector.

Gartner Research Director DD Mishra informed that the move will have an immediate impact on the capability of Indian IT companies to respond to urgency, PTI reported.

"There are many projects which often require IT companies to address the requirement immediately and some of them are often planned or unplanned or due to a certain situation very specific to the account or project. Sometimes to address this requirement, Indian IT companies may have to hire expensive resources onsite or it can delay certain time sensitive initiatives driven by urgency" Mishra said.

Sanchit Vir Gogia, Cheif analyst and CEO of Greyhound Research told the news agency that the decision shouldn't be viewed as a "conclusive outcome".

"While the loss of the back of this change will be felt maximum by US companies for skills in urgent projects, it will also rightfully be a step in stopping abuse of the H-1B visa program that is currently rampant," he said.

Tech Industry Hit By Suspension Of Expedited H-1B Visas

SiliconANGLE, March 6, 2017

The Trump administration's decision to halt fast processing of H-1B visas could disrupt the operations of many technology companies and quash the plans of thousands of immigrant workers.

The Trump administration said in January that it would make changes to how the visas were issued, which at the time was seen as a cause for concern in Silicon Valley. Around 65 percent of the 85,000 H-1B visas issued each year are for work in the tech industry. Many of these visas are for jobs inside India's outsourcing firms, but all the biggest names in tech also apply for thousands of visas each year.

The main setback for companies that rely on employing skilled staff from abroad is waiting time. The U.S. Citizenship and Immigration Services reminded applicants in a press release on the matter that "petitioners may submit a request to expedite an H-1B petition if they meet the criteria on the Expedite Criteria webpage."

Expediting the application will also cost $1,225, although it will reduce what is normally a three- to six-month waiting time to under 15 days. Even if a visa application is expedited, it still doesn't mean it will be issued, since all applications, 233,000 in 2015, are put into a lottery.

Tahmina Watson of Watson Immigration Law, an immigration lawyer who talked to CNN about the move, said the changes would not be good for American businesses: "The message specifically mentions they want to bring down the backlogged time, but I worry about my clients, employers and individuals who will be affected by these delays."

While President Trump's immigration crackdown and promise to "bring jobs back to America" slogan were regarded as the main reason for changes to the visa when announced in January, another immigration lawyer speaking to the San Francisco Chronicle said the recent suspension was apolitical and "has everything to do with an understaffed, overworked U.S. Citizenship and Immigration Services."

Others disputed that reading. Vivek Wadhwa, an adjunct professor at Carnegie Mellon University Engineering at Silicon Valley, said the suspension was a warning to tech companies and foreign workers that you "can't buy your way into America."

The worst-hit by the suspension could be India's outsourcing firms. Some 69 percent of the H-1B visas go to Indians, around half of whom will be employed by a tech company in the U.S. "Tier-I Indian IT services firms largely use the premium processing category for H-1B visa for their employees, since they can easily afford the additional $1,225 fee," said Pareekh Jain, senior vice-president at research firm HfS Research. "But there will be uncertainty, as they will have to wait even for ongoing projects."

Slowly And Surely, The Donald Trump Government Has Begun Dismantling The H1B Visa

Quartz, March 6, 2017

After months of anxiety, India's $150-billion IT outsourcing industry has received a big blow from the Donald Trump government.

On March 03, US Citizenship and Immigration Services (USCIS) said it will temporarily suspend premium processing for H-1B visas from April 03. The H-1B visa allows foreign professionals to work in the US for up to six years and India's outsourcing firms are among its top beneficiaries, often using the fast-track processing option to fill up positions for new projects on short notice.

Under the premium processing route, applications for the visa are processed within 15 days following the payment of an additional fee of $1,225; the standard procedure, on the other hand, can take three to six months.

"This temporary suspension will help us to reduce overall H-1B processing times. By temporarily suspending premium processing, we will be able to process long-pending petitions, which we have currently been unable to process due to the high volume of incoming petitions and the significant surge in premium processing requests over the past few years," USCIS said.

In a notice on its website, USCIS noted that the suspension could last up to six months but said it may consider some specific H-1B applications for an expedition in cases of severe financial loss to a company or person, an emergency situation, or for humanitarian reasons, among others.

India's IT outsourcing industry, which gets over 60% of its revenue from the US, has been fearing a rise in protectionism in its largest market ever since Trump got elected. The temporary suspension is in line with the US president's anti-immigration stance and could hint at a tighter H-1B visa policy in the future, according to recruitment experts.

"The US government is clearly telling companies to not depend on the H-1B visa going forward," said Kris Lakshmikanth, chairman of Headhunters India, a boutique

executive search firm that works with several Indian IT companies.

And that poses a problem, notably for India's tier-1 IT service companies, such as Infosys and Wipro.

"Tier-I Indian IT services firms largely use the premium processing category for H-1B visa for their employees, since they can easily afford the additional $1,225 fee. But, there will be uncertainty, as they will have to wait even for ongoing projects," Pareekh Jain, senior vice-president at research firm HfS Research, told the Business Standard newspaper.

Wipro did not respond to an email from Quartz and Infosys declined to comment.

Ironically, the announcement of the temporary suspension on fast-track processing was made just hours after India's foreign secretary S Jaishankar and commerce secretary Rita Teotia met Trump's cabinet and lawmakers in the US. After the meetings, Indian officials had said their "forceful presentation" to the US administration "has been met with a degree of understanding."

India's IT industry lobby, Nasscom, noted that US authorities have temporarily suspended premium processing for H-1B visas before but only for a couple of months at a stretch.

"We will work with the US Embassy in India to ensure that mobility of skilled talent is not affected due to process issues," it said.

But the next six months could be particularly difficult for India's outsourcing industry .

"Companies don't typically keep H-1B visa holders on the bench, so there are no such employees to spare for new projects. That means companies will have to hire H-1B holders from other companies if they get new projects. That will come at a high cost now that H-1B holders are in demand," Lakshmikanth of Headhunters India said.

Firms Fear Worker Shortage After Rule Changes For Seasonal Visas

By Deirdre Fernandes

Boston Globe, March 7, 2017

Every spring, thousands of workers from Jamaica, the Philippines, and Mexico flood into New England, providing the backbone of the region's summer economy. They wash dishes in clam shacks on the Cape, clean hotel rooms in Bar Harbor, Maine, and mow lawns from Rhode Island to New Hampshire.

But changes to the seasonal worker visa program, a logjam in the federal approval process, and the Trump administration's sharp rhetoric about immigration have business owners across the region worried that they won't be able to hire enough workers.

"We're all fearful, based on personnel changes on the federal level, that they're going to process applications less favorably," said Sam Bradford, chief financial officer of Mac's Seafood in Wellfleet. "Without this program, the tourism industry implodes."

The seasonal worker program, called H-2B, has received far less attention in recent weeks than President Trump's attempt to temporarily ban travelers from seven majority Muslim countries and his executive order expanding deportations of undocumented immigrants. The president also has called for changes to the skilled worker visa program, called H-1B, that supplies engineers and computer programmers to startups and tech firms from Silicon Valley to Kendall Square.

Seasonal businesses fear that the H-2B program for unskilled laborers could be next, even though the Trump Organization uses such workers at the president's Mar-a-Lago Club in Palm Beach, Fla., and the Trump National Golf Club Westchester in New York.

In his postelection video message outlining policy plans for his first 100 days, Trump said he would direct the Department of Labor, "to investigate all abuses of visa programs that undercut the American worker."

While the Obama administration put tighter controls on the H-2B program, businesses worry that the political environment is turning more hostile under Trump. It is not yet clear what Trump's call to overhaul the visa program might mean for seasonal immigrant workers.

"With the administration's focus on immigration, what concerns me is these valuable workers programs are going to get caught up in the maelstrom of tighter border control," said Steve Hewins, president of the Maine Innkeepers Association. In a meeting last week of the association's board, there was little else on everybody's mind, Hewins said.

The uncertainty is exacerbated by changes to the program last year. Following criticism from union leaders and immigration foes that the program was simply a way for employers to import low-wage workers — rather than hiring Americans at a living wage — the Department of Labor implemented changes. Before employers can hire H-2B visa workers, they must now demonstrate that they aggressively recruited US workers first and are paying seasonal foreign workers the prevailing wage in the region for that job.

And unlike in years past, when returning workers were not counted in the annual 66,000 visa cap, they are this year after Congress failed to pass an exemption.

That means that thousands of companies across the country are competing for the limited number of visas on a first-come, first-serve basis, raising fears that many will be shut out, said Patrick O'Neill, a partner at Public Strategies, a Washington-based lobbying group hired by New England companies to advocate on behalf H-2B issues.

In Maine, 10 percent of the 100,000 hospitality-based workers are in the United States on temporary work visas annually, primarily through the H-2B program, Hewins said. A

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historic 30-room inn in Bar Harbor serves as housing for foreign workers in the area, he said.

These jobs may have once been filled by college students, but times have changed. The tourist season now extends into early fall, when many students are back at school, and few of them are interested in scrubbing floors or standing in hot kitchens washing dishes for hours when internships and cashier jobs call, businesses said.

On the Cape, businesses are scrambling to come up with back-up plans. Many are worried that they will blow through their overtime budgets this year, be forced to scale back on breakfast and lunch hours, or close earlier because they can't find enough workers.

Mac's Seafood has been bringing in about 100 foreign seasonal workers through the visa program since 2001 to staff the company's restaurants, fish markets, and hotel, Bradford said.

Many of the workers return annually. Some spend the winter in Vermont ski resorts before traveling south to Mac's for about seven months to work as cooks, housekeepers, and bartenders, supplementing the 200 American employees that the company hires each year.

Mac's filed four separate applications for H-2B workers at the beginning of January with the Department of Labor. They have to certify the number of workers before applications move to the Department of Homeland Security for review and on to the State Department for issuance of a visa. The Labor Department has certified most of Mac's workers, but the company still needs approval from the other agencies.

Other companies haven't received any word on their applications, said Jane Bishop, the president of Peak Season Workforce, a Mashpee business that helps companies navigate the visa process.

Of the 171 applications that the company has filed for summer workers, only 24 have been certified.

"This year is going to be a big problem," Bishop said.

Witham Family Hotels in Maine is among the companies waiting to hear about its 100 temporary workers to staff the company's nine hotels. Employees are hitting up friends and neighbors to see if they're interested in filling in and are talking to local colleges about potentially allowing some hospitality students to work into the fall, said Terri Swanson, Witham's human resources director.

"It's all safety-net things we're doing," she said.

The situation is further aggravated by the falling unemployment rate nationwide. New England states, in particular, have some of the lowest jobless rates in the country, according to updated numbers from the Labor Department. Unemployment in Massachusetts is at 3.1 percent; Vermont 3.2 percent; and Maine 3.8 percent.

Last week, the Labor Department reported that unemployment claims dropped by 19,000 from 242,000 the previous week to the lowest level since March 1973, when Richard Nixon was president.

Mic Clark, the executive sous chef at the private Stratton Mountain Club in Vermont, said hiring staff for its three restaurants to work for just a few months a year is a struggle. So, three years ago the club turned to H-2B workers, and now his sushi chef is from Mexico and many of his servers are Jamaican.

"There are born and raised Americans who will travel from resort to resort. They'll work here and go to Alaska," Clark said. "But it's getting rarer and rarer to find people who want to do that."

Department of Labor officials acknowledge that they are seeing a surge in applications, with 3,000 requests coming in during the first week in January — a 93 percent increase compared with last year.

The agency is putting its available staff and resources toward processing the applications, according to its website.

Labor Department officials said they have made no changes to the review process under the Trump administration. The program continues to operate under rules established in April 2015, said Egan Reich, a spokesman for the Labor Department.

Representative Bill Keating, a Democrat who represents Cape Cod, said the delays may be due in part to the changes in personnel during the hand-off in presidential administrations.

Keating said he expects Congress to try again in April to insert a returning worker exemption to the next funding bill. But its fate remains uncertain.

Some worker advocates don't want to see the program expand by restoring the exemption for returning workers. They say it's still flawed, leaving foreign workers unprotected.

"There are major reforms that are needed to the program" said Daniel Costa, director of immigration law at the Economic Policy Institute in Washington. "I don't think it's a smart idea to expand."

And while unemployment is low, there are still millions of Americans looking for work, he said.

For now, many foreign workers who rely on the program are in limbo.

Neily Bowlin, 42, and his wife Patricia, from Jamaica, are in their final weeks of working at Stowe Mountain Resort as cooks. They had planned to travel down to the Cape in April for the summer season, but haven't heard back about their visa status.

Bowlin has worked on the Cape through the visa program since 1997 and it has helped ensure that his 15-year-old son in Jamaica will have money to go to college.

"You have no idea where the chips are going to fall," Bowlin said. "It's the biggest fear ever; this is our career, this is our way of life."

FOIA CBP 001203

Americans Divided On Admitting Refugees

Philly (PA), March 6, 2017

Where immigrants are concerned, James Wright is OK with people who are here legally, as well as illegally – if they haven't committed crimes. But turn the talk specifically to the risks and benefits of admitting refugees to the U.S., and the New Jersey resident gives a fraught sigh.

"It's hard not to be conflicted," said Wright, 26, an independent who supports President Donald Trump's proposed travel ban on certain foreigners. "By no means do I want to be cruel and keep people out who need a safe place. But we have to have a better system of thoroughly finding out who they are."

Graphic shows results of AP-NORC poll on attitudes toward immigrants and refugees; 2c x 4 inches; 96.3 mm x 101 mm;

Wright is part of a group of Americans a new survey suggests are making distinctions between legal immigrants who choose to be here and refugees – who are legal immigrants, too – fleeing persecution in their home countries. A new poll by The Associated Press-NORC Center for Public Affairs Research reflects that divide, with two-thirds of the respondents saying the benefits of legal immigration generally outweigh the risks. But just over half – 52 percent – say refugees pose a great enough risk to further limit their entry into the United States.

Interviews with some of the poll's participants suggest the distinction may be one of perception in an age of religious and politically inspired violence and 4.8 million refugees fleeing war-scarred Syria.

"Sometimes the vetting might not be quality," said Randall Bagwell, 33, a Republican from of San Antonio, Texas, the state second to California in settling refugees between Oct. 1 and Jan. 31, according to the State Department. "Nobody can do quality control when they're just reacting immediately."

President Donald Trump has long linked tougher immigration limits to a safer country, and on Monday signed a new travel ban that, in part, will suspend refugee travel to the U.S. for four months except for those already on their way to the United States. The new order, which takes effect on March 16, will impose a 90-day ban on entry to the United States for people from Sudan, Syria, Iran, Libya, Somalia and Yemen – all Muslim-majority nations – who are seeking new visas. It was Trump's second effort at a travel ban. The first was blocked by the courts.

Also reflecting his hard line, Trump last week announced to Congress a new office to aid Americans and their families who are victims of immigrant violence. That's despite years of studies that have shown that immigrants are less likely to commit crimes than U.S.-born people.

Much of Trump's candidacy and young presidency has been powered by the idea that he will protect Americans from "bad dudes" who want to come here, issuing a mix of tough, if vague, policy – from "extreme vetting" to the travel ban, a border wall with Mexico and more.

Americans report conflicting feelings about immigrants just over six weeks into his presidency, the poll suggests. On the one hand, Americans see refugees as a risk apart from other legal immigrants, with a third of Democrats, and 8 in 10 Republicans, say the risks are great enough to place more limits on refugees admitted to the U.S. Despite those fears, Americans still see legal immigration generally as a boon, the poll shows. More than 6 in 10 say a major benefit of legal immigration is that it enhances the reputation of the United States as a land of opportunity.

The good and bad of immigration has long been a painful and intensifying national debate. Trump has shown some flexibility – or inconsistency, depending on one's viewpoint – on his approach. For example, Iraq is no longer on the list of countries whose people are banned. Officials from the Pentagon and State Department had urged the White House to reconsider given Iraq's key role in fighting the Islamic State group. Also, the new order does not subject Syrians to an indefinite travel ban, as did the original.

Trump also has minimized talk of deporting all of the estimated 11 million people in the U.S. illegally and suggested that he could be open to comprehensive immigration reform. That sparked both interest and skepticism on Capitol Hill, where a solution has stymied Congress for years.

But Trump's warnings about refugees in particular apparently have stuck in the American consciousness, according to the poll.

Refugees entering the U.S. undergo rigorous background checks, including a search of government databases that list people suspected of having ties to terrorist groups. Processing of refugees can take up to two years – and usually longer for those coming from Syria. After a year in the U.S., refugees are required to check in and obtain green cards. But U.S. officials have acknowledged that information on people coming from Syria, in particular, may be limited.

Mandy Gibson, 37, sees the benefits of admitting legal immigrants – but isn't so sure about refugees.

"Maybe it's the media. They are making refugees sound like they aren't legal immigrants and I don't necessarily understand, but they are different to me," said Gibson, who works in a Greensboro, North Carolina, grocery store. Either way, she said, "anybody who is coming from countries that have ISIS really should have a very thorough background check."

The AP-NORC poll of 1,004 adults was conducted Feb. 16-20, using a sample drawn from NORC's probability-based AmeriSpeak panel, which is designed to be representative of the U.S. population. The margin of sampling error for all respondents is plus or minus 3.9 percentage points.

IMMIGRATION

It's Not Just Deportations And The Border: Trump Seeks To Remake The Immigration System

By David Nakamura

Washington Post, March 6, 2017

President Trump's challenge to Congress last week to pursue bipartisan immigration reform seemed, at first glance, like a presumptuous request from a president whose hard-line campaign rhetoric left little room for compromise.

But the move reflects the underlying aims of Trump and his top aides to more broadly remake U.S. immigration policy to match a nationalist ideology that views large numbers of foreigners as harmful to U.S. society. The pathway to reform, Trump told lawmakers, is a legislative overhaul of the legal immigration system toward a "merit-based" approach — a move that, if enacted, could significantly reshape the nation's demographics and have long-lasting economic implications.

To Trump, the goal is to protect American workers by slashing immigration levels and limiting competitors he views as taking jobs and suppressing wages. To his opponents, the president is pursuing restrictionist polices that could harm an economy that relies on robust immigration for growth.

For half a century, U.S. immigration laws have favored family reunification, allowing immigrants who gain legal permanent residence to bring over their children, spouses, parents and siblings. Critics of the process have argued that so-called chain migration has — along with an estimated 11 million illegal immigrants — fostered an influx of those who are competing with native-born Americans for low-wage, low-skilled jobs.

In Trump's view, a new immigration system would curtail entry to the country among foreigners who cannot "support themselves financially," although he did not define what that means.

"It will save countless dollars, raise workers' wages and help struggling families — including immigrant families — enter the middle class," Trump said in his address to a joint session of Congress.

If Trump pushes forward, his gambit will be fraught with political land mines — and the odds are stacked against him. Presidents Barack Obama and George W. Bush were unsuccessful in enacting comprehensive immigration bills, which included much more limited aspects of the ideas Trump is proposing.

Trump seems to be an unlikely candidate to succeed where they failed, given that he has opened his presidency by angering Democrats with sweeping new measures to try to ramp up deportations and ban refugees.

But in his speech to Congress, Trump said 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."

The ideology underlying Trump's approach is rooted in the worldviews of White House chief strategist Stephen K. Bannon and senior policy adviser Stephen Miller, as well as Attorney General Jeff Sessions, the former Republican senator from Alabama who was one of the fiercest opponents of comprehensive immigration reform efforts during the Obama administration.

All three have pushed restrictionist measures to sharply reduce legal immigration, arguing that foreign workers present a direct threat to Americans in blue-collar industries — the types of people who voted for Trump in large numbers.

Of the 1 million foreigners granted permanent legal residence in 2014, 647,000 — about two-thirds — received green cards based on family ties, according to the Department of Homeland Security. Just 152,000 permanent arrivals were employment-based.

In addition, 134,000 refugees and asylum seekers received green cards, 54,000 more of which were distributed in an annual diversity lottery for underrepresented countries, many in Africa.

"As a matter of federal policy — which can be adjusted at any time — millions of low-wage foreign workers are legally made available to substitute for higher-paid Americans," Sessions wrote in a 2015 op-ed for The Washington Post.

Immigration restrictionist groups have called on Congress to slash the number of green cards by up to half. Their preferences were reflected in legislation introduced last month by Sens. Tom Cotton (R-Ark.) and David Perdue (R-Ga.) that would bar immigrants from sponsoring siblings, adult children or other extended family members.

That bill also would end the diversity lottery and cap the number of green cards available to refugees at 50,000 per year, down from 120,000 in 2015 — something Trump has already attempted to do through an executive order.

Trump "strongly supports the broad concept," Cotton said. The senator added that the immigration debate too often accounts more for "what's good for the foreigner, not what's good for American citizens. What's good for American citizens is that we have an immigration system that rewards skills and language ability and demonstrated economic potential."

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Pro-immigration groups view such measures as anathema to the history of the country and its diverse character. Obama often referred to the United States as a "nation of immigrants," cautioning the public against policies that shut U.S. borders even as European countries bucked against a wave of refugees and migrants, largely from the Middle East.

Businesses also generally have supported high levels of legal immigrants to help bolster both low- and high-skilled industries.

"I think legal labor migration has been a huge boon to the economy and the American spirit," said Tamar Jacoby, president of ImmigrationWorks USA, a small-business organization.

Of Trump's proposals, she said: "I'm very concerned they get that right. Like all countries, we do want to bring the best and brightest. But low-skilled immigration is important, too. You would never have had the housing boom without low-skilled labor; you can't grow the economy without growing the labor force."

To immigrant rights groups, Trump's talk of a merit system is code for slashing legal pathways into the country and focusing them on highly educated immigrants from advanced nations — a strategy that harks back to a 1920s backlash against a wave of immigrants who entered the country during the Second Industrial Revolution.

Immigration rates plummeted after Congress restricted European Jews, Africans and Asians, rising again only after Congress implemented the family-oriented system in 1965.

"Their biggest goal is to end family immigration," said Leon Fresco, a former aide to Senate Minority Leader Charles E. Schumer (D-N.Y.) who helped write a comprehensive immigration bill approved by the Senate in 2013. The package died in the House amid widespread objections from conservative Republicans.

"What they're trying to do is use this [merit-based system] to curtail the overall number of immigrants in a way that does not appear entirely draconian," said Fresco, now an immigration lawyer in Washington.

The 2013 immigration bill included similar measures to reduce green cards for families and create more slots for high-skilled workers, who would have been ranked on a point system based on education level, language ability and other factors. Yet that bill also included a path to citizenship for the majority of the nation's estimated 11 million undocumented immigrants, appealing to Democrats and some moderate Republicans.

The question is whether Trump would be willing to endorse a similar compromise to broaden support for a merit system. During a private lunch with television news anchors ahead of his speech to Congress, the president said he was considering publicly declaring support for legal status for "dreamers," who came to the country illegally as children.

Trump's comments drew immediate headlines, but he did not mention such a proposal during his hour-long address.

In all, there are more than 1.5 million dreamers, and legalizing them would probably engender strong opposition from conservative Republicans and some of Trump's base — and still might not win over enough supporters to pass a comprehensive bill through Congress.

"Every Democrat of consequence will demand as a price of entry to the room some solution, if not necessarily citizenship, to all the undocumented, or a large portion," Fresco said. "I don't think the dreamers alone get Democrats in the room for negotiating."

Cristina Jiménez, executive director of United We Dream, the largest advocacy group for dreamers, scoffed at Trump's call for a bipartisan reform effort.

"It's outrageous that he's saying it's time for a compromise on immigration reform when over the last 20 years Republicans have blocked it every single time," she said.

Besides, Jiménez said, her organization would not support a deal that protects dreamers but leaves their parents and other undocumented immigrants to the whims of Trump's deportation efforts.

"We would never negotiate against ourselves and our community," she said.

Ed O'Keefe contributed to this report.

How Trump's Plan For Legal Immigration Could Boost The U.S. Economy

By Steven Malanga, Contributor Connect With Steven Malanga Email

Dallas Morning News, March 6, 2017

President Trump has sparked controversy for his plans to build a wall along the Mexican border, for banning travelers from certain countries from entering the U.S., and for stepping up deportations of those here illegally. But in his address to Congress on Tuesday night, Trump spent more time discussing reforms to our legal immigration system, which currently allows some 1 million people a year to enter the country. Most pointedly, Trump pledged to change the current family-based system to one that is skills- or merit-based, as other developed nations have done.

"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," Trump said. It's an idea likely to spark as much opposition from today's immigration advocates within the Democratic Party as anything else that Trump is proposing. But if he succeeds, Trump would dramatically transform the flow of newcomers in ways that could boost America's economic output.

Our current legal immigration system is the result of the far-reaching and somewhat unanticipated consequences of the Immigration and Nationality Act of 1965. That law abolished the national quotas that Congress had enacted in 1921 and replaced them with a framework that gave preference to the relatives of American citizens. One of the bill's chief backers, Senator Ted Kennedy, proclaimed that the changes were modest and that the legislation, "contrary to the charges in some quarters, will not inundate America with immigrants." He also confidently predicted that immigrants who came here under the new system would not become a "public charge."

But by simultaneously lifting bans on immigration from some regions and giving preference to the relatives of U.S. citizens (including the adult parents and adult siblings of those already living here), the law generated a big increase in the number of people wanting to come, and the waiting list grew enormous. Under pressure, Congress consistently began raising the quotas, and legal immigration rose steadily, from 296,697 in 1965 to 1,051,031 in 2015. The demographics of immigration changed, too. Before the new legislation, those from Europe and Canada made up nearly seven in 10 legal immigrants. In 2015, however, Europeans and Canadians accounted for just 10 percent of new immigrants. By contrast, Asians made up 39 percent of legal newcomers, while immigrants from Mexico, the Caribbean and Central America constituted one-third of new legal arrivals.

The 1965 law also unleashed waves of illegal immigration. As newcomers made their way over from countries that had not previously sent many people to the United States, and as waiting lists grew longer, millions of would-be residents simply came without gaining permission, often doing so because they now had relatives or friends here who could accommodate them.

Around the rest of the world, countries have moved away from a system based so heavily on family ties. Worried about the influx of unskilled immigrants during an economic recession in the early 1990s, Australia began putting more emphasis on people with needed job skills. From 1996 through 2006, the country dramatically changed its balance of permanent immigrants, with those gaining entry through skills increasing from 29 percent to 70 percent of all newcomers. The Australian Government Productivity Commission laid out the country's philosophy in a recent study: "While some positive rate of immigration is likely to benefit Australia over the long term, the gains depend on having a system that attracts immigrants who are younger and more skilled," the report noted.

Today, after more than two decades of change, Australia maintains a list of skilled occupations for which practitioners get visa preferences. Applicants for visas must qualify by accumulating points for various characteristics, including competency in English, post-secondary education or certification in a trade, and a history of skilled employment. The emphasis pays off in workers who more quickly integrate into the country's economy and boost its economic output. According to the Productivity Commission report, the median annual income of Australia's skilled immigrants is above that of the population in general, while the income of those entering the country under family preferences is below the median. And family-preference immigrants have higher rates of unemployment than the overall population, while skilled migrants are more likely to be employed.

Reformers have tried to move America toward such a system, but opponents denigrate the idea as a violation of "family values." When in 2007 Republican Senator John McCain and Democratic Senator Ted Kennedy proposed reform legislation that would adopt a skills approach, then-presidential candidate Barack Obama objected, as did Hillary Clinton, claiming that the reforms would separate families. This idea, however, ignores the fact that most immigrants come here willingly, not by force; no other country assumes that when an immigrant arrives, he gains the right to bring over his entire family. Under most skills-based systems, workers who gain entry can bring their spouses and their minor-age children but not adult relatives.

Back in 2007, Obama displayed his ignorance of immigration history when he suggested that a merit-based point system would have blocked the ancestors of many Americans from entering the country. "How many of our forefathers would have measured up under this point system? How many would have been turned back at Ellis Island?" he asked. The answer: not many.

One reason so many of the immigrants from America's last Great Migration, the period between 1880 and the mid-1920s, succeeded is precisely because they were, relative to the American population of the time, well-suited to our economic needs and job market. A 1998 National Research Council report prepared for the so-called Jordan Commission, the special task force on immigration led by former congresswomen Barbara Jordan, noted "that the newly arriving immigrant nonagricultural work force [of the Great Migration] . . . was (slightly) more skilled than the resident American labor force." According to that study, 27 percent of immigrants were skilled laborers, compared with 17 percent of that era's native-born workforce. By contrast, many immigrants arriving since 1965 have been less skilled than the average American. Harvard economist George Borjas estimated that while immigration from 1980 through 1995 increased the number of college graduates in America by 4 percent, it boosted the ranks of unskilled workers by 21 percent.

The real reason for opposition to skills-based immigration reform is political. Many of the advocacy groups that defend the status quo are primarily composed of

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immigrants who have come here through family ties. Maintaining that system ensures that the flow of immigrants from parts of the world that dominate our migration streams now, especially Asia and Central America, will continue. It also means that the power of immigration advocacy groups will continue to grow, strengthening political blocs that almost universally support Democrats.

Donald Trump, though, is in position to give the country an immigration policy similar to what most other developed nations have adopted. He's made a good start, framing the argument on Tuesday as a sensible, pro-immigration way to boost America's economy. Now he'll need political skills to win the battle.

Steven Malanga is the senior editor of City Journal, the George M. Yeager Fellow at the Manhattan Institute, and the author of Shakedown: The Continuing Conspiracy Against the American Taxpayer. This column was adapted from an article first published by City Journal.

Here's The Reality About Illegal Immigrants In The United States

New York Times, March 6, 2017

There are 11 million of them, the best estimates say, laboring in American fields, atop half-built towers and in restaurant kitchens, and swelling American classrooms, detention centers and immigration courts.

In the public's mind, the undocumented — the people living here without permission from the American government — are Hispanic, mostly Mexican and crossed the southwestern border in secret.

In the eyes of their advocates, they are families and workers, taking the jobs nobody else wants, staying out of trouble, here only to earn their way to better, safer lives for themselves and their children.

At the White House, they are pariahs, criminals who menace American neighborhoods, take American jobs, sap American resources and exploit American generosity: They are people who should be, and will be, expelled.

Illegal immigrants can be many of these things, and more. Eleven million allows for considerable range, crosshatched with contradictions.

There may be no more powerful symbol of how fixedly Americans associate illegal immigration with Mexico than the wall President Trump has proposed building along the southern border. But many of the unauthorized are not Mexican; almost a quarter are not even Hispanic.

After Mexico, Guatemala, El Salvador and Honduras, the largest number of unauthorized immigrants comes from China (an estimated 268,000), where deportations run aground on a less literal wall: China is one of 23 countries that do not cooperate with deportations. (The Trump administration has pledged to pressure all 23 into doing so.)

They tend to be younger — the Pew Research Center has found that adult unauthorized immigrants were, at the median, about a decade younger than American-born adults — and skew slightly more male than the rest of the country.

Geography and demography are only two ways to anatomize these 11 million. Circumstance offers another: As he seeks to tighten law enforcement's grip on unauthorized immigrants, Mr. Trump will grapple with a population of people who arrived in several ways and for myriad reasons, each slice presenting its own challenges.

To hear many liberals and immigrant advocates tell it, most undocumented immigrants are productive, law-abiding members of society, deeply rooted in communities all over the country, working hard, living quietly, paying taxes and raising families.

Statistics show that many of the undocumented fit this profile. About 60 percent of the unauthorized population has been here for at least a decade, according to the nonpartisan Migration Policy Institute.

A third of undocumented immigrants 15 and older lives with at least one child who is a United States citizen by birth. Slightly more than 30 percent own homes. Only a tiny fraction has been convicted of felonies or serious misdemeanors.

Of course, as the Trump administration has emphasized, merely being here without authorization is a violation of the law.

Even the wording of the issue is revealing: conservatives favor the term "illegal immigrants," which hardliners often truncate to "illegals"; immigrant advocates prefer "undocumented immigrants," a phrasing that they say prods the conversation back toward the humans in question, but that also has a whiff of euphemism. "Unauthorized" often shows up as a neutral alternative.

No matter the label placed on them, people like Lydia, 47, who runs a small jewelry store in Los Angeles, do not think of themselves as lawbreakers.

Lydia, who like several undocumented immigrants did not want her last name published for fear of being deported, crossed the border through Tijuana in 1988. She looked for legal help from a notary, mistakenly thinking that a "notario" indicates a legal expert, as it does in many Latin American countries.

She was eventually ordered out of the country. But the Obama administration deprioritized deportations of people who had committed no major crimes, and it allowed her to live and work in the United States as long as she checked in with an immigration agent each year.

Lydia raised four children, all citizens, and sent them to public schools in Sun Valley, a suburb north of Los Angeles. She and her husband bought a home there, paid off their mortgage and bought a second home nearby.

Now she is a candidate for deportation once again, and is anxious each time she steps out of her home.

FOIA CBP 001208

"I am in limbo," she said. "I am afraid I will go out and never come back."

Criminal Records

Few nemeses loomed larger in the narrative of Mr. Trump's presidential campaign than the figure of the illegal immigrant who threatened Americans — one of the "rapists" and "killers" from Mexico, as Mr. Trump has put it.

Such people do exist. The Migration Policy Institute has estimated that 820,000 of the 11 million unauthorized have been convicted of a crime. About 300,000, or less than 3 percent of the 11 million undocumented, have committed felonies. (The proportion of felons in the overall population was an estimated 6 percent in 2010, according to a paper presented to the Population Association of America.)

Immigration agents regularly arrest what the government calls "criminal aliens."

At the end of January, agents arrested a 50-year-old Mexican man near Milwaukee who had felony convictions for assault with a deadly weapon, battery against a police officer, car theft and intentionally harming a child, and who had been deported twice before. Last week, they caught an undocumented Honduran man in North Carolina, Francisco Escobar-Orellana, who is wanted in Honduras for allegedly hacking two men to death with a machete in 1993.

The Trump administration has said it will continue to prioritize deporting those with serious criminal records, but, in a break from the Obama administration, the new policies also take aim at immigrants whose offenses are limited to living here without permission or minor crimes that enable immigrants to work here, like driving without a license or using a fake Social Security number.

The Social Security Administration estimated that in 2010, 1.8 million undocumented immigrants worked under a number that did not match their name.

Surrounded by the sugar cane fields of Clewiston, Fla., working backbreaking jobs, Maria and Benjamin took pains to follow the rules, pay taxes and stay out of the way. But now they fear the one rule Benjamin had to break to survive — he used a fraudulent Social Security number to secure a job — may prove their undoing.

Benjamin, 42, fixes the hydraulic trucks used for the area's cane-cutting operation, which means he works 17 hours a day, often at night.

"This worries us, but we don't have an option," said Maria, 38, who arrived from Mexico when she was 19. "He has always worked and has always had a fake Social Security card. That is the way you get a job."

Overstayed Their Visas

Some people endure long journeys by foot, train, boat and smugglers to make it across the border. But for an increasing number of immigrants, illegal status arrives overnight, without a single step.

In each year from 2007 to 2014, more people joined the ranks of the illegal by remaining in the United States after their temporary visitor permits expired than by creeping across the Mexican border, according to a report by researchers at the Center for Migration Studies.

A partial government estimate released last year said that 416,500 people whose business or tourist visas had expired in 2015 were still in the country in 2016. That does not count people who came here on student visas or temporary worker permits.

Numbers like these have convinced some conservatives that the federal government needs to worry more about people who abuse their temporary legal status than about border security.

In 2005, tourist visas brought Wei Lee and his parents to San Francisco from Brazil, where Mr. Lee's parents, who had emigrated from China, ran a restaurant outside São Paulo. They remained in the United States after the visas expired.

After being mugged and beaten in 2013, Mr. Lee recently received a U visa, which is reserved for victims of crime. His parents, however, are still undocumented.

"Some people misunderstand, they think people come here and overstay their visas intentionally, but there are all these push and pull factors," said Mr. Lee, 28, a college graduate who now works with Asian undocumented youth. "My parents had to make a decision for their lives."

After the expiration of the tourist visa that Rebeca, a former television reporter from Venezuela, used to enter the United States, she found work as a nanny, then got a job as a designer at a clothing business in Southern California. Rebeca, now 30, said she had left Venezuela after being attacked and receiving death threats for protesting against the government after the death of Hugo Chávez.

She has applied for asylum, but it will be years before her case is even considered: In Los Angeles, immigration officials are currently scheduling hearings for people who first applied in 2011.

One reason Mr. Trump and many proponents of curbing immigration see the Mexican border as alarmingly porous is that thousands of people each year are convicted of illegally re-entering the country after being previously deported. In the 2015 fiscal year alone, 15,715 were convicted, according to the United States Sentencing Commission. About a quarter of people caught crossing the southwest border that year had done it at least once before, according to a Government Accountability Office report.

That said, the number of people convicted of illegal re-entry has declined by more than a quarter over the last five years.

In December 2013, border security agents caught Clemente Armenta-Velasquez trying to return to the United States near Nogales, Ariz. After arriving in the United States

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in 2000, he had lived and worked in Arizona, where, records show, he was prosecuted on drug charges in 2002. He also served time in prison after being convicted of possession with intent to distribute marijuana, a felony, in 2010. He was deported the following year.

Mr. Armenta-Velasquez's lawyer told a federal judge that his client, who had left school after fifth grade, had tried to come back to support his wife and three children in Mexico. "He couldn't find a job in Mexico that would give a decent life for his family," said the lawyer, Ricardo Bours, according to court papers.

Before sentencing Mr. Armenta-Velasquez to 57 months in prison, after which he will almost certainly be sent back to Mexico again, the judge suggested that Mr. Armenta-Velasquez might have been ordered deported as many as six times in the past.

"I knew I wasn't supposed to" return, Mr. Armenta-Velasquez said in court. "I did it out of great need, but I apologize for that."

On Valentine's Day, Rogelio Ortiz stopped by the local immigration office in Charlotte, N.C., to update his family's address. He was seeking asylum in the United States after arriving from Honduras last February, fleeing arms traffickers who threatened him after he asked them to stop storing weapons in his brother's house.

Fifteen minutes later, an officer came out to tell Mr. Ortiz's wife, Teresa, and daughter, Abigail, that he had been detained. Without realizing it, Mr. Ortiz, 49, had already lost his asylum case: He had been deported 14 years ago after a previous stint working in the United States, and was ineligible.

Since 2009, migrants seeking asylum from Mexico and Central America's Northern Triangle region — Honduras, El Salvador and Guatemala — have surged across the border at a relentless pace, fleeing gang violence and poverty. Many of them are children traveling alone or women with children.

Nearly 409,000 migrants were caught trying to cross the United States' southwestern border illegally in the 2016 fiscal year, an increase of 23 percent over the previous year, according to government statistics.

Many ask for asylum, but in most cases, the requests are denied. While they wait, a process that can take years to conclude, they are often released to move freely into the country.

That can mean disappearing beyond the reach of immigration officials. The system has infuriated those who advocate tougher enforcement, prompting the Trump administration to propose detaining asylum seekers at the border or forcing them to wait it out in Mexico.

"I know coming into the country illegally is a crime, but millions of people have done it, and now we come here asking for help," Teresa said.

Now she seeks work to pay for a plane ticket. Teresa plans to renounce her own asylum claims to reunite, once again, with her husband — this time, back in Honduras.

My Immigrant's Tale Began With Apple Pie

Reminiscing about the journey from Ethiopia to ringing the Nasdaq opening bell.

By Lishan Aklog

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Mexican Mega-billionaire Sees World Of Opportunity In Country Trump Snubs

By Paul Imison

Washington Times, March 6, 2017

MEXICO CITY — Long vilified here as a corrupt oligarch, mega-billionaire Carlos Slim in recent months has become an unlikely champion of Mexico.

The telecommunications mogul has emerged as one of President Trump's most high-profile antagonists south of the border. As Mr. Trump has cracked down on immigration flows, called for a Mexico-financed wall on the border and blamed Mexico for stealing American jobs, Mr. Slim has trashed the wall and said it's time for his countrymen to chart their economic future without the U.S.

"Mr. Slim believes that the U.S. president is playing a dangerous game by calling for protectionism at a time when the global economy is opening up," said Slim spokesman Arturo Elias Ayub. "Meanwhile in Mexico, we see greater opportunities in free trade."

The 77-year-old recently announced a partnership to build a Mexican-made electric vehicle with Grupo Bimbo, a Mexican company that is the world's largest bread maker, one that could challenge the U.S. automakers that have set up extensive operations since the passage of the North American Free Trade Agreement in 1994.

After Mr. Trump called Mexican immigrants rapists and criminals during the presidential campaign last year, Mr. Slim's Ora TV network dropped a project with the candidate. Mr. Slim has come under fire for his 17 percent stake in The New York Times, one of the U.S. president's least-favorite reading options these days.

Not too long ago, it wasn't nearly so acrimonious.

Mr. Slim dined with Mr. Trump as president-elect, as well as a small number of aides, in December. After the meeting, the Mexican billionaire said he felt reassured despite the sometimes harsh rhetoric of the presidential campaign. "I think that, to put it in cinematographic terms, Trump is not 'The Terminator'; he's a negotiator," Mr. Slim told reporters, while Mr. Trump described the meeting with his fellow billionaire as "a lovely dinner with a wonderful man."

It's not clear if Mr. Slim would be so gracious if he sat down with Mr. Trump for dinner now.

In a rare January press conference here, Mr. Slim avoided personal attacks but went after the underpinnings of Mr. Trump's "Make America Great Again" policies, arguing that "returning to a glorious past of American industry that made them the world leader in the 20th century will not work."

The Mexican mogul's fortune has shrunk by $16 billion since Mr. Trump announced his presidential candidacy, according to a Bloomberg ranking. The sharp decline of the Mexican peso in that period was the main source of the loss. Once ranked as the world's richest man, Mr. Slim now has a fortune worth $51 billion, the sixth-largest in the world.

Surging popularity

But as his fortune has contracted, his popularity has increased because of his outspoken criticisms of Mr. Trump at a time when the government has desperately tried to find a way to keep from burning all bridges with the administration in Washington.

A poll by leading Mexican daily El Universal found that 20 percent of Mexicans view Mr. Slim as best placed to stand up to Mr. Trump, provoking rumors of a presidential bid in July 2018. The magnate has repeatedly denied that he has political ambitions.

Meanwhile, Mexican President Enrique Pena Nieto's poll numbers are in the tank.

"President Pena Nieto's unpopularity means he's been unable to project a sense of national leadership in the face of Trump's belligerence, while Slim has transformed himself into a kind of statesman who floats above the various political squabbles," said Diego Enrique Osorno, who wrote a book on the magnate.

Mr. Slim hasn't avoided criticism on the way to the top, of course.

Critics say Mr. Slim is a great advocate of the free market but owes his fortune to backroom dealings in his shrewd purchase of communications giant Telmex in the 1990s, said Marco Levario Turcott, editor of the Mexican magazine Etcetera and a prominent Slim critic.

The Mexican government at the time was privatizing state-run corporations in sweetheart deals to a handful of magnates. Telmex today controls around 90 percent of Mexican landlines and 80 percent of mobile phone coverage.

"There's a massive contradiction: He owes his monopoly to corruption and government regulation of the Mexican economy," said Mr. Levario. "He is a hypocrite."

Born in a Lebanese immigrant family, Mr. Slim has not been political in the past. He could have spoken out against Mexico's problems many times but has not, said Mr. Levario.

In a country where 50 percent of citizens live below the poverty line, Mexicans for years paid the highest landline and mobile phone rates in the world thanks to Mr. Slim's near monopoly. Recent reforms have dropped rates.

"He is treated as a rock star by the Mexican media, yet he never addresses the tough issues, such as corruption, human rights or the detrimental impact his monopoly has had on the country," Mr. Levario said. "Everything is about growing his business."

Mr. Slim's critics have also charged that he acquired Telmex through corrupt dealings with former Mexican President Carlos Salinas de Gortari. Those accusations have never been proved, however. Both parties have denied them.

"Slim was long viewed as a frontman for Carlos Salinas and the administrator of an inefficient and monopolistic company, but more recently he has become a figure whom the majority of Mexicans admire," said Mr. Osorno.

The admiration could stem from the oligarch's promotion of Mexico abroad and his resistance to conservative American politicians who might want to brush over Mexicans' cultural influence in the U.S.

This year, Slim plans to launch a U.S.-based Spanish-language television network called Nuestra Vision, or Our Vision. Mr. Slim's Grupo Carso conglomerate billed the network as "focused on Mexicans, made by Mexicans and transmitted from Mexico."

"From now through 2018, I think Slim will be a prominent player in the Trump-Mexico saga," said Mr. Osorno. "But I'm not sure it's good for any democracy that a businessman — however well-intentioned — be held in higher esteem than our elected representatives."

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SECRET SERVICE

Senators Push Trump To Release White House, Mar-a-Lago Visitor Logs

By Julia Harte

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Democrats Ask Secret Service About Background Checks At Mar-a-Lago

By Niels Lesniewski

Roll Call, March 6, 2017

Several Senate Democrats want to know if the Secret Service is running background check on visitors to President Donald Trump's Mar-a-Lago resort.

The seven Democrats led by Sheldon Whitehouse of Rhode Island are asking Secret Service Deputy Director William J. Callahan about the procedures in place for Trump properties when the president is there and apparently conducting business.

The Democrats ask if WAVES (Workers and Visitors Entry System) is being implemented at the resort in Palm Beach or at other properties like Trump Tower in New York City.

Visitors to the White House are, as a matter of routine, are required to provide personal information including birthdates and birthplaces, as well as Social Security or foreign ID numbers before getting access to the building and grounds.

"If not, what other steps are being taken to conduct background checks people who will be present during President Trump's trips to Mar-a-Lago?" the senators wrote in a list of questions for the Secret Service. "Is the Secret Service considering extending these systems, or any other security screenings, for Trump Tower, Bedminster, or other Trump properties at which the President may spend time conducting official businesses? If not, why not?"

The White House announced that Trump dined Saturday night at Mar-a-Lago with Commerce Secretary Wilbur Ross, Attorney General Jeff Sessions, Homeland Security Secretary John Kelly, along with White House Counsel Don McGahn and top advisers Stephen Millen and Steven K. Bannon

"President Trump's conduct of official business at private property to which some members of the public have access appears to be unprecedented in recent times," the seven senators wrote to the Secret Service. "While we appreciate that every President has the right to some privacy when not in the White House, this President has invited members of the public, who in many cases have paid significant amounts of money for access to him, to watch official business be conducted and has in some cases sought their advice during these breaks from Washington."

Along with Whitehouse, Sens. Richard Blumenthal of Connecticut, Thomas R. Carper of Delaware, Kirsten Gillibrand of New York, Jack Reed of Rhode Island, Tom Udall of New Mexico and Ron Wyden of Oregon signed the letter to Callahan.

Joseph Clancy, who had been the director of the Secret Service, retired effective last Friday.

In a separate letter to Trump also dated Monday, the same group of Democratic senators also ask whether he plans to continue the Obama administration policy of releasing White House visitor logs.

"Continuing President Obama's transparency policies would help dispel concerns that the wealthy and the well-connected have unfair access to your White House," they wrote.

Welcome, Airbnb Guest! Your Neighbors Are The Trumps

New York Times, March 6, 2017

The apartment has spacious windows, a sleek kitchen and expansive views of Manhattan. It boasts a prime location close to Central Park and Rockefeller Center and promises all the excitement of a luxury apartment in Midtown Manhattan.

And it was available for a substantial, but not completely unheard-of, price of about $300 to $450 a night through the home rental website Airbnb. Renters would just need to go through an extensive Secret Service screening downstairs.

The rental was inside Trump Tower.

The listing was taken down last week hours after The New York Times contacted Airbnb for comment. But the apartment had been available to rent since at least last September — long after the building that helped make Donald J. Trump famous was turned into an operation center for his campaign. And it remained available and, as its Airbnb listing noted, quite popular, for about a month and a half after President Trump's inauguration.

More than 500 people had viewed the listing in the week before it was removed, and the apartment had been booked for much of March, April and May.

The listing represented an extraordinary opportunity in American history, one facilitated by both modern technology and a president with a large real estate portfolio: a chance for travelers to book a room in a building housing the president's family — one of the most secure buildings in New York City, if not the world — with nothing more than the click of a mouse.

"It was surreal, to be honest," said Mike Lamb, a software engineer from England who stayed there with his wife in December. "It was certainly an interesting experience."

Three guests who stayed at the apartment described it in interviews as an uncommonly nice place to crash. One, who stayed there before the election, remembered encountering a delay when he returned about the same time as a fleet of vehicles that most likely carried Mr. Trump. Two guests spoke about the presence of protesters outside.

"You can hear them shouting from high up in the building," Mr. Lamb said. "I remember sitting in bed thinking, 'I can hear them; I wonder if he can hear them.'"

Mr. Lamb said that he caught a glimpse one day of Mike Pence, then the vice president-elect, heading into Trump Tower from his motorcade.

The apartment was available through the website's "instant book" feature, which allows anyone with an Airbnb account to book a stay without so much as a message to the host. A New York Times reporter reserved it this way last month for a weekend stay in April.

"Welcome!! Looking forward to meeting you!" the host, Lena Yelagina, wrote back.

She said she would meet the guest downstairs and show him around. "Can you please do not tell building staff that it's Airbnb but that you are rather visiting me," she wrote. "I will really appreciate it!"

But two days later, Ms. Yelagina wrote again to say that she had discovered that the guest was a journalist and that she did not want her apartment to be used to learn anything about Mr. Trump or to be featured in an article.

"I apologize for this request but I have to make sure that we have a precise agreement and will not have any problems," she wrote.

After the reporter informed her that he planned to write an article, she canceled the reservation and did not answer any questions. Public records indicate that Ms. Yelagina has owned the apartment since 1998 and is listed as an owner of a condominium on the Upper West Side.

How the listing was able to float under the radar in such a high-profile building remains a mystery. It is illegal under state law to advertise and rent most apartments in New York for fewer than 30 days when the host is not present. The Trump Tower listing advertised the entire apartment and said that it could be rented for as few as three nights.

It was also unclear whether the Secret Service had known about the listing.

"We don't comment on our protective operations," a spokeswoman for the agency, Catherine Milhoan, said.

The listing did not explicitly advertise that the apartment was in Trump Tower, and Airbnb does not disclose addresses until a stay is reserved. Two guests said they had booked the apartment only to be surprised by the address they received in return: 721 Fifth Avenue.

"The host sent me the address, and then I called her and said, 'I can't find it; I only see the Trump Tower,'" said Nico Voigtländer, an associate professor at the University of California, Los Angeles, who stayed there in November, just before the election. "She said, 'It's in the Trump Tower.'"

But those with keen eyes might have been able to pick it out. The listing said the apartment was in "the most secure and unique building." Photos on the listing showed the building's jet black exterior and jagged cuts. "Politically neutral please," the listing said. "It is a specific building, so please — political opinions cannot be shown," it noted, suggesting that renters not engage in any political displays inside the building.

The apartment attracted rave reviews, getting five out of five stars in Airbnb's rating system, in which guests assess the accuracy of the rental listing, their communication with the host and the home's cleanliness, location, value and check-in procedure.

One reviewer, a student from Mexico who stayed there in February, extolled the apartment's great views and location. He wrote that the only inconvenience was the Secret Service check, but that "once you go through it the first time, the Secret Service is something you won't notice anymore."

Both he and Mr. Lamb compared the building's security procedure to an airport's. Mr. Lamb said it included scans with a metal detector and another "X-ray"-type machine.

In a telephone interview, the student, who requested that his name not be used because he did not want to attract attention, said he had been able to check in without the host being there. She had left instructions and a key on the ground floor. He said that he and his boyfriend had handed over their identification to Secret Service agents and told them they were staying there.

"They didn't ask any more questions," he said.

Airbnb said through a spokesman that it had never been contacted by any law enforcement agency about the listing.

The company, which has more than three million listings around the world, said it believed this was the first time a home in a building occupied by a head of state had been available for rent on its site.

The spokesman, Nick Papas, said the company was looking into the matter. "This is obviously a unique situation," he said, "so we've removed this listing from our platform."

The apartment's availability on Airbnb before, during and after the election raises questions about how such a listing was permitted given the heavy security inside and outside Trump Tower.

Mark Camillo, who worked three stints at the White House during a 21-year career with the Secret Service, said that it wasn't the job of security to determine who was or was not allowed into a building — only to screen people for potential threats.

"This is the challenge in a free society," he said. "If we were in countries that were much more heavy-handed, this would be a nonstory. And every phone in the building would be tapped."

Airbnb has been challenged by the issue of regulating illegal listings on its site, engaging in a contentious battle with New York City officials last year.

The Mayor's Office of Special Enforcement, which is in charge of enforcing local and state laws, said it would investigate the Trump Tower listing. A spokeswoman for the Trump Organization, which runs the building, said that under condominium rules, listing the units on Airbnb was not permitted.

Apartment In US President's Trump Tower Rented Out On Airbnb

Philly (PA), March 6, 2017

A Trump Tower apartment rented out on Airbnb had gotten rave reviews before the listing was taken down last week.

The New York Times says the listing was removed after it contacted Airbnb for comment about the rental in the building that's home to President Donald Trump and his family.

FILE – This Nov. 15, 2016, file photo, shows Trump Tower in New York. An apartment in the luxury Trump Tower in Manhattan got rave reviews on the home rental website Airbnb. The New York Times says the listing was removed after it contacted Airbnb for comment about the rental in the building that's home to President Donald Trump and his family. (AP Photo/Kathy Willens, File)

The Trump Organization says condominium rules prohibit Airbnb listings.

Airbnb spokesman Nick Papas said the company was looking into the matter. "This is obviously a unique situation, so we've removed this listing from our platform."

The luxury apartment was available since around September for about $300 to $450 nightly. Renters learned the address after they'd booked reservations.

Nico Voigtlander, an associate professor at the University of California, Los Angeles, stayed there in November, just before the election. "The host sent me the address, and then I called her and said, 'I can't find it, I only see the Trump Tower,'" Voigtlander told the newspaper. "She said, 'It's in the Trump Tower.'"

Travelers who read between the lines might have guessed, though. The listing noted: "It is a specific building, so please – political opinions cannot be shown."

Renters were instructed to discreetly describe themselves as the apartment owner's guests. They were admitted after presenting ID and undergoing security screening. The Secret Service declined to comment.

Mike Lamb, a software engineer from England, stayed there with his wife in December. "It was surreal to be honest," Lamb told the paper. "You can hear them (protesters outside) shouting from high up in the building." He also said he glimpsed then vice president-elect Mike Pence heading into Trump Tower from his motorcade. A Times reporter's April reservation was canceled after the host learned he planned to write an article.

The mayor's office said it would investigate the Trump Tower listing. A New York state law levies fines against people who rent out their entire living space for less than 30 days. New York City agreed in December to enforce the law only against the hosts and not to fine Airbnb.

Small Florida Airport Will Remain Closed During Trump Visits

Philly (PA), March 6, 2017

The businesses at a small Florida airport that the Secret Service orders closed each time President Donald Trump visits his Mar-a-Lago resort won't get any concessions.

U.S. Reps. Lois Frankel and Ted Deutch, both Florida Democrats, said Monday that Secret Service officials told Lantana Airport tenants during a closed-door meeting they cannot allow aircraft to take off from the facility.

The airport is about 6 miles southwest of Mar-a-Lago and the Secret Service says the small, propeller-driven planes and helicopters based there could be a threat to the president's security even if the aircraft are directed away from the resort.

The flight schools, a banner operation and other businesses at Lantana say they are losing thousands of dollars every time the president visits. Trump has visited Mar-a-Lago four of the seven weekends he has been president and there have been more than 30 violations of its airspace even with Lantana Airport closed.

"It was made very clear to us (Monday) that the Secret Service will not make any changes at this time to the flight restrictions," Frankel said. The Secret Service didn't return a call seeking comment.

Frankel said it's unlikely the airport's 28 businesses could get direct reimbursement from the federal government. She suggested they negotiate rent reductions with Palm Beach County, which owns the airport, and that the county then seek reimbursement. The county is already seeking $1.7 million to pay for extra security costs incurred by Trump's visits, and that tab is growing.

"We do not believe it is fair for one community to have the financial burden of repeated presidential visits," Frankel said. "We, of course, want the president to be safe when he is here and his family to be safe" but the costs shouldn't fall disproportionately on Palm Beach County taxpayers.

Jonathan Miller, the contractor who runs the airport for the county, said some of his tenants are trying to move more of their business to weekdays to avoid Trump's visits, but that only goes so far. Many flight students need to take their lessons on weekends, and that's when the banner company's customers want to advertise. A helicopter business already moved because of the visits, costing Miller $440,000 in annual rent and fuel sales.

"This won't work for four to eight years," he said.

Man Convicted Of Obama Death Threat Runs For Va. Delegate Seat

WUSA-TV Washington, March 6, 2017

Eight years after he emailed the Secret Service and threatened to kill President Barack Obama, a Northern Virginia man is now out of prison, equipped with enough signatures in at least one county to run for the House of Delegates.

A federal judge sentenced Nathan Daniel Larson to 16 months in prison with three years of supervised release. After Larson served time behind bars and Virginia Gov. Terry McAuliffe restored his voting rights, the convicted felon decided early this year to run for a seat in the Commonwealth's lower chamber.

In Virginia, voting rights are lost upon conviction of a felony. Eligibility to vote is a requirement to run for public office in the state.

Larson intends to run for Virginia's 31st House District, an area encompassing Prince William and Fauquier Counties. Fauquier election officials confirmed Monday Larson exceeded the threshold of signatures needed to have his name on the November ballot.

Election representatives in Prince William, Virginia's second largest county, said Larson has submitted signatures, names that are now in the process of being reviewed.

But Larson's past may not be the most unusual or unsettling aspect of his campaign. The self-proclaimed libertarian proposes the suppression of women's rights, including the right to vote.

"I think women want male leadership, and so men have to be strong," Larson said in an interview Monday. "Men have to take the stances they believe are right, and women will respect that."

The 2003 graduate of George Mason University ran for Congress as a Libertarian in 2008, losing to Republican incumbent Rob Wittman in Virginia's 1st Congressional District.

The Libertarian Party of Virginia is now distancing itself from Larson, with Chairman Bo Brown saying the party plans to expel the candidate during a March 26 meeting.

"There's no chance he'll be running with this party," Brown said in a phone interview. "He should be able to run, but if you continue to run, your character will come into question."

Larson confirmed he also advocates the belief that fathers should be able to marry their daughters. In his view, fathers have a greater interest in taking care of their offspring, as opposed to men who marry into the family.

When asked about his views on women influencing politics, Larson grew taciturn.

On Ivanka Trump, "I don't really have any strong opinions about her."

On U.N. Ambassador Nikki Haley, "She's fine, as far as I know."

On Former Secretary of State Condoleezza Rice, "I haven't thought about that."

On Hillary Clinton, "I prefer Donald Trump."

Larson plans to run as an independent candidate after state Libertarians expel him later this month. Official certification for candidates without party affiliations happens June 13, with election officials reporting Larson at this point only needs to file financial disclosure forms.

"If you're independent, it just means you're the one who's running an experimental campaign," Larson said. "Sometimes it may mean you're ahead of your time."

NATIONAL PROTECTION AND PROGRAMS

After Jewish Center Bomb Threat, A Resolve For More Equity In Homeland Security Funding

NJ News, March 6, 2017

For U.S. Rep. Donald Norcross, D-1st, the effort to keep the Milton and Betty Katz Jewish Community Center safe is personal.

"I did two years of nursery school here," Norcross said with a sheepish grin, standing in front of the sprawling center on a sun-splashed Monday afternoon. "They embrace all children. Not just Jewish children. They took a kid from Pennsauken and turned him into a congressman."

There were laughs, nods and a crowd of several dozen looked on approvingly.

Last Monday, it was a starkly different scene. Police were just finishing up a thorough sweep of the center after a bomb threat and those who gathered expressed a range of emotions from anxiety to anger. The Katz Center had been targeted, along with dozens around the nation, by the latest wave of what many regarded as a hate crime and rampant intolerance.

This week, Norcross was joined by U.S. Sen. Cory Booker and a group of local political and community officials to call for more federal funding for the security of religious organizations. The congressman began the call last week moments after the Katz center was reopened. He said funds distributed by the federal department of Homeland Security is allotted in a regional formula that favors Philadelphia and does not provide enough resources for New Jersey.

Booker made a passionate case for a more equitable split for New Jersey by speaking about an effort in North Jersey to wrest money from a similar budget to protect metro New York.

"This congressman over here is a little ticked off," Booker said, pointing to Norcross. "There's certain funding based on the number of people who live in the greater Philly region. When it comes to the allocation of that money, we don't get any of it."

Booker said the region generally gets about 68 cents for every dollar of federal taxes local residents pay.

"Don't ever disrespect South Jersey and say we don't deserve our fair share," Booker said.

Neither Booker or Norcross provided details of how much Homeland Security money is distributed in the metro-Philadelphia area.

Booker's speech was so impassioned that some in the crowd shouted, "Run in 2020 Cory."

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Rabbi Michah Peltz, 37, who leads Temple Beth Sholom, a nearby synagogue, said he came out to stand with his congressman and senator and others in the community "against hate and antisemitism that seems to be growing in our country and certainly hit home last week."

"We won't tolerate any sort of hatred or any sort of threats against any sort of community in our country," Peltz said.

N.J. Lawmakers Plead For More Security Funding For Religious Centers

Philly (PA), March 6, 2017

Following a recent wave of threats and vandalism against Jewish institutions, New Jersey lawmakers on Monday visited a Jewish community center in Cherry Hill to push for more federal funding for security for religious centers.

U.S. Sen. Cory A. Booker and U.S. Rep. Donald Norcross used the backdrop of the Katz Jewish Community Center to plead for more funding for Jewish community centers, synagogues, and schools from the federal Department of Homeland Security.

The Cherry Hill center was among several Jewish institutions in the region and more than a dozen nationwide that were evacuated last Monday because of bomb threats. Since January, there have been more than 90 threats against Jewish organizations across the country.

"We are gathered here today because hatred cannot go without a response," Booker (D., N.J.) told about 100 people at an outdoor news conference. "Bigotry cannot be allowed to go without being shouted down by a chorus of love."

Hundreds of people were quickly evacuated from the Katz center last week, including senior citizens participating in water aerobics in the pool and toddlers in day care. Some members said they refuse to let threats keep them away.

On Friday, a Missouri man was charged with making at least eight threats against Jewish institutions nationwide as part of a campaign against his ex-girlfriend. The FBI and the Justice Department's Civil Rights Division are investigating possible civil rights violations in connection with the threats.

Last week, Gov. Christie announced that patrols had been increased at houses of worship, community centers, and cemeteries in the wake of the recent bias incidents. The state Attorney General's Office is offering a $10,000 reward for tips leading to a bias crime conviction.

Booker was joined Monday by Norcross (D., N.J.) in calling upon Homeland Security Secretary John Kelly to increase funding for the Homeland Security Grant Program.

According to the lawmakers, New Jersey's share of funding from the grant program has dropped from $61 million in 2010 to $29 million in 2016. The current formula used to distribute funds in the region favors Philadelphia, they contend.

"I don't want to take a dollar away from them," Booker told a cheering crowd. "But don't ever disrespect South Jersey."

In Philadelphia, the Mount Carmel Jewish cemetery was recently vandalized and headstones overturned. Gov. Wolf on Thursday requested a federal hate-crimes investigation into acts against Jewish institutions in the state, including the cemetery.

Burt Nussbaum, a retired dentist who helps with security at nearby Congregation Beth El in Voorhees, said the additional funding is desperately needed. Jewish institutions have been urged to increase security because of the threats.

"Once upon a time, a house of God was a sanctuary. Today it's not," said Nussbaum, 68, of Cherry Hill. "You just need to be extremely cautious."

Nussbaum said Beth El, which has about 1,000 families, has an armed security officer, but he said more measures are needed there and at other places due to current anti-Semitism.

"We come in to pray for peace and we have to have an armed security guard," Nussbaum said. "It's not the way it's supposed to be."

Said Cherry Hill Mayor Chuck Cahn: "We must remain vigilant."

Norcross noted that the Katz center, the hub of the Jewish community in South Jersey, has a day-care center that enrolls children from diverse backgrounds. He attended the center's nursery school in its former South Jersey location.

"They embrace all children. They took a kid from Pennsauken and turned him into a congressman," Norcross told the crowd.

The wave of anti-Semitism has galvanized communities across the region with an outpouring of support. There have been rallies attended by people of all faiths and races to denounce vandalism and violence against the Jewish community.

Monday's crowd cheered Booker and chanted, "Run in 2020." He smiled and quipped: "I hate to be honest, but I'm running from the president."

Jennifer Dubrow Weiss, executive director of the Jewish Federation of Southern New Jersey, said the threats have created an environment with anxiety for some and fear for others. But she said the group is determined "to not allow terroristic threats to stop us."

Hasidic rabbis are launching a "Cherry Hill Mezuzah Campaign," and plan to hit the streets to make sure that every Jewish home in the region has a mezuzah — a handwritten parchment scroll mounted on the doorpost.

According to the Torah, the mezuzah protects one from harm and hate and prolongs life. If the home has a mezuzah,

organizers say, a local scribe will check to make sure that it's proper; if not, a free replacement will be offered.

"It's heartbreaking to see what's going on here in Cherry Hill, and in cities across the country," said Mendel Mangel of Chabad-Lubavitch of Camden and Burlington Counties, one of the local Jewish organizations heading the campaign. "Many people are worried, and want to do something to deal with it. As Jews, one of the things we do is put up mezuzahs and check the ones we have."

Senate Rejects Real ID Measure Over Driver's Licenses For Undocumented Immigrants

By Erin Golden, Star Tribune

Minneapolis Star Tribune, March 6, 2017

The Minnesota Senate on Monday voted down a bill meant to put the state in compliance with federal driver's license standards, as a fight over immigration policy hampers the effort to ensure continued access to air travel for all residents.

Five members of the Senate's Republican majority joined DFLers to reject the Real ID compliance bill on a 38-29 vote, which came after a debate that saw lawmakers from both parties accuse the other side of playing politics on an issue with practical implications for many Minnesotans.

"I thought we would have plenty of votes, and we did not," said Senate Majority Leader Paul Gazelka, R-Nisswa. He called it a "huge disappointment" and put the blame in part on DFL Gov. Mark Dayton.

If lawmakers can't reach agreement before a January 2018 federal deadline, residents will have to use a passport or special enhanced driver's license to get through airport security or to visit a military facility.

Senators from both parties say they want to avoid that situation. But both sides have also tried to use the Real ID legislation as a chance to clarify who should or shouldn't be able to get a Minnesota driver's license.

The House in February passed a Real ID compliance bill that firmed up a current Department of Public Safety (DPS) practice to not issue driver's licenses to Minnesotans in the country illegally, making it a law instead of a rule. DFLers say they are prepared to support Real ID compliance, but only if it doesn't threaten the possibility of undocumented immigrants being able to get licenses in the future.

Last week, Dayton encouraged DFL senators to pursue a provision instead to allow the DPS to issue licenses to undocumented immigrants.

"I'm disappointed with the governor; he worked with the Senate Democrats last week and it seems like that's what changed the course of this," Gazelka said.

The Real ID bill in the Senate did not directly address the issue of licenses for those in the country illegally. DFLers, while few addressed immigration directly, said the measure still contained language they found problematic.

Sen. Jason Isaacson, DFL-Shoreview, warned that the bill could come with "unintended consequences." Sen. Melisa Franzen, DFL-Edina, said the bill was "restrictive, counterproductive and borderline offensive" and contributing to divisions emerging around the country.

"This bill was supposed to be about compliance," she said. "It became a bill about restricting individuals in our state."

Senate Republicans said their bill aimed to win support among DFLers by sidestepping the immigration-related provision included in the House bill.

Sen. Eric Pratt, R-Prior Lake, the bill's author, said Minnesotans are already having problems getting into military facilities — and even into the White House — with their noncompliant Minnesota licenses. He said solving that problem has been complicated by a separate debate.

"Quite honestly we've just again confused these two issues together," he said.

A handful of Republicans concerned about privacy issues also voted against the bill. Sen. Warren Limmer, R-Maple Grove, warned that Minnesotans could be putting their personal data at risk if they agree to have their information shared across a much larger network.

"I think this is giving way too much power to the federal government and I would suggest we hold onto the power we have as delegated by our national Constitution," he said.

Gazelka said that passing a Real ID bill remains a top priority for Republicans during this session, and that they recognize they'll need DFL support to do it.

The Senate could take up the issue again, but lawmakers will have to move quickly as the pace of the session picks up. Rep. Dennis Smith, R-Maple Grove, the author of the House bill, said he expects many legislators may be hearing from people concerned about what the vote means for them — and then motivated to change their votes. "I think pressure is going to be mounted by the citizens of Minnesota," he said.

Minnesota Senate Failure Hands Real ID Effort Big Setback

By Kyle Potter

Washington Times, March 6, 2017

The long-running effort to upgrade Minnesota driver's licenses so they pass muster for domestic flights hit a massive snag Monday, as the Senate defeated a bill to comply with the federal Real ID law.

A handful of Senate Republicans who view the federal law as government overreach combined with all 33 Senate Democrats to sink the legislation on a 38-29 vote – at least for now. Democrats took issue with part of the bill that would

have reiterated an existing state rule against issuing licenses to immigrants living in Minnesota illegally, calling it duplicative and unnecessary.

Lawmakers have been racing to finalize a plan to comply with Real ID – a set of uniform ID requirements passed after the Sept. 11 attacks to help prevent terrorism and fraud – ahead of a Jan. 22, 2018 deadline for domestic flights. Minnesota is one of just five states that haven't adopted the new driver's licenses.

With immigration issues looming large, Monday's failure in the Senate signals the difficulty Minnesota's Legislature will face to adopt a compliance plan in time. The Minnesota House passed a Real ID bill last month that put into state law a ban on issuing driver's licenses to immigrants living in Minnesota illegally.

Republican Senate Majority Leader Paul Gazelka said he and legislative leaders would regroup to find a bill that would pass the Senate.

"We can't get this done without both sides working together," he said "If Democrats have no desire to pass Real ID, I cannot stop them."

Even if the Legislature doesn't pass a Real ID bill, Minnesota residents could use a passport or enhanced driver's license to board domestic flights and enter military bases or other federal facilities. The blame game for its failure started before the final vote, with Republicans accusing Gov. Mark Dayton and fellow Democrats of "politicizing" meant to help prevent potential travel disruptions.

Dayton urged Democrats both privately and publicly last week to fight to expand driver's licenses to all immigrants, deeming it a public safety issue to ensure drivers living in the state illegally are properly trained and insured. On the Senate floor, several Democrats keyed in on a section of the bill that would prohibit the state from expanding ID access while implementing Real ID.

"This bill is supposed to be about compliance. It became a bill about restricting individuals in our state," Democratic Edina Sen. Melisa Franzen said. "We hear the federal rhetoric about our borders, about and our safety. We need to stop that here in Minnesota."

Five Republicans also voted against the bill, including longtime critic Sen. Warren Limmer. The Maple Grove Republican said Minnesota should resist the federal government's mandate, calling the threat of a disrupted air travel "a club to make the states submit."

"I think this is giving way too much power to the federal government," Limmer said.

TERRORISM INVESTIGATIONS

War Court Debates Whether CIA Is Monitoring Medical Care Of Captive It Waterboarded

By Carol Rosenberg
Miami Herald, March 6, 2017

Lawyers and the judge in the USS Cole case debated Monday whether it would be proper for military jurors to know that the CIA kept tabs on the mental-health care of a captive here, a decade after his torture in a Black Site.

The discussion was hypothetical. Defense lawyers want to know with whom the prison has been sharing the Guantánamo mental health care files of Abd al Rahim al Nashiri, 52. He is awaiting a capital tribunal as the alleged orchestrator of al-Qaida's Oct. 12, 2000 suicide bombing of the warship. Seventeen U.S. sailors died in the attack off Aden, Yemen.

A case prosecutor, Army Col. John B. Wells, said there are plenty of legitimate reasons to share his mental health records with intelligence services. Any encounter with a high-value detainee at Guantánamo is "potentially a container for classified information," Wells told the judge. "All intelligence apparatus of the U.S. government take a look at what a high-value detainee is doing during detention."

One of Nashiri's attorneys, Mary Spears, quoted a yet-to-be released filing by the prosecution as citing two possible reasons: "Force protection and therapeutic analysis." Defense lawyers argue that although he's a prisoner, his psychiatric records are protected. If the CIA is reading his mental health files, she said, both his lawyers and his future jury need to know it, and why.

Wells, who is responsible for getting the prison to provide Nashiri's lawyers with his health records, called the defense supposition a "far-flung flight of imagination," and suggested that the prison's intelligence unit, the J-2, was studying his psychiatric records.

Either way, the judge, Air Force Col. Vance Spath, asked whether it would be wrong for U.S. agencies to look at Nashiri's torture to see what they could do better in the future. He also asked whether the defense attorneys should be allowed to know about it, in case Nashiri is convicted.

"If you accept the assertion that there was torture and you accept the assertion that that information was provided to the people who did it," he said, "is that an area or an avenue the defense should be able to investigate to assist in developing a mitigation case?"

A declassified portion of the so-called Senate Torture Report on the CIA's Rendition, Detention and Interrogation program says the Saudi was waterboarded and rectally abused during his 2002-2006 spy agency captivity. He was alternately kenneled like a dog in a cage and hung nude by his arms to the point where a medical officer worried his arms would be dislocated. CIA agents also threatened to rape his mother and held a cocked pistol to his head among other "enhanced interrogation techniques" to break him after his capture in the United Arab Emirates in November 2002.

Spears said, if Nashiri is convicted, military jurors ought to be told if the CIA was using "the fruits of its enhanced interrogation techniques, and for what purpose."

Lead defense counsel Rick Kammen said earlier that the trial, which is unlikely to start this year, will be about torture, its effects and, if he's convicted of the warship bombing, how military jurors "feel about killing somebody who their government tortured."

Monday was the start of a two-week pretrial hearing being observed by five or six crew members who were aboard the ship during the attack. The judge has reserved next week for a hearing on what physical evidence will be eligible for use at trial. Items include some sailors' uniforms, items from the Cole and pieces of the skiff two suicide bombers exploded alongside it during a fueling stop off Aden.

A panel of U.S. military medical experts concluded in 2013 that Nashiri suffered from posttraumatic stress disorder and depression. Defense lawyers have criticized Nashiri's healthcare at the secret Camp 7 prison for former CIA captives and hired Dr. Sondra Crosby, an expert on treating torture victims, as a consultant.

Elvis Redzepagic, Man In Terror Support Case, Threatened To Behead Mom, Prosecutors Claim

Associated Press, March 6, 2017

CENTRAL ISLIP, N.Y. (AP) — Prosecutors say a man accused of trying to join militant Islamic extremists in Syria was removed from his home in New York City's suburbs last week after he tried to cut off his own tattoos with a knife and threatened to behead his mother.

The allegation was included in documents prosecutors submitted to a federal judge Monday opposing bail for 26-year-old Elvis Redzepagic.

Redzepagic was charged Saturday with attempting to provide material support to a foreign terrorist organization. A lawyer says he has cooperated with law enforcement and needs counseling.

A bail hearing was scheduled later Monday.

Additional details on Redzepagic's encounter with police last week at his home in Commack were not immediately available.

Prosecutors say Redzepagic is originally from Montenegro, in the Balkans.

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After Spying On Muslims, New York Police Agree To Greater Oversight

By Matt Apuzzo And Adam Goldman

New York Times, March 6, 2017

The New York Police Department has agreed to even greater oversight of its intelligence-gathering programs as it tries, for the second time, to settle a lawsuit over its surveillance of Muslims.

A federal judge rejected a settlement in October, saying it did not go far enough to address the city's "systemic inclination" to ignore rules protecting free speech and religion. Judge Charles S. Haight Jr. said the settlement did not sufficiently protect the rights of "law-abiding Muslims and believers in Islam who live, move and have their being in this city."

Lawyers returned on Monday to the Federal District Court in Manhattan with a new proposal that gives more power to a civilian monitor, who would now have the authority to raise questions about continuing investigations and report any possible problems to the court. The monitor, a civilian lawyer to be appointed by the mayor, would also file annual reports to the court describing any objections to investigations.

The proposed settlement would restore safeguards that were stripped away after the Sept. 11, 2001, terrorist attacks. The city argued that outside oversight of its intelligence-gathering made the city less safe. At the time, Judge Haight agreed.

What followed was a decade of spying on Muslim neighborhoods. With help from the C.I.A., the department built a web of informants around the city and beyond. Detectives compiled files on people who appeared to have changed their names for religious reasons, and designated mosques as potential terrorist organizations, allowing the department to record sermons and watch entire congregations without ever filing charges.

As part of that effort, the city created the Demographics Unit, a secret squad of plainclothes officers that eavesdropped on conversations in cafes, making notes about political conversations. They chatted to store owners about their views on drone strikes and international affairs and made a note when they saw Qurans, religious calendars or customers gathering after attending nearby mosques. It was regarded as a "human mapping" program to look for possible signs of radicalization. In 2014, the police commissioner at the time, William J. Bratton, disbanded that squad as unnecessary.

The programs were revealed in a series of Associated Press articles, beginning in 2011. The city initially denied that the Demographics Unit existed and said it conducted vigorous oversight. The articles, along with complaints about the use of stop-and-frisk tactics, helped prompt the creation of an inspector general, over the objection of the mayor and the police commissioner.

The department's surveillance programs became the subject of renewed debate during the presidential campaign,

when Republican candidates, including Donald J. Trump, lauded them as being effective and vital. Representative Peter T. King, a New York Republican and a staunch supporter of the programs, suggested to Mr. Trump during the transition that he adopt a nationwide program modeled after the Police Department's.

Jethro Eisenstein, one of the lawyers who has worked on the case from the beginning, said: "This agreement shows that we can have effective law enforcement that protects us from extremist violence without demonizing any religion or group. That is a critical lesson in the current political climate."

Mayor Bill de Blasio, a Democrat, has tried to move past the surveillance discussion and forge better relations with Muslim residents. Mr. de Blasio campaigned on promises to rein in police excesses. But his first attempt at a settlement was met with serious skepticism from Judge Haight, who said the proposal was insufficient.

In particular, the judge opposed a provision that would have allowed the mayor to eliminate the civilian monitor after five years. Under the revised settlement, the mayor cannot eliminate the position without first asking the court.

Judge Haight had also raised concerns about an August report by the Police Department's inspector general, which found that investigators kept cases open too long and used boilerplate language devoid of specific facts in justifying their use of confidential informers. Though the city played down that report as minor quibbling over administrative errors, the judge said it showed "near systemic failure" of oversight.

The inspector general's report also found that the Police Department's investigations between 2010 and 2015 were justified and lawful. Police officials said the intelligence division had taken steps to correct the administrative problems before the report was issued. The report did not examine the activities of the Demographics Unit, which had already been disbanded.

Lawrence Byrne, the deputy commissioner for legal affairs for the Police Department, said that the proposed settlement "doesn't make anyone less safe."

"The city will be as safe tomorrow as it was last week," he said.

The lawsuit at the heart of the case dates back nearly a half-century. Filed in 1971, the class-action lawsuit forced the end of the city's so-called Red Squads and established rules intended to protect First Amendment rights. The rules became known as the Handschu guidelines, after one of the plaintiffs. The lawsuit has remained active for decades, serving as a check against overreaching by the police.

"It is a historical fact that as the decades passed, one group or another came to be targeted by police surveillance activity," Judge Haight wrote in October.

The proposed settlement does not explicitly prohibit any investigative tactics that are currently allowed, and the city does not admit any wrongdoing. Many of the provisions of the agreement — such as barring investigations based solely on religion, race or ethnicity — have been in place for the last few years.

Judge Haight can choose to accept the settlement or send it back for more changes. A separate lawsuit, filed by the American Civil Liberties Union, would also be resolved under the proposed settlement. That lawsuit accused the city of violating the constitutional rights of Muslims and Muslim groups.

"As religious bigotry rises to a fever pitch nationwide, this settlement sends the message that Muslims and all New Yorkers will have even stronger protections from unconstitutional religious profiling and surveillance," said Hina Shamsi, the director of the National Security Project at the A.C.L.U.

Families Of 9/11 Victims May Soon Get Day In Court Against Saudi Officials

By James Rosen

McClatchy, March 6, 2017

The pain of Sept. 11, 2001, never goes away for Gina Cayne.

When the Boca Raton widow speaks of losing her husband as he worked on the 104th floor of the World Trade Center's north tower, tears well in her eyes, her voice strains.

"They killed my husband," she says, accusing Saudi officials of having financed the 9/11 attacks. "All I want is my day in court."

She might be within weeks of getting it.

For more than 14 years, relatives of the nearly 3,000 people who died Sept. 11, 2001, battled Washington and several federal judges for the right to sue Saudi Arabia and the royal family in Riyadh — suspected by families and senior members of Congress of providing money and other support to the 19 attackers.

First, district and appellate courts in New York ruled — repeatedly — that a legal protection called "sovereign immunity" prevented the families from suing Saudi Arabia. Then Republican President George W. Bush and Democratic President Barack Obama stymied one effort after another by Congress to pass legislation that would overcome those court rulings and open a path for a case to proceed.

But the 9/11 families' fortunes changed in September, when during a distracting, raucous 2016 presidential campaign, Congress delivered the only veto override of Obama's eight-year tenure and made the Justice Against Sponsors of Terrorism Act, or JASTA, settled law.

They killed my husband. All I want is my day in court.

Gina Cayne, whose husband in the World Trade Center attacks on 9/11

It has already had an effect: While JASTA was being debated, a federal judge in New York has ordered Iran to pay the families and insurance companies $14 billion for having allowed some of the hijackers to enter and leave the country before Sept. 11 without having transit visas stamped in their passports. Such visas would have made it more difficult for them to enter the United States.

Now, the families are heading to court in the coming weeks, seeking a punitive payout that legal experts say could exceed $1 trillion.THE FIGHT TO COME

But Saudi Arabia is not done fighting — in court or in Congress. Indeed, Riyadh looks ready to pump unprecedented sums into a lobbying effort to unwind the new law.

The Saudis have hired a team of Washington powerbrokers who have held senior White House and congressional posts going back decades, paying at least 17 firms in Washington, Houston, Cleveland, Denver and Alexandria, Virginia, more than $1 million a month to try to turn back the clock.

Tony Podesta, one of Washington's top lobbyists and the brother of Hillary Clinton's 2016 campaign manager John Podesta, is among the top figures on the team of influential insiders.

"This is one of the biggest lobbying efforts in the history of our country," James Kreindler, lead attorney for the 9/11 families, told McClatchy.

This time, though, the families can boast of an advantage they've never had before — a president who supports their right to sue. President Donald Trump, a native New Yorker, vowed on the campaign trail to do everything he could to help the families, and those families believe he will stand by them even if Saudi money succeeds in turning Congress against a law it just passed.

"There's no question Trump would veto that," said Bill Doyle, a retired Wall Street stockbroker who lost his son. "He lived only 30 blocks from Ground Zero. He was down there constantly after the attacks."

On Sept. 10, 2001, Matthew Sellitto and his 23-year-old son by the same name dropped the younger man's Jeep 4x4 off at a Morristown, New Jersey, dealership for routine service.

They went to their home in Harding, an affluent hamlet 40 miles west of the Hudson River. On a clear day you could look across the river and see the World Trade Center over southern Manhattan.

High up in the World Trade Center's north tower, the younger Sellitto worked at the world headquarters of Cantor Fitzgerald, a financial services firm that handled a quarter of all U.S. Treasury security transactions. And that night, father and son joined mother and brother to celebrate Matthew's promotion to a permanent position on Cantor's interest-rate swaps desk.

The former Seton Hall Prep School hockey star and University of Vermont economics major, still just 23, was elated. His parents were proud.

The next morning, father and son awoke when the alarm went off at 4:20 a.m. Sellitto drove his son to nearby Convent Station to catch the 5:15 a.m. New Jersey Transit train into Manhattan.

More than 15 years later, that short car ride still haunts the father.

Like many other 9/11 families, Matthew and Loreen Sellitto couldn't bear to remain in the New York area after the attacks. For the tens of thousands of visitors who pour into Manhattan each day, Ground Zero became a hallowed shrine and a tourist attraction. But for those whose loved ones were murdered there, it was an open sore that never healed no matter the towers or memorials that were built on top of it.

Florida drew more of the 9/11 exiles than any other state — at least 100 families, along with relatives of dozens of retired firemen and police who rushed into the doomed towers, according to a government database with the names and contact information for the victims' relatives.

The Sellittos ended up on Florida's Gulf Coast, in Naples.

"I got him to the train on time," Matthew Sellitto said. "I said 'goodbye, goodbye,' as you normally do. 'I love you, I love you. See you later.'

The retired New Jersey real estate developer paused.

"He got out of the car and got on the train. I went home. A little later in the morning, I started to get ready for the day. About five to nine, I get a phone call. I let the answering machine pick it up because I was getting ready to leave. And I hear on the voice message:

"'Dad, Dad, Mom, Dad!' I hear it's my son at the World Trade Center. So I pick the phone up.

"He said, 'Dad, dad, a freaking plane just flew through the building!'"

"And I'm thinking — a little plane.

"So I said, 'Well, get out of the building.' He said, 'No, no, you don't understand — we can't get out! I'm just calling to tell you guys I love you."

"He says, 'I got to go.'

"I even asked: 'What are you guys doing?'

"He said, 'We're saying the Lord's Prayer.'

"And that was it. The call ended. He hung up the phone. That's the last time I heard from my son Matthew."GOVERNMENTS ACCUSED

Less than a year after the attacks, 9/11 families filed suit in the U.S. Southern District Court of New York in lower Manhattan.

The lawsuit accused almost 150 people, companies and organizations across the Middle East and beyond as having helped carry out the 9/11 attacks.

One group of defendants was obvious: Osama bin Laden, Taliban chief Mullah Omar and Khalid Sheik Mohammed, the Pakistani-born head of al Qaeda propaganda and self-professed plotter of the 9/11 attacks. He would be captured March 1, 2003, and is being held with other alleged terrorists at the U.S. military prison in Guantanamo Bay, Cuba.

But the families didn't stop there. Their suit accused officials and government agencies in Iraq, Afghanistan and Saudi Arabia as well as Muslim banks, relief groups, youth leagues and charitable organizations around the globe and even groups in Washington state, Minnesota, Massachusetts and elsewhere in the United States.

Named too were some of the most prominent Saudis.

"Upon information and belief, there were and are a large number of Saudi citizens and members of the Saudi royal family who support bin Laden," the suit charged. "High-ranking officials in the Saudi government and Saudi businessmen have provided money to support bin Laden and al Qaeda."

The legal brief zeroed in.

"Upon information and belief, Prince Sultan bin Abdulaziz al Saud, the Saudi defense minister, and Prince Nayeff bin Abdulaziz al Saud, the Saudi minister of the interior, have provided hundreds of millions of dollars to bin Laden and al Qaida," it said. (Prince Nayeff bin Abdulaziz al Saud is now crown prince, making him heir to the Saudi throne.) "That funding enabled bin Laden to pursue his terror agenda."

Over the next dozen years, before several suits were consolidated into one, federal judges would rule that it was the president, not the courts, who held authority to designate a foreign country as a terrorist supporter. The Saudi government, the judges decided, had "sovereign immunity" from lawsuits under longstanding U.S. law.

During the same period, most 9/11 families accepted large payments — $2.1 million on average — from a special compensation fund established by Congress. In exchange, they gave up their right to sue the U.S. government, American airlines or other companies, while retaining the power to file suit against "knowing participants in the hijacking conspiracy."

But 70 families refused to accept payments. Some felt the money was too little, too late; others didn't want to limit their legal rights.

Gina Cayne was one of the 70. To her, the payments were hush money. She wanted a judge or a jury to determine who is guilty of having murdered her husband.

Loreen Sellitto rejected the cash too. She and her husband simmered with anger as they watched Prince Bandar bin Sultan visit Bush's ranch in Texas and Obama meet with other Saudi leaders.

"I want my opportunity to prove that they were co-conspirators by giving money to al Qaida," Matthew Sellitto said of these Saudi leaders.

Their money killed my son! Who are they that they can get away with it? Are they that much bigger than the rest of the world that they can get away with it?

Matthew Sellitto, whose son died in the World Trade Center

His voice rose.

"Their money killed my son! Who are they that they can get away with it? Are they that much bigger than the rest of the world that they can get away with it?"

And then he began to shout.

"I don't play like it's not about the money. No, it is! I want their money! And I want as much of it as I can get. I want it! Who are they to have that money? I want it! They used that money to murder my son!"DE FACTO LEADER

Bill Doyle is one of the de facto leaders of the families group pushing to sue. The retired stockbroker now lives in The Villages, a gated sprawling enclave of 157,000 affluent people spread over thousands of acres 60 miles northwest of Orlando.

Like Trump, the man for whom Doyle enthusiastically voted and claims to have been chummy with in the Big Apple, the new Floridian is prone to making brash statements that emphasize his connections in high places and put him in the middle of the action.

Except for when he discusses Joseph Doyle, the 25-year-old son he lost on Sept. 11.

The younger Doyle was working for Cantor Fitzgerald on the 101st floor when American Airlines Flight 11 struck it between the 93rd and 99th floors.

Like Matthew Sellitto, Joseph Doyle had just been promoted. Unlike Sellitto, Doyle was not able to call his parents to say goodbye.

"I did get a driver's license and a credit card," his father said quietly. "That's the only part of my son I have."

Bill Doyle threw himself into making the tragedy's perpetrators pay for their crime. He contacted lawyers and lawmakers, made frequent trips to Washington, and devoured everything he could read about the attacks.

Doyle attended frequent sessions in New York, on Monday nights, with then-Mayor Rudy Giuliani, his aides, and several lawyers.

Another regular at the meetings with Giuliani was Lee Ielpi, a New York City firefighter who spent nine months digging out bodies at Ground Zero. On Oct. 12, he carried his son, also a firefighter, from the rubble.

Now living in Osprey, south of Sarasota, Ielpi is not interested in the Saudis' money. He wants to see them in court.

"I want this brought into the open," Ielpi told McClatchy last month "People say the families just want money. Bullshit!

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It's not about the money. People need to be brought to justice. There were people in Saudi Arabia, whatever positions they were in, who knew the people that committed this crime — who were involved with the people who committed this crime, who met them in California. If in fact it can be proved that the country or higher-ups within the country were involved, we should sue them for everything we can get."

Over the years, Doyle has become a one-man information clearinghouse as the families seek justice.

"I'm probably the chief advocate for 9/11 families," Doyle said. "It started from Day One. All the families were running around in circles," Doyle said. "I saw the need that those people had to be united."

Doyle painstakingly assembled a database with all their contact information and details of loss, later sharing it with the government.

Like others, Doyle concluded that it was impossible for the hijackers — with few independent means, low education and limited English — to have acted alone. And so he focused on the men that he became certain were the hijackers' sponsors — senior Saudi officials and members of the royal family.

Over the next decade, Doyle worked with lawmakers and attorneys to craft legislation that would enable the families to sue the Saudi government.

According to Doyle, he and the families' lawyers had frequent contact with Bush and Obama administration officials in the State and Justice Departments, addressing their concerns over a bill that would eventually be called the Justice Against Sponors of Terorism Act.

But that wasn't his only angle. He wanted the federal government to release the Saudi section of the intelligence committees' 2003 report on 9/11's causes.

So on Sept. 11, 2011, when Obama traveled to Ground Zero to mark the 10th anniversary of the attack, Doyle was there. At a private lunch afterward, he confronted Obama.

"He got up and he said to me, 'I will get them released,'" Doyle recalls. "And I said, 'Oh, God bless, thank you.'"

"For five years nothing happened."

Beyond making the Saudis pay billions to the families, Doyle has a more visceral goal: He wants to see Prince Bandar punished.

While serving as Saudi ambassador to the United States, Bandar became one of the capital's most prominent diplomats. Bandar smoked cigars, wore Western clothes and spoke English impeccably. He often delighted his U.S. hosts by quoting corny American sayings. Now Crown Prince and retired in Saudi Arabia, Bandar served as head of its intelligence apparatus from 2012 to 2014.

The 28 pages suggest that money from Bandar was funneled to two of the Saudi hijackers through an intermediary suspected of being an intelligence agent for Riyadh.

"I want my day in court and [to] get his ass in jail," Doyle said.

Doyle holds special contempt for James Baker, who served as secretary of state under President George H.W. Bush and earlier as White House chief of staff for Bush and President Ronald Reagan. Baker Botts, the Houston law firm that his father had helped found, defended the Saudi royal family in the 9/11 families' lawsuit.

And it was that law firm that helped convince federal judges to reject the families' suit.GRAHAM'S ROLE

The federal court rulings that shielded Saudi Arabia sparked a bitter battle on Capitol Hill and at the White House to change the law granting sovereign immunity to foreign governments.

The then-chairman of the Senate Intelligence Committee, Florida's Bob Graham, was at the center of it.

Soon after the 9/11 attacks, Graham began to see raw intelligence suggesting that the Saudi hijackers had not acted alone. He learned that before the attacks, some of them had met with senior Saudi officials both in the oil-rich kingdom and in California, where several had lived.

Graham would later learn, thanks in part to stories in the Florida Bulldog and the Miami Herald, of a wealthy Saudi family in his home state that had befriended other of the hijackers in Florida, and then fled their Sarasota home just weeks before 9/11.

As the coming weeks turned into months, Graham helped lead the first congressional investigation of the attacks, co-authoring a report based on 500 interviews that said communication breakdowns within and among the FBI, the CIA and other federal and local intelligence and law-enforcement agencies had contributed to the failure to uncover the 9/11 plot.

But when the House-Senate Joint Inquiry report was released after a seven-month review by U.S. intelligence agencies, its authors noticed an omission; the final 28-page chapter, examining possible Saudi ties to attacks.

That redaction bothered Graham so much that for the next 13 years, while still in Congress and then after he retired in January 2005, he made it his mission to get the missing 28 pages released.

"My wife says that I failed at retirement. I would agree with her," Graham said with a chuckle over a recent lunch on the patio of his Miami Lakes office. "There's been an injustice to these Americans who suffered so grievously in 9/11. And it has emboldened the Saudis. Since they've received not even the mildest form of a complaint from the United States for what they've done, they've interpreted that as being impunity. They can do whatever they want to do. And they have continued to finance terrorists."

Since they've received not even the mildest form of a complaint from the United States for what they've done, they've interpreted that as being impunity. They can do whatever they want to do. And they have continued to finance terrorists.

Former Sen. Bob Graham, referring to Saudi leaders

As he pursued his quest to uncover the truth, Graham had some strange encounters.

In November 2011, Graham and his wife got off a flight from Florida at Dulles International Airport outside Washington, where they had traveled to enjoy Thanksgiving with their daughter. Although the senator had not informed the government of his itinerary, he said two FBI agents met him at the gate. According to Graham, they handed his wife an FBI manual to read and whisked him away to the agency's secret office in another part of the airport.

Then-Deputy Director Sean M. Joyce was waiting, according to Graham, and delivered an unusually blunt message, especially one directed to a former governor and retired U.S. senator who had held the highest security clearance a lawmaker can hold.

"He basically said that everything to be found out about the situation with Saudi Arabia and 9/11 had been learned, that I was wasting my time and I should get a life and do something more productive," Graham recalled.

Graham chuckled again.

"Obviously I didn't accept his information or his suggestion very well," he said.

In another episode, Graham said he learned that an FBI agent in Tampa had done a probe and found many connections between the wealthy Saudi family that had fled Sarasota just before the 9/11 attacks and three Saudi hijackers then living there.

Pressed by Graham on why they had never released the findings, the FBI questioned the agent's competence.

"Why did they appoint to what was clearly going to be a very important inquiry someone they didn't have full confidence in?" Graham asked.

The FBI declined multiple requests to respond to Graham's assertions.

The U.S. government released the long-withheld congressional intelligence chapter on possible Saudi ties on July 26, 2016. Although partially redacted, the 28 pages revealed hints but no proof of official Saudi involvement in the terror attacks.

Focusing on three hijackers who had lived in Southern California, the section revealed their interaction with two possible Saudi intelligence agents and their friendship in San Diego with a Saudi man, Osama Basnan, who lived across the street from two of them.

After the attacks, Basnan told an FBI undercover agent that he had helped the hijackers, was an avid supporter of bin Laden and had cashed a $15,000 check from an account belonging to Saudi Prince Bandar, who at the time was his government's ambassador to the United States, according to the report.

Both the Saudi government and the Obama administration said the secret section showed, as the then-White House Press Secretary Josh Earnest put it, "no evidence that the Saudi government or senior Saudi individuals funded al Qaida."

Graham disagreed, and still does.

"It points a strong finger at Saudi Arabia's involvement," he said.

"It has been the primary funder of the regional offshoots of al Qaida in Somalia, the Arabian Peninsula and elsewhere," he said. "It has continued to operate madrassas throughout the Middle East, North Africa and particularly in Pakistan. It has been a key source of money and fresh jihadists. I would not assume that Saudi Arabia is an important ally. I would even say I don't think it is our ally, period."HEADING BACK TO COURT

A bipartisan group of lawmakers, working with Doyle, crafted the Justice Against Sponsors of Terrorism Act. While not mentioning Saudi Arabia by name, it authorizes Americans to sue any government that facilitates or carries out an act of terror on U.S. soil.

Bush, whose family has longstanding ties with the Saudi royals, helped block the measure, warning that it threatened to harm relations with a critical Arab ally. Two influential national security lawmakers, Sens. John McCain and Lindsey Graham, pressed their peers not to take it up.

But seven years later, with American sentiment shifting against Middle East entanglements, the legislation's supporters not only got the bill introduced but saw it passed with overwhelming support in the House and Senate in 2016.

Citing similar concerns as Bush and warning the law would not protect Americans, Obama vetoed the measure Sept. 23. Five days later, the House and the Senate overrode that veto in a second set of bipartisan votes.

"We must not hold justice for the 9/11 families hostage to imagined fears," said Rep. Jerrold Nadler, the New York Democrat who lost more constituents on Sept. 11 than any other representative, on the House floor.

"If the Saudi government was not complicit in the attack on 9/11, the plaintiffs will fail to prove such complicity in an American court," he said. "Justice will have been served, and the Saudis will have been vindicated after years of suspicion. But if it is proven in an American court that the Saudi government was complicit in the attacks on 9/11, justice will have been served — and we, not the Saudis, will have justification to be very angry."

In the nearly five months since JASTA became law, the families' attorneys have been preparing to go back into court. They are tweaking previously filed documents and readying

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new ones with more recent information related to their claim, starting with details from the 28 pages.

They would also like to obtain an un-redacted version of that section of the 2003 congressional intelligence report's section focusing on possible Saudi ties to 9/11.

But even with support from Trump's White House, the 9/11 families are in for a fight — and an expensive one.

The Saudi government hired Washington lobbyists to get the law gutted as the new Congress began in January, paying them some $1.3 million a month.

Riyadh is also ramping up pressure on U.S. officials, threatening to retaliate against any suit by selling $750 billion in U.S. assets. In a terse statement a day after JASTA became law, the Saudi Foreign Ministry warned: "The erosion of sovereign immunity will have a negative impact on all nations, including the United States."

The Saudi Embassy declined to comment despite repeated requests from McClatchy. Michael Kellogg, a lead attorney for Saudi Arabia in the case, also declined comment.

The Saudis take heart in a strange about-face by 28 senators who supported JASTA. Within hours of voting to override Obama's veto, they wrote a letter to the bill's chief sponsors, Republican Sen. John Cornyn of Texas and Democratic Sen. Chuck Schumer of New York, expressing second thoughts.

"If other nations respond to this bill by weakening U.S. sovereign immunity protections, then the United States could face private lawsuits in foreign courts as a result of important military or intelligence activities," they wrote.

Among the senators were Republicans Graham of South Carolina, Pat Roberts of Kansas, and Jim Risch of Idaho, along with Democrats Bill Nelson of Florida, Dianne Feinstein of California, and Claire McCaskill of Missouri. The senators offered to work with Cornyn and Schumer "in a constructive manner to appropriately mitigate those unintended consequences."

Last month, the Saudi lobbyists brought 20 to 40 veterans for three days of pressuring lawmakers to weaken JASTA, putting them up at Trump's new luxury hotel in downtown Washington, according to Politico.

To counter the Saudis' lobbying blitz, the families have assembled their own power team.

Some of the most prominent plaintiffs' law firms are representing them, including Kreindler & Kreindler of New York, Motley Rice of South Carolina, and Ethridge Quinn of Maryland.

There's simply no doubt that charities and other institutions associated in one way or another with the Saudi government, and individuals associated with the Saudi government, were providing material support to al Qaida.

Jack Quinn, White House chief counsel under President Bill Clinton

Jack Quinn, who served as White House chief counsel under President Bill Clinton and retains powerful connections in Washington, is helping the legal team craft strategy.

"As far as I'm concerned, there's simply no doubt that charities and other institutions associated in one way or another with the Saudi government, and individuals associated with the Saudi government, were providing material support to al Qaida, the designated terrorist organization that carried out this attack," Quinn told McClatchy. "It is inevitable that the time will come, hopefully in the not-too-distant future, when the Saudis will have to answer these allegations in court."

The law firms are working pro bono. Having already donated tens of millions of dollars to the cause, they hope to recoup payment via a large settlement with the Saudi government.

Quinn and James Kreindler negotiated the 2003 deal in which Libya agreed to pay $2.7 billion to the families of 270 people killed Dec. 21, 1988, when Pam Am Flight 103 exploded over Lockerbie, Scotland.

Gina Cayne is more interested in justice than money.

"I just want the people who helped to murder my husband and the other 3,000 people to be held accountable for their actions," the Boca Raton widow told McClatchy last month. "I just don't want to see his murder brushed under the rug. Hopefully we can stop them from killing any more Americans."

Sellitto and Cayne have new hope that their court date will come. Doyle does too.

Just before Doyle's wife died in 2012, she beseeched him to continue his quest to get justice for their son and the other Sept. 11 victims.

"One of the last things she said to me to me was, 'Billy, don't give up.' And I said, 'I'll never give up.'"

Then, like so many others who lost loved ones on that horrendous day, Billy Doyle wept.

Former Guantanamo Inmate Killed In US Strike In Yemen

AFP, March 6, 2017

Washington (AFP) – A former Guantanamo Bay inmate was killed in a US air strike in Yemen last week, the Defense Department said Monday, as part of a stepped-up campaign against Al-Qaeda in the Arabian Peninsula.

"We can confirm the death of a former Guantanamo Bay detainee, Yasir al-Silmi," Pentagon spokesman Navy Captain Jeff Davis said.

Silmi, also known as Mohammed Tahar, had been incarcerated at the notorious US military prison in Cuba from 2002 to December 2009, when he was repatriated to Yemen.

Davis said he was not considered a "high-value" target.

His Guantanamo file said the 37-year-old Yemeni was an "Islamic extremist" who had wanted to conduct bomb attacks against US and NATO forces in Afghanistan.

Republican lawmakers repeatedly blocked then-president Barack Obama's efforts to shut Guantanamo and pointed to former detainees returning to the fight as proof inmates should remain locked up there.

Silmi died March 2 in the same strike that killed Usayd al-Adnani, a "long-time explosives expert who served as the organization's emir within the Abyan governorate," Davis said.

The United States has conducted more than 40 strikes against AQAP in Yemen since ramping up operations five nights ago.

None of the strikes have been conducted based on intelligence gathered in a botched US raid in January, the first authorized by President Donald Trump, in which multiple civilians and a Navy SEAL were killed.

Two years of civil war in Yemen have allowed AQAP, which the US regards as the extremists' most dangerous branch, to consolidate its grip on territory in southern and eastern Yemen.

U.S. Air Campaign In Yemen Killed Guantánamo Ex-Prisoner

By Eric Schmitt

New York Times, March 6, 2017

WASHINGTON — For a fifth consecutive night, American warplanes and drones on Monday pummeled suspected Qaeda targets in Yemen as the Pentagon said an earlier attack in the country had killed a former prisoner held at the United States detention center at Guantánamo Bay, Cuba.

Capt. Jeff Davis, a Pentagon spokesman, said an airstrike last Thursday — the first night of a larger Pentagon campaign to roll back gains made by Al Qaeda in the Arabian Peninsula, or A.Q.A.P. — killed the former detainee, who was using the name Yasir Ali Abdallah al Silmi. While at Guantánamo, he was held as Detainee No. 679 and went by the name Mohammed Tahar, according to military records.

Including an airstrike overnight on Monday that Captain Davis said killed seven Qaeda fighters, the United States has conducted more than 40 attacks across central and southern Yemen in the past week. By comparison, the military carried out 41 strikes in all of 2012, the most in a single year against the Qaeda affiliate in Yemen.

Soon after taking office, President Trump authorized the stepped-up air campaign against the Qaeda branch, one of the deadliest in the world, at the same time he approved the ill-fated Special Operations raid in January that left one member of Navy SEAL Team 6 dead and three others wounded. An estimated two dozen civilians were killed in that raid.

"It's a reflection of growing concern about the reconstitution of A.Q.A.P. in Yemen," Gerald M. Feierstein, a former United States ambassador to Yemen who is now at the Middle East Institute in Washington, said of the flurry of airstrikes.

"The key issue is how they identify targets, the fidelity of the intelligence, and the care they take to maintain the standard of near certainty on no collateral damage," Mr. Feierstein said, referring to civilian casualties. "I don't know the answer to those questions."

The Senate Foreign Relations Committee has scheduled a hearing for Thursday on Yemen, the first since the raid in January.

Mr. Tahar was imprisoned at Guantánamo Bay from 2002 to 2009. Because Yemen was in chaos at that time, officials were reluctant to repatriate detainees there. But Mr. Tahar was among a small group the Obama administration repatriated in December 2009 as part of an experiment.

Later that month, however, after the attempted bombing of a Detroit-bound airliner by Al Qaeda's Yemen branch, President Barack Obama halted further repatriations to Yemen. Years later, the Obama administration resettled many Yemenis in other countries.

Military records show that Mr. Tahar's brother, who went by the name Ali Abdullah Ahmed, was also a Guantánamo detainee. He was among three detainees who died in June 2006 in what the military said was a coordinated suicide.

Captain Davis said that Usayd al-Adnani, whom he described as a "longtime explosives expert who served as the organization's emir" within Abyan Province, was killed in the same March 2 strike as Mr. Tahar.

Yemeni civilians in three provinces where Al Qaeda has strongholds described the American bombing campaign as unrelenting.

For three days beginning Friday, American drones and attack planes extensively hit the rugged mountains and valleys in central Baydha Province, where Qaeda military camps have long existed outside the control of the weak central government in Sana, the capital, according to residents reached by phone.

"They appear on the sky at nearly the same time and quickly launched heavy fire against Al Qaeda gatherings," said Nayef, a resident who for security reasons preferred to be identified only by his first name.

"The U.S. planes become more aggressive when Al Qaeda militants fire back," he said. "We can see balls of fire on the sky when the Americans exchange fire with Al Qaeda."

Abdul Aziz Awadh, a resident of Abyan Province in the south, the birthplace of Yemen's president, Abdu Rabbu

Mansour Hadi, said that an American drone struck a taxi carrying a number of Qaeda militants on Thursday afternoon.

"The airstrike completely burned the car and killed at least four Al Qaeda," he said. "We later learned that they came from Aden to Abyan. The U.S. drone chased them until they passed through a farm and hit them."

Families Of Fallen Green Berets Demand Answers In Their Loved Ones' Shooting Deaths In Jordan

By Meghann Myers

Army Times, March 6, 2017

The fathers of three Green Berets who were killed in an attack last year while on a mission to train Jordanian troops are calling on the country's government to take responsibility for the incident.

The men will be joined Tuesday at a news conference in Washington, D.C., by Sen. Roy Blunt, R-Missouri, Rep. Ted Poe, R-Texas, and Rep. Tulsi Gabbard, D-Hawaii, according to a release. They are scheduled to discuss developments in their search for information and their demands that the government of Jordan "account for the incident," according to the release.

Sgt. 1st Class Matthew Lewellen and Staff Sgts. James Moriarty and Kevin McEnroe were killed by gunfire on Nov. 4 while driving into King Faisal Air Base in al-Jafr, Jordan.

The men were members of 5th Special Forces Group at Fort Campbell, Kentucky.

A Jordanian soldier was responsible for the attack, according to the release. A spokesman for Special Operations Command did not immediately respond to a request for comment.

Iran Nuclear Deal Could Be Gateway For Terrorism Legal Claims

By Charlie Savage

New York Times, March 6, 2017

WASHINGTON — Over the last two decades, since Congress carved out a terrorism case exception to the general rule that people cannot use American courts to sue foreign governments, victims of attacks have racked up more than $50 billion in default judgments against Iran.

Those judgments provided symbolic justice but came with little realistic expectation that Iran — which did not bother to contest the evidence — would actually pay all it owed, aside from its limited assets frozen in the United States. But now, those cases are colliding with another major legal and national security event: the Iran nuclear deal.

In the first case of its kind, a group of attack victims — including estates of people who were killed — who won one of the default judgments against Iran has gone to a European court to try to enforce it. A judge in Luxembourg has quietly put a freeze on $1.6 billion in assets belonging to Iran's central bank, according to people familiar with the case.

The fight is part of increasing instances in which domestic civil lawsuits against foreign entities over terrorist attacks have raised diplomatic and national security complications.

Diplomatic and security specialists said the litigation also has broader significance. The essence of the 2015 deal was that Iran agreed to curb its nuclear program in exchange for the lifting of sanctions so it could reintegrate into the world economy. That goal would be undermined if any Iranian-linked assets in places like Europe were vulnerable to seizure to pay off the default judgments handed down by American courts.

Payam Mohseni, the Iran Project director at Harvard Kennedy School's Belfer Center for Science and International Affairs, said that if the victims succeed in seizing the funds, it could be a step toward a new confrontation, strengthening the hands of hard-liners in Iran who were opposed to the deal and are looking for signs of betrayal. Already, he noted, few of the envisioned investments in Iran with Western financing have materialized.

"A ruling like this would make Iranian assets vulnerable in Europe which, for Iranians, would violate the spirit of the agreement if not the letter of it," he said.

The maneuvers in Luxembourg have attracted scant attention because the litigation is largely confidential. But a letter detailing the case is now circulating in Washington. Lawyers for the victims sent the letter on Thursday to the prime minister of Luxembourg, seeking his government's assistance in opposing Iran's effort to unfreeze its assets, and copied the letter to senior foreign policy officials in the White House.

Sean Spicer, the White House press secretary, did not respond to an email request to speak with someone in the Trump administration about its thinking regarding the effort. President Trump was a fierce critic of the nuclear accord during the campaign, saying President Barack Obama had negotiated a bad deal. But he has since given no public indication that he intends to follow through on his vow to abrogate it.

The embassy of Luxembourg in Washington also did not respond to a request for comment.

Complicating matters, the lawsuit that resulted in the default judgment did not stem from one of the attacks by Shiite terrorists that specialists generally agree were sponsored by Iran. Instead, it was brought by victims of the Sept. 11, 2001, attacks by Al Qaeda, the Sunni terrorist group.

In 2011, the victims persuaded a federal judge in New York, George B. Daniels, to find that Iran had aided the attacks by providing assistance to Al Qaeda, like facilitating the travel of Qaeda members through its territory. In 2012, he

ordered Iran to pay the victims $2 billion in compensatory damages and $5 billion in punitive damages.

That judgment stagnated for years because there was no obvious way to collect it. But then it came to light that the Clearstream system in Luxembourg, which facilitates international exchanges of securities, was holding $1.6 billion in Iranian central bank assets that had been blocked under sanctions.

Last year, lawyers for the Sept. 11 victims persuaded a judge in Luxembourg to place a new freeze on those assets while they sued over whether they could execute the default judgment against those funds, the letter said. Both Clearstream and the Iranian central bank, Markazi, are now trying to get that freeze lifted.

The two lawyers who signed the letter and are leading the effort, Lee S. Wolosky and Michael J. Gottlieb, both partners in the law firm Boies Schiller Flexner, are former Obama administration officials. Mr. Gottlieb was a lawyer in the White House in Mr. Obama's first term, and Mr. Wolosky served as the special envoy for Guantánamo closure under Secretary of State John F. Kerry, who negotiated the Iran nuclear deal.

"The Iran nuclear deal does not include terrorism issues or resolve outstanding legal claims, so you can support that deal and also support the enforcement of lawful, final judgments entered by the federal courts wherever Iranian assets are found," Mr. Wolosky said. "And that is exactly what we are aggressively pursuing."

Dennis Ross, an Iran adviser to Mr. Obama in his first term, predicted that European leaders who support the Iran deal would try to resist such efforts. But he also said that while some think the deal is fragile, Iran has an incentive to stick with it for at least seven more years — after which sanctions, which are now suspended, will be terminated — even if it decides it cannot do business in Europe for now.

Iran "will certainly try to get these assets unfrozen so they aren't put at risk, but I don't see them walking away from the deal, even though this is a very novel, very creative use of the legal system to try to get these judgments enforced," he said.

The case joins the growing log of lawsuits that try to assign blame for terrorist ties.

In 2014, for example, the Obama administration divided internally about whether to urge the Supreme Court to intervene in a case against Arab Bank, the largest financial institution in Jordan, brought by victims of terrorist attacks in Israel who accused the bank of having processed financial transactions for Hamas. The case was ultimately settled.

Last year, the Supreme Court ruled said Iran's central bank must turn over $2.1 billion in frozen assets held by Citibank to victims of the 1983 Marine Corps barracks bombing in Lebanon. The Obama administration backed the victims in that case, which Iran is now challenging in the International Court of Justice.

Also last year, American relations with Saudi Arabia came under strain when Congress, overriding President Obama's veto, enacted a bill that widened the terrorism exception to foreign sovereigns' immunity from civil lawsuits, clearing the way for victims of the Sept. 11 attacks to sue the Saudi government too.

CYBER NEWS

Russian Hackers Are Trying To Shake Down Liberal Groups

By Mark Moore

New York Post, March 6, 2017

Russian hackers are poaching embarrassing details from the emails of liberal organizations in the US and demanding hush-money payments of up to $150,000, according to a published report.

At least a dozen groups — including the Center for American Progress and Arabella Advisors — have been contacted about extortion attempts since the presidential election, Bloomberg reported Monday, citing people familiar with investigations being conducted by the FBI and private security firms.

In one instance, a non-profit group discussed with a liberal donor how to pay some of the costs for anti-Trump protesters, the report said. The identities were not disclosed.

The hackers are using techniques similar to those used by Cozy Bear, one of the Russian government groups that infiltrated the Democratic National Committee during the presidential election, the report said.

The Center for American Progress, a liberal think tank with deep connections to the Clintons and former President Obama, and Arabella, which advises people wanting to invest in progressive causes, have received extortion demands, Bloomberg said.

The ransom demands range from about $30,000 up to $150,000 — payable in untraceable bitcoins — and are accompanied by copies of the pilfered data, according to the report.

"Arabella Advisors was affected by cyber crime," said Steve Sampson, a spokesman for the firm, told Bloomberg. "All facts indicate this was financially motivated."

Allison Preiss, a spokeswoman for the Center for American Progress, said the group had no comment, according to the report.

Russian Hackers Said To Seek Hush Money From Liberal Groups

By Michael Riley

Bloomberg News, March 6, 2017

Russian hackers are targeting U.S. progressive groups in a new wave of attacks, scouring the organizations' emails for embarrassing details and attempting to extract hush money, according to two people familiar with probes being conducted by the FBI and private security firms.

At least a dozen groups have faced extortion attempts since the U.S. presidential election, said the people, who provided broad outlines of the campaign. The ransom demands are accompanied by samples of sensitive data in the hackers' possession.

In one case, a non-profit group and a prominent liberal donor discussed how to use grant money to cover some costs for anti-Trump protesters. The identities were not disclosed, and it's unclear if the protesters were paid.

At least some groups have paid the ransoms even though there is little guarantee the documents won't be made public anyway. Demands have ranged from about $30,000 to $150,000, payable in untraceable bitcoins, according to one of the people familiar with the probe.Cozy Bear

Attribution is notoriously difficult in a computer attack. The hackers have used some of the techniques that security experts consider hallmarks of Cozy Bear, one of the Russian government groups identified as behind last year's attack on the Democratic National Committee during the presidential election and which is under continuing investigation. Cozy Bear has not been accused of using extortion in the past, though separating government and criminal actors in Russia can be murky as security experts say some people have a foot in both worlds.

The Center for American Progress, a Washington think tank with strong links to both the Clinton and Obama administrations, and Arabella Advisors, which guides liberal donors who want to invest in progressive causes, have been asked to pay ransoms, according to people familiar with the probes.

The Center for American Progress declined a pre-publication request for comment. "CAP has no evidence we have been hacked, no knowledge of it and no reason to believe it to be true. CAP has never been subject to ransom," Allison Preiss, a spokeswoman for the center, said in a statement Monday morning.

It's unclear whether Arabella is part of the same campaign as the other dozen groups, according to one of the people familiar with the probes, but the tactics and approach are similar.

If the Arabella attack came from a different group, multiple criminals could be lifting a page from Russia's hacking of the 2016 campaign, attempting to leverage the reputational damage that could be inflicted on political organizations by exposing their secrets.

"Arabella Advisors was affected by cyber crime," said Steve Sampson, a spokesman for the firm, which lists 150 employees operating in four offices. "All facts indicate this was financially motivated."Stealing Documents

QuickTake U.S. Probe of Russia Hacking

During the election Russian hackers heavily targeted the personal email accounts of staffers associated with the Clinton campaign. One of the people who described the current campaign said that in some cases, web-based email accounts are also being targeted because of their heavy use among non-profits.

Along with emails, the hackers are stealing documents from popular web-based applications like SharePoint, which lets people in different locations work on Microsoft Office files, one of the people said.

The Federal Bureau of Investigation declined to comment when asked about the latest hacks. It is continuing to investigate Russia's attempts to influence the election and any possible connections to Trump campaign aides. Russian officials have repeatedly denied any attempt to influence the election or any role in related computer break-ins.

"I would be cautious concluding that this has any sort of Russian government backing," said John Hultquist, director of cyber espionage analysis at FireEye Inc., after the outline of the attacks was described to him. "Russian government hackers have aggressively targeted think tanks, and even masqueraded as ransomware operations, but it's always possible it is just another shakedown."Left-Leaning Groups

The hackers' targeting of left-leaning groups – and the sifting of emails for sensitive or discrediting information – has set off alarms that the attacks could constitute a fresh wave of Russian government meddling in the U.S. political system. The attacks could be designed to look like a criminal caper or they could have the tacit support of Russian intelligence agencies, the people said.

Russia's intelligence agencies maintain close relationships with criminal hackers in the country, according to several U.S. government investigations.

None of the possible explanations for the attacks are particularly comforting to the victimized groups, few of which are household names but are part of the foundation of liberal politics in the U.S.

Some of the groups are associated with causes now under attack by the Trump administration. Arabella's founder, Eric Kessler, and its senior managing director, Bruce Boyd, worked for national environmental groups early in their careers. Arabella declined to make Kessler or Boyd available for comment.Trump Critic

The Center for American Progress is a fierce critic of the Trump administration and its policies, and has called for a deeper investigation into contacts by Trump's inner circle with Russian officials.

It's unclear if Trump or his top aides have been briefed on the investigation.

The President has accused liberal groups of sending protesters to congressional town halls, mocking his opponents in a tweet on Feb. 21. "The so-called angry crowds in home districts of some Republicans are actually, in numerous cases, planned out by liberal activists. Sad!," Trump tweeted from his personal account.

Regardless of who is behind the latest round of hacks and ransom requests, there is also indication that state-sponsored hackers continue a broader targeting of liberal groups in the U.S.Emails Targeted

The day after the election, the FSB, Russia's main intelligence agency, targeted the personal emails of hundreds of people, including national security experts, military officers and former White House officials, according to data provided by cyber security researchers who are tracking the spying and who asked not to be identified because of the risks of retaliation. The list was weighted toward people who have worked in Democratic administrations or who are linked with liberal causes.

Among those targets was Kate Albright-Hanna. She worked for Barack Obama in his first presidential campaign in 2008 and then briefly in the White House Office of Health Care Reform.

That was eight years ago. Since then she has worked on a documentary about corruption in New York and developed a network of investigative journalists and activists, not the most obvious target for Russian espionage.

"I have no idea why I would be targeted," said Albright-Hanna, who now lives in New York. "It's super weird."Watch Next: NSA Has Moderate Confidence in Russia Hacking Report

Pennsylvania Senate Democrats Resist Ransom In Cyberattack

Philly (PA), March 6, 2017

Pennsylvania's top state Senate Democrat said Monday that no ransom has been paid to resolve a cyberattack that shut down the caucus' network and prompted an FBI investigation.

Senate Democrats' computer network, including their email system, remained inaccessible Monday, three days after the "ransomware" attack was discovered by technology staff who received an alert that the network had been breached.

Senate Minority Leader Jay Costa, D-Allegheny, would not say what sort of ransom had been demanded, but he said none had been paid, and he and other Senate Democrats said they were not inclined to do so.

"Right now we have no intention of dealing with the demand," Costa said.

A ransomware attack is typically aimed at stealing sensitive information in an attempt to be paid for the data's return, often in a digital currency.

For the time being, Costa said, Senate Democrats were focused on trying to restore access to the network, which contains a wide range of documents, from policy work to constituent case files.

Sen. Daylin Leach, D-Montgomery, said the hackers gave a one-week deadline to pay the ransom, or they would destroy the data.

Costa said he could not say whether there was a deadline. But he also said that the caucus, as a matter of routine, backs up its emails, documents and data, much of it nightly, and that it could be loaded into the network once it is available and safe.

Microsoft was doing a forensic audit to try to figure out who penetrated the network and how, and Costa said the caucus may know more in the next day or two. Senators and staff who tried logging in initially received a message instructing them to click on a link for information on how to recover the data on their network.

Costa said the Philadelphia and Pittsburgh offices of the FBI were working on the case.

A spokeswoman at the FBI's Philadelphia office said that, under Department of Justice policy, the agency will not provide any update on an ongoing investigation unless or until charges are filed.

Leach said his office has lost access to all of the paperwork on file for constituent requests and the state grants he was trying to get for his district.

"In the short-term, we can sort of make do," Leach said. "There are some problems long-term."

Coast Guard's Twitter Account Hacked With Sex Invitation

Philly (PA), March 6, 2017

A U.S. Coast Guard spokesman says an invitation to meet for sex showed up on the mid-Atlantic region's Twitter account after it was hacked.

Coast Guard spokesman Nate Littlejohn said that the account was compromised Monday morning. He says the profile photo and bio were changed to include an invitation to meet for sex, and that an image of a scantily clad woman was tweeted from the account.

Littlejohn says officials were immediately alerted by a member of the news media and regained control of the account in five to 10 minutes. They deleted the tweet and sent an apology "for any unauthorized/offensive tweets."

The Guard's mid-Atlantic district stretches from South Carolina to New Jersey. Littlejohn says none of the region's other accounts were affected.

France Drops Electronic Voting For Citizens Abroad Over Cybersecurity Fears

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Obama's Cyber Commissioners Nudge Trump On Cybersecurity Policy

By Morgan Chalfant

The Hill, March 6, 2017

Members of a commission established under former President Barack Obama to examine the federal government's cybersecurity efforts are nudging the new Trump administration to move forward on its recommendations.

Three members of the commission, including former Obama national security adviser Tom Donilon, on Monday reiterated their call for more cooperation between the public and private sector and more leadership in the White House to spearhead efforts on cybersecurity.

Sam Palmisano, former president and CEO of IBM and vice chair of the commission, said he has attended meetings at the White House to offer his input on cybersecurity policy.

Palmisano told reporters following an event with other members of the commission at the Center for Strategic and International Studies on Monday that he had appeared at the White House that morning to offer advice on how to modernize the government's technology and management to help it function more like a private sector entity.

Obama established the Presidential Commission on Enhancing National Cybersecurity by executive order in February 2016. The group issued a report laying out 16 recommendations to streamline and strengthen the federal government's cybersecurity efforts last December, weeks before Obama turned over the White House to President Trump.

The commission, for instance, recommended the president appoint an assistant to the president for cybersecurity, who would report through the national security adviser and coordinate efforts on digital security across agencies.

"I do think there needs to be the locus in the White House … that can convene the various elements of the United States government that make policy on an interagency basis," Donilon, who chaired the commission and also served as national security adviser to Obama between 2010 and 2013, said at the event Monday morning. "No one agency is going to make policy on something as complicated as cyber."

Donilon, who is now a partner at law firm O'Melveny & Myers, also encouraged the new administration to develop an "all-of-government deterrence" against cyberattacks by coordinating work across agencies and departments.

Trump initially signaled that he would move quickly on cybersecurity reform, announcing the signing of an executive order on cybersecurity in January that was abruptly canceled by the White House.

Palmisano, who said he has been asked to give a reaction to the revised order at another meeting at the White House this afternoon, predicted that the new executive order could be announced as soon as the end of this week.

The White House did not respond to an email asking for confirmation of Palmisano's attendance at the meeting.

Donilon and other members of the commission seemed pleased that Trump is likely to hold agency heads accountable for the cybersecurity of their own organizations, a point he stressed at a news conference in January before the executive order was canceled.

"This insistence by the president that the agency, department heads are responsible for cybersecurity in their agencies and that they be held accountable is a very important piece of this," Donilon said. "That is a contract, if you will, between the president and the people he hires to run the agencies and departments."

"I agree that they need responsibility, but that responsibility in my mind is a leadership role that will bring to the floor what the real issues are," said Steven Chabinsky, a commissioner and partner at law firm White & Case, noting that federal agencies alone might not have the resources to secure their systems and procure new technologies.

"We're asking them to assess the environment and bring that up to this place within the White House like you're talking about and say, here are the real challenges that we're facing," Chabinsky said.

Cyber Executive Order Nearing Completion – FCW

Federal Computer Week, March 6, 2017

The almost-executed, then retracted and repeatedly revised cyber executive order from the Trump administration appears to be nearing completion.

Speaking on a panel at the Center for Strategic and International Studies, former IBM CEO Samuel Palmisano said he would soon attend a meeting with Trump officials to discuss and provide feedback on the executive order.

"So that means it's pretty far along if they're looking for some kind of feedback," said Palmisano, who added that he thought the order could be finalized "maybe within a week or so."

The order is expected to draw heavily from the recommendations of the Commission on Enhancing National Cybersecurity, on which Palmisano served along with co-

panelists Steven Chabinsky and Thomas Donilon and panel moderator Kiersten Todt.

Karen Evans, who served on the CSIS task force that provided cyber recommendations to the Trump administration in January, also participated in the discussion, and said the new administration should not be bound by history when it comes to cyber positions in the government.

"We are looking at this administration through the lens of what has been in the past," said Evans, who also served on the Office of Management and Budget landing team for the Trump transition.

She said that during the CSIS task force process, participants looked at all the "chief" positions in government – information officer, innovation officer, information security officer, etc. – and determined that not all of them are necessary.

"It's an opportunity [for the Trump administration] to be able to say, 'what do you really want these roles to do and what do you really want these jobs to accomplish?'" she said.

"Just because certain positions aren't filled doesn't mean that they aren't working on the issues and that the policies aren't being discussed," said Evans.

One of the recommendations common to the national commission and the CSIS task force, and that was included in a leaked draft of the executive order, is to empower and task cabinet secretaries with responsibility for cybersecurity in their agencies – just as a CEO would be responsible in a private company.

"There's no doubt that the heads of agencies need to have responsibilities," Chabinsky said, "but I can't help but caution that they may be being set up to fail." He warned that agency heads will never have all the money and manpower truly needed to secure their systems.

"So what I would suspect is at the end of the day, what we really mean by saying that the leader is responsible is they're responsible for assessing the situation, taking this seriously and bringing to the forefront whatever those issues are," he added.

"The proposition that every department, agency in the US government can provide 21st century state of the art cybersecurity, that's not going to happen," said Donilon.

He said agencies will need to use shared services and rely on expertise, personnel and state-of-the-art capabilities from the "central part of the government."

Evans said it's not realistic to expect that the government is going to be able to spend the money needed to replace $80 billion in legacy systems, and so agency staffs need to think like corporate staffs that must advise leadership on making investments based on risk assessments and organizational priorities.

"You have to be able to articulate this in a way that it has parameters around it that reflects reality," she said.

COUNTERING VIOLENT EXTREMISM

Islamic School Walked Away From Nearly $1M In Federal Funding Because Of Trump

NBC News, March 6, 2017

Nestled in the beautiful but expensive suburbs of Los Angeles, Islamic theology school Bayan Claremont really could have used $800,000 federal grant money it was awarded from the outgoing Obama administration.

But when time came to collect the funds from the Trump administration, the school chose to walk away with nothing.

Why?

Months before the presidential election, Bayan, part of the larger California-based Claremont School of Theology, spent $20,000 in grant writers and one month of staff time perfecting an application for the Department of Homeland Security's newly minted Countering Violent Extremism Grant Program aimed at expanding "efforts at the community level to counter violent extremist recruitment and radicalization to violence."

The Homeland Security Department headquarters in Washington is seen in this photo taken June 5, 2015. AP

While law enforcement officials have often associated extremism with Islam, the program did not mention any ideology, instead referring to all "violent extremism" — which in theory included radical white supremacist groups

The California-based school needed funding for an ambitious two-year capacity building project called "Flourishing Communities," which would improve inter-religious cooperation, civic engagement, and social justice," said Jihad Turk, president of Bayan Claremont. "We had high hopes for that funding," he added.

After a series of bureaucratic delays, the school finally got word they would be getting a nearly one million dollar grant — one of the highest among the 31 groups awarded.

The problem is that it happened one week before Donald Trump's inauguration.

While the school netted a hefty sum, "something just didn't sit right anymore," said Turk, who called a board meeting where a group of eight people debated over four hours on what they should do about the grant under the new administration.

In a 7-1 vote, the school made the decision to decline the money.

Claremont School of Theology Courtesy of Claremont School of Theology

"We struggled with it, but the context is too acrimonious now, and the rhetoric against Muslims too alarming to work with this administration," Turk said. "Trump poisoned the well."

One of the nationalistic promises Trump campaigned on was a "total and complete shutdown of Muslims entering the United States" — and as president, he has already tried to deliver.

Shortly after taking office, Trump signed executive orders barring immigration from seven Muslim-majority countries. He also alluded to a religious test, giving preference to Christian refuges, while suspending others in the interest of "extreme vetting" to "keep radical Islamic terrorists out of the United States of America."

The order was eventually deemed unlawful by a federal appellate court, but the president just signed a second, tweaked, version that preempts the first.

Trump also surrounded himself with individuals, such as senior strategist Steve Bannon and Attorney General Jeff Sessions, who some civil rights groups perceive as anti-Muslim.

In the weeks leading up the school's decision to walk away, discussions erupted on and off campus among students, alumni, and faculty who became increasingly concerned about what it would mean to take the money from this administration.

"There was some hesitation about the grant under Obama, but people still felt that we could work together and be productive. But under Trump the idea that we can work together or be productive completely went away," said Todd Gallinger, a civil rights attorney and graduate student at Bayan.

Hadi Qazwini, a board member and Bayan alum, said tension surrounding the grant decision was mounting and students began to feel that they would be required to engage in community surveillance and self-policing, as a condition of the money.

The concerns weren't totally out of bounds. The FBI and New York Police Department were discovered to have engaged in "suspicion-less" mass surveillance of Muslim communities in the not so distant past.

"Many students came to me with real fears that they would be surveilled and spied on. It caused a lot of anxiety for students," Qazwini said. "One student even suggested that she would withdraw from the school."

Those fears were further elevated in early February after Reuters reported, based on anonymous sources, that the new administration would be changing the name of the grant program from ""Countering Violent Extremism," to "Countering Islamic Extremism" or "Countering Radical Islamic Extremism," putting the focus solely on Islam — which would be a huge shift from the program's original stance.

The Department of Homeland Security declined requests for comment by NBC News.

Kimberly Edwards, director of communications for the Claremont School of Theology, kept a close eye on the discussions taking place on campus. She said many Muslim students told her they "felt indiscriminately targeted" as "the only community being specifically tasked with working against extremism."

But the conversation flowed beyond just Bayan's Muslim students said Reverend Kah-Jin Jeffrey Kuan, president of the Claremont School of Theology, who stood behind Bayan's choice. "Rhetoric against any religion has no place American society, and that is not something we still stand for," he said.

Sarah Fiske-Phillips, 26, who is studying at Claremont to be a pastor said her Christian faith guided her to support Bayan's decision to decline the money. "Eight hundred thousand dollars is huge and would really impact our institution, but holding our values of loving our neighbor is more important than a paycheck," she said.

Claremont School of Theology students and alums march to the local mosque in a show of support. Image: Claremont School of Theology

Bayan is currently one of four Muslim-based groups that preemptively declined the Department of Homeland Security Grant.

Ka-Joog, a Somali youth organization in Minneapolis, Minnesota, Unity Productions in Potomac Falls, Virginia, and Leaders Advancing and Helping Communities in Dearborn, Michigan, have rejected a combined total of almost $1.4 million in grants, citing the new administration's anti-Muslim tone.

And there are still several other Muslim-based potential recipients of the grant that have not pulled the trigger. The Muslim Public Affairs Counsel, which netted $383,500, said they are waiting for official word on disbursement before making a decision.

Bayan Claremont is now trying to make up for the $800,000 deficit by setting up a GoFundMe page as well as soliciting donations from the community, said Turk.

"We are already more than halfway to our goal," he said.

NATIONAL SECURITY NEWS

U.S. Military Deploys Forces In Syria's Manbij In New Effort

By Idrees Ali And Phil Stewart

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

U.S. Troops Play New Role In Syria

By Shawn Snow

Military Times, March 6, 2017

WASHINGTON — The U.S. military has sent a team of troops to a small city in Syria to prevent the various forces present there from fighting one another.

The Pentagon calls its effort in Manbij "reassure and deter." It's focused on keeping peace between Syrian Kurdish militias and Turkish military units, both of whom are fighting the Islamic State group but deeply distrustful of one another.

"It's a visible reminder, for anybody who's looking to start a fight, that the only fight that should be going on right now is with ISIS," Davis said.

Turkish President Recep Tayyip Erdogan has threatened to "liberate" the city from Kurdish fighters and give it back to local Arabs, according to reports

. Meanwhile, Russian military elements, in support of troops loyal to Syrian President Bashar al Assad, also are present on the city's outskirts.

"This is obviously a really complicated situation," said Navy Capt. Jeff Davis, a Pentagon spokesman.

Davis declined to detail how many Americans are involved in the operation, saying only that it's fewer than dozens. They include some conventional forces working in support of a special operations task force that's been in the area for many months.

The U.S. has authorized a force of 500 troops, predominantly Special Forces, to operate in Syria. It's unclear if this deployment breaches that threshold.

A Manbij Military Council female instructor trains a local female MMC student during marksmanship training Feb. 21, 2017, at Sanaa Training Center in Northwest Syria. This is the first cycle of women to graduate and join the MMC. The MMC is a multi-ethnic force that includes Kurds, Arabs, Christians, Turkmen, Yazidis and others. The course is administered by Special Operations Joint Task Force – Operation Inherent Resolve trainers.

Photo Credit: Master Sgt. Mark Burrell/Army

Manbij is controlled by a coalition of Arab and Syrian Kurdish forces. Turkey considers the Kurds, a group known as the YPG, to be allied with extremists responsible for terror attacks on Turkish soil. However, the YPG has been a valuable ally to the U.S. in its fight against ISIS, and the issue has created tension between Ankara and Washington.

Operation Euphrates Shield, launched by Turkey in August, has the dual mandate of defeating ISIS and the YPG, according to Al Monitor

. This represents a challenge for Washington as it seeks to protect one ally while not provoking another.

The new U.S. mission in Manbij falls outside the U.S. military's train, advise and assist role, possibly foreshadowing the potential for mission creep even as ISIS loses power and territory in Syria. The Pentagon recently sent the White House its plan, ordered by President Trump shortly after taking office, for accelerating the group's defeat.

It appears this deployment, however, is more of a near-term fix and not necessarily tied to broader strategy.

Sending U.S. troops into Manbij is an attempt to make Turkey dial back, said Jennifer Cafarella, an expert on the Syrian conflict at the Institute for the Institute for the Study of War. But the move highlights lingering questions about the Pentagon's long-term objectives there.

"The U.S.," she said, "still needs a strategy to reach a three-way deal with Erdogan and the YPG that sets mutually agreeable terms for a de-escalation in northern Syria. What that deal would require is unclear, because it hasn't been explored."

Shawn Snow is a Military Times staff writer and editor of the Early Bird Brief. On Twitter: @SnowSox184

Syrian Government Forces Take Over Positions From U.S.-backed Militia In Northern Syria: Militia Spokesman

By Suleiman Al-Khalidi

Reuters, March 6, 2017

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Mental Health Crisis Among Syria's Children A Living Nightmare: Save The Children

By Ellen Francis

Reuters, March 6, 2017

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Libya Militias Who Seized Oil Terminals Aim To Take Benghazi

By Rami Musa

Associated Press, March 6, 2017

BENGHAZI, Libya (AP) – Libyan militias that occupied two key oil terminals last week said Monday they intend to take the eastern city of Benghazi and unseat Field Marshal Khalifa Hifter, who controls the area.

Col. Mustafa Alsharksi, leader of the so-called Benghazi Defense Brigades, said more than 3,000 men are poised to continue eastward now that they have taken over the oil terminals of al-Sidra and Ras Lanuf.

The move threatens to escalate the conflict between Libya's two competing parliaments and governments, each backed by a set of militias, tribes and political factions, and potentially damage the contested oil installations.

"Our main goal is to return our city," Alsharksi said at a news conference in Misrata. "Our main goal is to reject and say no to oppression, say no to military rule (of Hifter),"

The militias are comprised of Islamic militants and former rebels recently defeated by Hifter's forces in Benghazi, Libya's second largest city. They were joined by militiamen from the western city of Misrata.

Alsharksi, who described Hifter as a "criminal," said his forces will continue to ensure oil revenues go to the U.N.-backed government in Tripoli.

The Hifter-allied army units say they have deployed more forces in preparation for a counterattack to drive out the militias, describing the militias' recent advances as "a war against a whole region" that "they will not win."

Hifter's army is allied to the internationally recognized parliament based in eastern Libya, while the internationally recognized government based in the capital, Tripoli, opposes Hifter. The latter has condemned the fighting and says it has no role in it, according to a statement released by the Presidency Council, the United Nations-brokered body that was given the task of forming the government and that has presidential powers.

Libya descended into chaos with its 2011 civil war, which ended with the killing of longtime dictator Moammar Gadhafi and led to the current split.

The oil terminals have changed hands several times in the past three years, and the latest seizure has hurt production that was finally increasing and had reached 700,000 barrels a day in February.

Alsharksi described his forces as "revolutionaries" who took part in the uprising against Gadhafi. He said they attacked the oil terminal areas because Hifter's side had been using airports there to launch airstrikes against their allies.

He said his troops are comprised of "civilians and military officers not affiliated to any political party or groups" who "fight terrorism in Libya."

In a joint statement, the ambassadors from Libya of France, the United Kingdom and the United States condemned the escalation of violence and called for an immediate cease-fire.

?"We recall the urgent need for a unified national military force under civilian command in order to preserve the security and prosperity of all Libyans," they said. "We reaffirm the need to keep oil infrastructure, production, and export under the exclusive control of the National Oil Corporation acting under the authority? of the Government of National Accord."

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East Libyan Forces Mobilizing For Counter Attack At Oil Ports: Officials

By Ayman Al-Warfalli

Reuters, March 6, 2017

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U.S.-backed Iraqi Forces Capture Mosul Bridge, Close In On State Buildings

By Isabel Coles And Maher Chmaytelli

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Coalition Forces Make Quick Progress In Mosul, ISIS Defeat Expected Soon

By Carlo Muñoz

Washington Times, March 6, 2017

It was supposed to be a long hard slog, but top commanders within the U.S.-backed coalition battling the Islamic State now say Mosul, the terrorist group's last urban stronghold in Iraq, could be back under Baghdad's control within weeks.

Iraqi military units, alongside Shiite militiamen and Kurdish peshmerga fighters, have spent the past four months in grueling urban combat against forces loyal to the Islamic State, also known as ISIS and ISIL, through the eastern half of Mosul.

With support from U.S. heavy artillery and air power, the Iraqi-led coalition capped the offensive late last month, seizing Mosul's main airport and a critical military base before setting its sights on the western side of Iraq's second-largest city.

Then came a flurry of fast-paced developments Monday as the coalitions suddenly closed in on a key provincial government complex in the Dawasa enclave of western Mosul, prompting a wave of optimistic projections from Iraqi commanders.

The Islamic State's "defenses are buckling under the pressure," said Iraqi Air Force Cmdr. Hamid Maliki. Given the speed and relative success of the Iraqi offensive, Mosul will likely fall to Iraqi forces "within the next six weeks," Cmdr. Maliki told the Anadolu News Agency.

In Washington, Pentagon spokesman Capt. Jeff Davis would not offer a timeline for Mosul's recapture, but he did note that Iraqi forces had retaken over 1,500 square miles of territory from Islamic State control.

Iraqi forces had closed in on a key provincial government complex in the Dawasa enclave of western Mosul on Monday, with the Interior Ministry's Rapid

Response units and Iraqi Federal Police taking the provincial police headquarters and court building, Reuters reported.

Iraqi forces also reportedly secured the second of five bridges spanning the Tigris River that connect eastern and western Mosul. Although all five bridges were destroyed by coalition airstrikes early in the campaign, maintaining control of those bridges on the city's western banks provides security for advancing Iraqi forces driving into Mosul's city center.

The western Mosul offensive had been delayed for several days because of inclement weather, which prevented American and coalition fighters and surveillance aircraft from providing support to ground forces. But the coalition's progress through the western half of Mosul has been relatively swift since operations began late last month.

Stiff resistance

Despite such progress, ground commanders still are confronting stiff resistance by Islamic State cells dug into western Mosul's bombed-out neighborhoods. Coalition fighters have been met with waves of suicide bombings, sniper and mortar fire and commercial drones armed with grenades and artillery shells. One Iraqi Federal Police unit was swarmed with six suicide car bombs as it moved through Dawasa toward the provincial government complex, Maj. Gen. Haider al-Maturi of the Federal Police Commandos Division told The Associated Press on Sunday.

In Dawasa, as well as Shuhada and Mansour neighborhoods in the city's southwest, Iraqi military and police are battling the Islamic State street by street, block by block. Iraqi forces are trying to clear nests of Islamic State snipers and mortar pits dug into civilian homes and buildings across western Mosul, Iraqi special forces Maj. Ali Talib told the AP.

Iraqi commanders are bracing for the most difficult fight of the campaign as coalition forces move toward the old city district of Mosul. The ancient city sector is home to the Mosul's Grand Nuri Mosque, where Islamic State leader Abu Bakr al-Baghdadi notoriously announced the group's "caliphate" after overrunning Mosul and most of northern Iraq in mid-2014. At the time, units of the regular Iraqi army broke and ran in the face of an advance from a much smaller Islamic State contingent.

Among the top concerns among U.S. and coalition commanders is the possible use of chemical weapons against advancing Iraqi troops.

Islamic State fighters reportedly deployed mustard gas against Iraqi forces and civilians in western Mosul last week, NBC News reported. Islamic State rockets laden with the chemical weapon were fired from the western Mosul, striking the Al-Zuhur and Al-Mishraq neighborhoods in the eastern portion of the city.

Officials from the International Committee of the Red Cross said 15 civilians had been treated for exposure to toxic chemical agents over the past week.

"It was certainly [the result of] a toxic chemical agent, because their symptoms were absolutely clear. People had blisters, they vomited. They had irritation in the eyes and coughed," Iolanda Jaquemet, an ICRC spokeswoman, told NBC.

The World Health Organization issued a statement last week over the possible use of chemical weapons in Mosul, saying international aid groups and local health organizations have "activated an emergency response plan" to treat victims of chemical attacks.

"WHO is extremely alarmed by the use of chemical weapons in Mosul, where innocent civilians are already facing unimaginable suffering as a result of the ongoing conflict," according to the statement, which noted that the use of such weapons is a clear violation of the international rules of war.

In September, American commanders suspected U.S. and Iraqi forces had been hit with a chemical strike. The attack, which took place near the main American military logistics hub at Qayyara airfield, was supposedly the first use of mustard gas against U.S. troops since World War I.

At the time, Chairman of the Joint Chiefs of Staff Gen. Joseph Dunford told Congress that U.S. forces had been the target of a "mustard blister agent" attack.

Initial tests of two mortar rounds that struck near U.S. positions in Qayyara, about 40 miles south of Mosul, showed evidence of a chemical agent akin to mustard gas, the Pentagon said at the time. However, subsequent tests for mustard gas agents on one of the two mortar rounds proved inconclusive.

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Chinese Troops Appear To Be Operating In Afghanistan, And The Pentagon Is OK With It

By Shawn Snow

Military Times, March 5, 2017

WASHINGTON — There is mounting evidence that Chinese ground troops are operating inside Afghanistan, conducting joint counter-terror patrols with Afghan forces along a 50-mile stretch of their shared border and fueling speculation that Beijing is preparing to play a significantly greater role in the country's security once the U.S. and NATO leave.

The full scope of China's involvement remains unclear, and the Pentagon is unwilling to discuss it. "We know that they are there, that they are present," a Pentagon spokesman said. Yet beyond a subtle acknowledgement, U.S. military officials in Washington and in Kabul would not respond to several detailed questions submitted by Military Times.

This dynamic stands in stark contrast to the two sides' feisty rhetoric over their ongoing dispute in the South China Sea, and to Washington's vocal condemnation of Russian

and Iranian activity in Afghanistan. One explanation may be that this quiet arrangement is mutually beneficial.

Both the Chinese and Afghan governments have disputed reports of joint patrols inside Afghanistan. Those first surfaced late last year when India's Wion News published photos

claiming to show Chinese military vehicles in a region called Little Pamir, a barren plateau near the border. Reuters, an international news agency, also recently documented

the development.

The vehicles were identified as a Dongfeng EQ 2050, which is the Chinese equivalent of a U.S. Humvee, and a Norinco VP 11a, which are like the mine-resistant MRAPs developed by the U.S. military last decade. China maintains that while its police

forces do conduct joint counter-terrorism operations along the border, based on existing bilateral agreements between the two nations, the People's Liberation Army does not.

But then there's this peculiarity: In January, Chinese media circulated a report

about Chinese troops allegedly rescuing a U.S. special forces team that had been attacked in Afghanistan. The story is likely bogus propaganda, and U.S. officials in Afghanistan say no U.S. personnel have been part of any operations involving Chinese forces, but it would seem to underscore the two countries' shared interest in combating terrorism there.

In this screen grab from India's Wion News, a Chinese Norinco VP 11a mine resistant vehicle patrols in the Afghanistan-China border region. (Screen grab via Wion News)

But why is China even interested in Afghanistan? There are two motivators: security and commerce.

The first, says Franz-Stefan Gady, a senior fellow at the East-West Institute, centers around China's desire to eradicate a Uyghur militant group known as the East Turkestan Islamic Movement, which has been active throughout the region for many years. Its feud with the Chinese government dates to 1949. The U.S. State Department designated it a terrorist organization in 2002. More recently, Uyghurs fighting with the Islamic State in Iraq have vowed to wreak havoc

back home in China.

The U.S. military is not expressly targeting China's adversary though its continued presence in Afghanistan does further China's objective by helping to secure the country and deny sanctuary to rogue terror groups. Today, there are about 15,000 U.S. and NATO troops in Afghanistan, down from nearly 130,000 during the war's peak. They're spread across a handful of bases, focused on teaching the Afghans how to fight their enemies independently. A separate U.S-led counter-terror mission is focused on taking out high-profile leaders within al-Qaida and its affiliates.

But as coalition forces have pulled back, security has eroded, leaving ripe conditions for militants — be it the Taliban, al-Qaida or Uyghurs — to move in. The top American commander in Afghanistan, Army Gen. John Nicholson, last month called the 15-year war a stalemate, raising the possibility that the U.S. and its allies could once more expand their footprint. Long term, however, the goal is to extract. "Beijing," Gady said, "has expressed repeated concern over the diminished Western foot print in Afghanistan."

Border security and broader stability are of prime concern to China, said Sung-Yoon Lee, a professor of U.S.-East Asia relations at The Fletcher School of Law and Diplomacy. So its "law enforcement actions inside Afghanistan in cooperation with Pakistan, as the U.S. draws down, serve Beijing's interests quite well." The U.S. is dependent on this assistance, he said. "Hence, there's no compelling reason for China not to resort to military force in its unstable western neighbor."

Chinese Gen. Li Zuocheng, left, and U.S. Army Chief of Staff Gen. Mark Milley review an honor guard at the Bayi Building in Beijing, Tuesday, Aug. 16, 2016. (AP Photo/Mark Schiefelbein)

It's a unique dilemma for Washington. On the one hand, China's assistance in war-torn Afghanistan is seen as helpful. All the saber rattling in the South China Sea — to include China's militarization of several man-made islands — is not.

So the U.S. appears willing to cooperate where it can, and confront where it must. "A stable Afghanistan is in the interest of both the United States and China," Gady said. "I assume there must be a tacit understanding that China's involvement in Afghanistan is welcome up to a point."

China's financial interests revolve around Afghanistan's abundance of natural resources and minerals, and its access to Central Asian markets. Beijing sees Afghanistan as a vital link for its "One Belt, One Road" initiative, an economic policy that seeks to connect Eurasia to China.

"China," Gady said, "has been seen as a 'free rider' — gaining economic benefits by exploiting the country's natural resources while not contributing to the political and military solution of the conflict. So it is not surprising that as Western engagement in the country diminishes, China gradually steps in to fill the void to secure its interests."

In 2015, after the Taliban reclaimed Kunduz, a strategic city in northern Afghanistan, Beijing agreed to cooperate with Kabul. It pledged $73 million to support Afghanistan fledgling security forces. Afghan border police also are being trained in China, and the Chinese government is providing military hardware, including bullet proof jackets, demining equipment and armored police vehicles.

Lee does not view this as a softening stance between Beijing and Washington. There are too many other disagreements, he noted. Beyond the South China Sea, the

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U.S. wants China to do more to keep North Korea in check and to lay off South Korea, which intends to deploy a self-defense anti-ballistic missile system.

And the notion of Chinese forces pushing deeper into Afghanistan, beyond the border region, strikes Gady as unlikely — at least in the near term, while the U.S. and its allies are there in significant numbers. "China's security footprint," he said, "will remain small and insignificant in comparison."

Shawn Snow is a Military Times staff writer and editor of the Early Bird Brief. On Twitter: @SnowSox184

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North Korea Leader Kim Supervised Missile Tests: KCNA

By Ju-min Park And Jack Kim

Reuters, March 6, 2017

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Trump Says U.S. Is With Japan '100 Percent' After North Korea Missiles: PM Abe

By Kaori Kaneko

Reuters, March 7, 2017

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Trump Speaks To South Korea Acting President Over North Korea Missiles: South Korea

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Tokyo Says North Korea Missile Tests Show 'new Level Of Threat'

By Guy Taylor

Washington Times, March 6, 2017

North Korea's test launch of four ballistic missiles Monday — three of which crashed into the Sea of Japan — prompted a swift and harsh reaction from Japanese Prime Minister Shinzo Abe, who said the development showed that Pyongyang now represents a "a new level of threat" to Tokyo and the world.

In Washington, the Trump administration strongly condemned the launches, with State Department spokesman Mark Toner telling reporters that U.S. officials "are prepared to use the full range of capabilities at our disposal against this growing threat."

While it was not immediately clear exactly what type of ballistic missiles were fired by the North Koreans, both Tokyo and Washington, as well as South Korea, said the launches were another clear violation of U.N. Security Council resolutions banning the North Koreans from any ballistic missile activity.

Japanese and South Korea officials said Monday's projectiles flew about 620 miles from the North Korean mainland, with three landing in waters that Japan claims as its exclusive economic zone. At least one of the missiles crashed into the sea just 190 miles off Japan's northwest coast, officials said.

The launches came roughly a month after North Korea had test-fired what intelligence officials later described as a new type of intermediate-range ballistic missile its own coast. The Feb. 12 test was the first major provocation by Pyongyang since U.S. President Donald Trump took office, and the test was carried out just as Mr. Trump was meeting with Mr. Abe in Florida.

Monday's launches, meanwhile, appeared to be carried out in retaliation to large and ongoing U.S.-South Korean military drills that Pyongyang insists are an invasion rehearsal. Seoul and Washington call the drills on the Korean Peninsula defensive and routine, although the peninsula technically remains in a state of war because the 1950-53 Korean War ended with an armistice and not a peace treaty.

The North hates the drills, which run until late April and which analysts say force Pyongyang's impoverished military to respond with expensive deployments and drills of their own. An unidentified spokesman for the North's General Staff of the Korean People's Army said last week that Pyongyang's reaction to the southern drills would be the toughest ever but didn't elaborate.

The Associated Press reported Monday that Mr. Trump's newly appointed national security adviser, H.R. McMaster, had spoken via telephone with his South Korean counterpart, Kim Kwan-jin, about the latest missile launches. The two condemned the action and agreed to boost cooperation to get the North to face more effective sanctions and pressure, according to South Korea's presidential office.

Pyongyang has test-launched a series of missiles of various ranges in recent months, including a new intermediate-range missile in February; it also conducted two nuclear tests last year. The ramped-up tests come as leader Kim Jong-un pushes for a nuclear and missile program that can deter what he calls U.S. and South Korean hostility toward the North.

The Obama administration responded to Pyongyang's nuclear tests last with a wave of economic sanctions that included coordinated participation from South Korea, Japan and — to a lesser degree — China. Then-President Barack Obama also moved toward a significant uptick in the U.S.-South Korean military alliance — most notably with the

deployment of a Terminal High-Altitude Area Defense system to South Korea, where roughly 30,000 U.S. troops are stationed.

The New York Times reported over the weekend that despite the Obama administration having also increased cyber and electronic strikes against North Korea's missile program, Washington lacks an effective counter to Pyongyang's actions.

In addition to the U.S. forces in South Korea, Washington also has roughly 50,000 troops stationed in Japan. While both are seen to be at risk of being targeted by North Korean missiles, there have been widespread worries that Pyongyang will eventually conduct an intercontinental ballistic missile test that — when perfected — could in theory reach the U.S. mainland.

Mr. Abe said Monday's tests were "utterly intolerable" and noted Pyongyang's accelerating technological advancements. The latest test firing "clearly shows that North Korea is now a new level of threat," Mr. Abe said during a legislative session in Tokyo.

The Japan Times quoted a high-ranking official as saying that that four missiles were apparently fired simultaneously and from the same location, a development that could prove vexing for existing Japanese missile defenses.

There were also questions Monday about the timing of the launches. In addition to overlapping with the annual South Korean-U.S. military drills, The Japan Times noted the launches occurred just after the opening of China's rubber-stamp parliament in Beijing — a gathering aimed at highlighting President Xi Jinping's command over foreign and domestic affairs.

The Xi government recently triggered a biting reaction from North Korea, which shares a border with China and is Beijing's traditional ally in the region, by announcing that it was suspending critical coal imports from the isolated nation through the end of the year.

• This article is based in part on wire service reports.

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Missile Tests Add Pressure On Trump Over North Korea

By Matthew Pennington

Associated Press, March 6, 2017

WASHINGTON (AP) – North Korea's latest volley of missile tests put new pressure on a preoccupied Trump administration Monday to identify how it will counter leader Kim Jong Un's weapons development.

North Korea's march toward having a nuclear-tipped missile that could reach the U.S. mainland is among the pressing national security priorities President Donald Trump faces. He has vowed it "won't happen" but has yet to articulate a strategy to stop it.

A wide array of options are on the table, but aggressive behavior by Pyongyang in response to U.S.-South Korean military drills that began last week could further shrink chances for diplomatic engagement.

Upheaval in the administration has added to uncertainty in foreign capitals about how Trump's "America First" mantra will translate into foreign policy, and how a new president with no prior experience in government might handle a security crisis.

An administration official told The Associated Press Monday that tougher sanctions, military action and resumption of long-stalled negotiations with North Korea are all under consideration as part of a policy review to provide options for the president within weeks.

The official, who demanded anonymity to discuss the private deliberations, did not anticipate an immediate U.S. response to the North's test-firing of four banned ballistic missiles Monday that South Korean and Japanese officials said flew about 1,000 kilometers (620 miles). Three of the missiles landed in waters that Japan, a close U.S. ally, claims as its exclusive economic zone.

North Korea typically reacts during the annual military drills that it considers an invasion rehearsal, although Washington and Seoul say they are routine.

This year's response could be more heated than usual. Victor Cha, a former White House adviser on Asia, said North Korea tends to up the tempo of missile tests during the drills when relations with the U.S. are bad. And next week, the drills shift from table-top exercises to military maneuvers.

"I think there are more tests coming," Cha said.

The U.S. and Japan have requested an emergency meeting of the U.N. Security Council to discuss the latest missile launches. The meeting is likely to take place Wednesday, a U.N. diplomat said, demanding anonymity to speak before the official announcement.

North Korea, meanwhile, urged the council to discuss the U.S.-South Korea exercises, asserting the drills are driving the region toward "nuclear disaster."

Ri Song Chol, counsellor at North Korea's U.N. mission, told AP that supreme leader Kim Jong Un has said as long as there are "military exercises in front of the gate of my country," the North will continue to strengthen its military forces and "pre-emptive attack capabilities."

Over the seven weeks of last year's exercises, North Korea conducted nine missile tests, including of submarine-based and intermediate range missiles, but never more than two missiles at once. Five of the tests failed.

Cha said that Trump's hand could be forced by North Korea's provocative actions. The Obama administration relied heavily on sanctions, but the moves failed to stop Pyongyang.

"Right now they don't have any choice. I mean they've already had two sets of missile tests and then the use of a chemical weapon in an airport," Cha said.

North Korea is the prime suspect in the assassination last month of Kim Jong Un's estranged half brother in Malaysia, using what authorities say was VX nerve agent.

David Wright at the Union of Concern Scientists said the missiles launched Monday were likely either extended-range Scuds or medium-range Nodong ballistic missiles that have been tested numerous times before – not an intercontinental missile that threatens America.

"But the tests naturally will increase political pressure on Trump to take a tough stand," said Mark Fitzpatrick at the International Institute for Strategic Studies think tank. "He has a political imperative to show attention to the North Korean security threat, so as to counter the impression of a White House in disarray."

Trump's new national security adviser, H.R. McMaster, spoke by phone Monday with his South Korean counterpart Kim Kwan-jin, and they agreed to boost cooperation to get the North to face more effective sanctions and pressure, according to South Korea's presidential office.

"The United States stands with our allies in the face of this very serious threat," White House press secretary Sean Spicer said in Washington.

He said the Trump administration is taking steps to enhance its ability to defend against North Korea's ballistic missiles, such as through the deployment of a missile defense system. Seoul agreed with the Obama administration to place that system on its soil against the objections of China, which is concerned the system's radar will range inside its territory.

The New York Times reported over the weekend that the Obama administration also tried to conduct cyber and electronic strikes against North Korea's missile program.

Republican Sen. Cory Gardner, who chairs a Foreign Affairs subcommittee on Asia, told AP he has called for the administration to provide a closed briefing to senators. He said he wants clarity on what has been done and under what authorities, and what the U.S. posture toward North Korea will be in the months ahead.

He also stressed a need to clamp down on Kim's sources of foreign revenue and for China to follow through on its promise to suspend imports of North Korean coal.

Associated Press writers Catherine Lucey in Washington and Edith M. Lederer at the United Nations contributed to this report.

This story has been corrected to correct misplaced attribution in 10th paragraph, now attributing to U.N. diplomat that Security Council meeting likely to take place on Wednesday.

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North Korea Missile Test Stirs Fears Of Capability To Reach The U.S.

Launch suggests Pyongyang is pushing toward test of intercontinental ballistic missile, pledged for this year

By Jonathan Cheng In Seoul And Alastair Gale In Tokyo

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

North Korea Launch Could Be Test Of New Attack Strategy, Japan Analysts Say

By Motoko Rich

New York Times, March 6, 2017

TOKYO — The apparent success of four simultaneous missile launchings by North Korea on Monday raised new alarms about the threat to its neighbors and its progress toward developing an ability to overcome their ballistic missile defense systems, including those that have yet to be deployed.

According to the South Korean military, North Korea launched four ballistic missiles from its long-range rocket launch site on Monday morning. In Japan, analysts said the launches suggested that North Korea could pose a more serious threat than indicated by previous tests.

"That would mean a lot in terms of the defense of Tokyo, because North Korea might have been conducting a simulation of a 'saturation attack' in which they launch a number of missiles simultaneously in order to saturate the missile defense that Japan has," said Narushige Michishita, director of the Security and International Studies Program at the National Graduate Institute for Policy Studies in Tokyo. "It would be difficult for Japan to shoot down four missiles all at the same time because of our limited missile defense."

The missile tests came three weeks after North Korea tested a missile during a visit to the United States by Japan's prime minister, Shinzo Abe, to meet with President Trump.

The launch on Monday happened as the United States and South Korea were conducting their annual joint military exercise. North Korea calls such drills a rehearsal for invasion and has often responded by conducting missile tests.

Japan's Coast Guard sent out navigation warnings and stepped up air and sea patrols on Monday after three of the

missiles landed within the country's so-called exclusive economic zone, where fishing and cargo ships are active. The fourth landed outside it, though nearby.

This was not the first time that North Korean test missiles have fallen within that zone. In both August and September last year, missiles came within 125 and 155 miles of the Japanese coastline. Monday's missiles landed about 185 to 220 miles west of Akita Prefecture, on the northern coast of the main island, Honshu. The September launches involved three missiles fired simultaneously, but this time North Korea set off four missiles at once, all of which seemed to land successfully.

During a parliamentary committee session Monday morning, Mr. Abe said that the launches "clearly represent a new threat from North Korea."

The missiles took off from Tongchang-ri, in northwestern North Korea, and flew an average of 620 miles before falling into the sea between North Korea and Japan, said Noh Jae-chon, a South Korean military spokesman. The type of missile fired was not immediately clear, but Mr. Noh said it was unlikely that they were intercontinental ballistic missiles, which the North had recently threatened to test launch.

In South Korea, the launch prompted South Korean security officials to call for the early deployment of the Terminal High-Altitude Area Defense System, or Thaad, an advanced American antimissile system. China has protested Thaad as a threat to its own nuclear deterrence because its powerful radar would be able to track Chinese missile launches.

Mr. Michishita, of the National Graduate Institute for Policy Studies, said the missile launches could accelerate a discussion within the Japanese government about whether Japan should acquire more missile defense systems, including Thaad. In January, Japan's defense minister, Tomomi Inada, visited a United States Air Force base on Guam for a briefing on Thaad.

After North Korea's missile test last month, Japan's governing Liberal Democratic Party formed a committee to discuss the country's ballistic missile defenses, and it plans to debate various options, including Thaad, early warning satellites and other defense systems that could intercept incoming missiles.

North Korea's provocations could also embolden Mr. Abe in his campaign to raise military spending.

"This can be used by the government as a pretty credible reason why we have to spend more on defense at the expense of other budget items," including social welfare programs, Mr. Michishita said.

The Mainichi Shimbun, a newspaper, reported in its evening edition that residents in Akita Prefecture, which sits closest to where the missiles landed in the Sea of Japan on Monday, were concerned by the increasing frequency of the tests.

Kazuhiro Asai, director of the Kitaura branch of the Fishermen's Cooperative of Akita Prefecture, told The Mainichi Shimbun that members of the group were frightened by the launches. The newspaper also quoted Kiyokazu Hatakeyama, director of the Kitaura Community Center, as concerned about a potential decrease in tourists to the area.

U.S. Missile Defense System Arrives In South Korea

Deployment aimed at North Korea likely to anger China and Russia

By Kim Tong-Hyung

Washington Times, March 6, 2017

SEOUL, South Korea — U.S. missile launchers and other equipment needed to set up a controversial missile defense system have arrived in South Korea, the U.S. and South Korean militaries said Tuesday, a day after North Korea test-launched four ballistic missiles into the ocean near Japan.

The plans to deploy the Terminal High-Altitude Area Defense system, or THAAD, by the end of this year have angered not only North Korea, but also China and Russia, which see the system's powerful radars as a security threat.

Washington and Seoul say the system is defensive and not meant to be a threat to Beijing or Moscow.

The U.S. military said in a statement that THAAD is meant to intercept and destroy short and medium range ballistic missiles during the last part of their flights.

"Continued provocative actions by North Korea, to include yesterday's launch of multiple missiles, only confirm the prudence of our alliance decision last year to deploy THAAD to South Korea," Adm. Harry Harris, head of the U.S. Pacific Command, said in the statement.

Some South Korean liberal presidential candidates have said that the security benefits of having THAAD would be curtailed by worsened relations with neighbors China and Russia.

China's condemnation of South Korean plans to deploy THAAD has triggered protests against South Korean retail giant, Lotte, which agreed to provide one of its golf courses in southern South Korea as the site of THAAD. The South Korean government also raised worries about a reported ban on Chinese tour groups visiting the country.

An official from South Korea's Defense Ministry, who didn't want to be named, citing office rules, said that the equipment that arrived in South Korea included launchers, but didn't confirm how many.

On Monday, North Korea fired four ballistic missiles in an apparent protest against ongoing U.S.-South Korean military drills that it views as an invasion rehearsal. The

missiles flew about 1,000 kilometers (620 miles) on average, three of them landing in waters that Japan claims as its exclusive economic zone, according to South Korean and Japanese officials.

The North's state media on Tuesday said leader Kim Jong Un supervised a ballistic rocket launching drill, a likely reference to the four launches reported by Seoul and Tokyo. Involved in the drills were artillery units tasked with striking "U.S. imperialist aggressor forces in Japan," according to the Korean Central News Agency.

South Korea's Joint Chiefs of Staff said that the missiles fired by the North were believed to be "improved versions" of Scud missiles. South Korean experts say North Korea's extended-range Scuds and mid-range Rodong missiles are capable of hitting Japan, including U.S. military bases in Okinawa.

Kim "ordered the KPA (Korean People's Army) Strategic Force to keep highly alert as required by the grim situation in which an actual war may break out anytime," a KCNA dispatch said.

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North Korea Says It Was Practicing To Hit US Military Bases In Japan With Missiles

By Anna Fifield

Washington Post, March 6, 2017

TOKYO — North Korea was practicing to strike United States military bases in Japan with its latest barrage of missiles, state media in Pyongyang reported Tuesday, and appears to be trying to outsmart a new American anti-missile battery being deployed to South Korea by firing multiple rockets at once.

Kim Jong Un presided over Monday's launch of the four missiles, "feasting his eyes on the trails of ballistic rockets," the Korean Central News Agency reported in a statement that analysts called a "brazen declaration" of its intent to strike its enemies with a nuclear weapon if it came under attack.

"If the United States or South Korea fires even a single flame inside North Korean territory, we will demolish the origin of the invasion and provocation with a nuclear tipped missile," the KCNA statement said.

The four ballistic missiles fired Monday morning were launched by the elite Hwasong ballistic missile division "tasked to strike the bases of the U.S. imperialist aggressor forces in Japan," KCNA said. The United States has numerous military bases and about 54,000 military personnel stationed in Japan, the legacy of its post-war security alliance with the country.

Three of the four missiles flew about 600 miles over North Korea and landed in the sea, within Japan's exclusive economic zone off the Oga peninsula in Akita prefecture, home to a Japanese self-defense forces base. The fourth fell just outside the EEZ.

North Korea did not say what kind of missiles it had fired, but after poring over photos released by state media, analysts at the Middlebury Institute of International Studies in California said they were extended-range Scuds capable to flying more than 600 miles.

North Korea has tested these types of missiles before, so the point of Monday's launches was not to see if the rockets would fly, but to test how quickly the unit could set them up and deploy them — classic training for a wartime situation, said Jeffrey Lewis, director of the East Asia Nonproliferation Program at the Middlebury Institute.

"They want to know if they can get these missiles out into the field rapidly and deploy them all at once," said Lewis. "They are practicing launching a nuclear-armed missile and hitting targets in Japan as if this was a real war."

[North Korea launches more missiles; 3 land in Japanese waters]

North Korea's extended-range Scud is halfway between a traditional short-range Scud and the medium-range missile that the North Koreans call the Rodong. But they can be produced much more cheaply than the Rodong, Lewis said, meaning that North Korea could fire them with more abandon.

KCNA reported that the four missiles were launched simultaneously and that Kim commented they "are so accurate that they look like acrobatic flying corps in formation."

This appeared to be a further challenge to the United States and South Korea, which said Tuesday that they had started deploying the advanced anti-missile battery called Terminal High Altitude Area Defense, or THAAD, designed to protect the region against North Korea's rockets. The first parts of the THAAD system arrived at the Osan air base south of Seoul Monday, South Korea's defense ministry said.

But THAAD would have difficulty intercepting four missiles launched at the same time, analysts said.

Furthermore, the Osan airbase is less than 300 miles from the missile launch site in North Korea — another apparent message to Pyongyang's enemies.

The launches coincided with joint U.S.-South Korean military exercises on the southern half of the Korean Peninsula, drills that take place every year and which North Korea views as preparation for an invasion. After the missiles were launched Monday, the U.S. Strategic Command said it had determined the missile launch "did not pose a threat to North America."

But KCNA reported that the 33-year-old Kim had ordered the strategic forces to be on high alert, "as required by the grim situation in which an actual war may break out anytime, and get fully ready to promptly move."

North Korea has been making clear progress on its missile program and has a declared goal of developing an inter-continental ballistic missile capable of reaching the West Coast of the United States. It has also conducted five nuclear tests and claims to be able to miniaturize a warhead so that it could be fitted onto a missile.

However, it has not yet proven the ability to either attach a warhead to a missile or to be able to deliver a missile to a target — something that would involve mastering the difficult step of re-entry.

[Did North Korea just test missiles capable of hitting the U.S.? Maybe.]

The launches also appeared designed to send a message to both President Trump and the Japanese prime minister, Shinzo Abe, said Joshua Pollack, editor of the Non-Proliferation Review.

"We might infer that the choice of Japan as a target might be based on a desire to do something new compared to last year — raising the stakes of the exercises — but also on Abe's visit to the U.S. and joint appearances with Trump," Pollack said.

North Korea launched a medium-range missile last month — its first since Trump was elected — while the president was hosting Abe for dinner at his Mar-a-Lago club in Florida.

Trump spoke by phone with Abe and South Korea's acting president, Hwang Kyo-ahn, Tuesday morning.

"Both Japan and the U.S. confirmed that this North Korean missile launch was a clear violation of U.N. Security Council resolutions and was an obvious challenge to the region and the international community," Abe told reporters in Tokyo, repeating his assertion that the North Korean threat had "reached a new stage."

In New York, a spokesman for the U.N. Secretary-General António Guterres said he condemned the actions, which "violate Security Council resolutions and seriously undermine regional peace and stability."

North Korea, Malaysia Each Bar The Others' Nationals From Leaving

By Victor Morton

Washington Times, March 6, 2017

Malaysia and North Korea are now effectively in a mutual hostage situation as each nation Tuesday barred the others' nationals from leaving.

The two Asian nations have been in escalating diplomatic feud since North Korean assassins killed their dictator's estranged half-brother in Kuala Lumpur airport.

Matters turned worse Tuesday as, according to the Korean Central News Agency, Pyongyang summoned Malaysia's ambassador to tell him that none of his countrymen could leave North Korea. It wasn't immediately clear how many Malaysians are in the reclusive communist dictatorship.

The "temporary ban will be kept until the incident in Malaysia is resolved in a fair manner," KCNA wrote.

Malaysia immediately reciprocated Tuesday, despite being one of the few countries in the world to have a diplomatic presence in North Korea and having allowed visa-free travel to North Koreans (the latter was promptly revoked after the Kim Jong Nam assassination in February).

Deputy Prime Minister Ahmad Zahid Hamidi told reporters in Kuala Lumpur later Tuesday morning that North Koreans may not leave his country, effective immediately.

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North Korean Ambassador Leaves Malaysia

By Richard C. Paddock

New York Times, March 6, 2017

BANGKOK — North Korea's ambassador left Malaysia on Monday evening after he was ordered expelled for making disparaging remarks about the country and challenging its motives in investigating the killing of Kim Jong-nam, the half brother of North Korea's ruler.

The ambassador, Kang Chol, who had questioned the Malaysian police's findings and suggested that Mr. Kim had died of heart failure rather than by poison, was declared "persona non grata" on Saturday and given 48 hours to leave.

At the airport, Mr. Kang told reporters that the "extreme measures" taken by the Malaysian government were doing "great harm" to relations between the two countries.

Earlier Monday, Prime Minister Najib Razak of Malaysia said Mr. Kang had been expelled because he had not apologized for his comments when asked to do so.

"Anyone who comes here must respect us," Mr. Najib said, according to The Star, a Malaysian newspaper. "If they made baseless accusations, they should rightfully apologize and take back what they said. But they didn't do that, so we have taken action to declare the person as persona non grata."

Mr. Kim was killed on Feb. 13 as he prepared to check in for a flight at Kuala Lumpur International Airport. The police said that two women, one from Vietnam and one from Indonesia, had smeared nerve agent on Mr. Kim's face. The women have been charged with murder.

The Malaysian police are seeking seven North Korean men in the case, including a diplomat stationed in Malaysia. The South Korean government has accused North Korea of organizing an assassination.

Declaring an ambassador persona non grata is one of the harshest diplomatic measures a nation can take against another country, short of breaking off relations.

North Korea announced Monday evening that it had declared Malaysia's ambassador persona non grata and had

ordered him to leave. However, Malaysia had already recalled him for consultations last month.

On Monday, Malaysia stopped allowing North Koreans to enter the country without a visa. It also said that its national soccer squad would not be allowed to play in an Asian Cup qualifying match on March 28 against the North Korea team in Pyongyang.

While diplomats from North Korea generally keep a low profile, Mr. Kang angered Malaysian officials by saying that his country "cannot trust" the police investigation, and by accusing Malaysia of colluding with outside powers to defame North Korea.

Although Mr. Kang had never acknowledged that the deceased man was the half brother of the North Korean leader, Kim Jong-un, he had sought to have the body handed over to the embassy before the Malaysian authorities could conduct an autopsy.

After the autopsy was performed, Mr. Kang questioned Malaysia's finding that Mr. Kim had been killed with the nerve agent VX, a weapon banned by international conventions but known to be in North Korea's arsenal.

Mr. Najib, in a televised interview that aired on Sunday, said that the use of a banned chemical nerve agent was "totally unacceptable." The use of VX could have killed many more people than just the intended victim, he said. Mr. Najib did not name either of the Kim brothers or North Korea.

"We have to accept the fact that a crime has been committed in Malaysia," the prime minister said in the interview with Al Arabiya television. "The substance, or the weapon used, is a very, very dangerous chemical weapon, which should not be used at all, because if used in large quantities, many, many people could have been killed, not just one person."

The interview was recorded last week before the two women were charged with murder and before Malaysia ordered Mr. Kang's expulsion. Mr. Najib noted that VX is classified as a weapon of mass destruction.

"We have to take a very serious stance," Mr. Najib said. "We are very determined to find out the truth and that the people responsible should be brought to justice."

State Dept. Postpones Press Briefings Again, While Rex Tillerson Takes No Questions

By Guy Taylor

Washington Times, March 6, 2017

The State Department postponed a highly anticipated news briefing Monday, telling reporters it would not be held because Secretary of State Rex Tillerson and other administration officials were appearing before media at the roll out of President Trump's revised executive order temporarily banning visitors from six Mideast and African countries.

While Mr. Tillerson, Homeland Security Secretary John Kelly and Attorney General Jeff Sessions appeared at an event broadcast on live television to formally unveil Mr. Trump's new order, all three ignored questions shouted by reporters in a development that created fresh frustration among news organizations over the administration's posture toward the the press.

The White House has held daily press briefings since just after Mr. Trump was inaugurated in January. But the State Department, which has held such briefings on weekdays for decades, has not had one for more than six weeks. Department officials, who've pushed back against criticism over the situation, had told reporters last week that the first Trump-era briefing would be held Monday.

SEE ALSO: Trump signs new extreme vetting order

The event was anticipated to be a spectacle, with dozens of reporters from the U.S. and international news organizations planning to attend at State Department headquarters before the department's press office announced the sudden postponement on Monday morning. The office said it now intends to hold the briefing on Tuesday at 2 p.m.

Recent weeks have brought heated back-and-forth exchanges, meanwhile, between reporters and department officials over reports that Mr. Tillerson has avoid the press while the Trump administration has made almost no movement toward appointing a senior manager to support the new secretary of state.

The Washington Times reported last month that Mr. Tillerson's visit to Mexico City at the time was occurring at a moment of tremendous uncertainty inside the department, where more than dozen key assistant secretary positions are still without even a proposed nominee from the White House.

There is still no deputy secretary of state and no clear sign of when that and other high-level diplomatic positions will be filled. The department's press office and Mr. Tillerson's office have declined to comment on the more than 100 management posts and foreign ambassadorships awaiting even a nominee, let alone a Senate confirmation. Just three ambassadors — to China, Israel and Britain — have been named.

With that as a backdrop, perhaps the most notable public change at Foggy Bottom has been the halt of the daily press briefings, which, while not as theatrical as the highly publicized and televised White House briefings, have been held on a near-daily basis on weekdays since the 1950s, when John Foster Dulles was secretary of state.

Since 2012, the briefings have been live-streamed on the department's website and are known to be watched closely by allies and adversaries alike as the central public conduit through which official American foreign policy is projected. The daily briefing is also often the first place to hear any changes or subtle adjustments to those policies in

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the careful answers prepared by the department's various agencies and embassies.

The absence of briefings since Jan. 20 — the day before Mr. Trump was inaugurated — has prompted unease among some of the reporters who regularly cover the department. By comparison, 18 daily press briefings were held in same period after Secretary of State Hillary Clinton was sworn in under President Obama in 2009.

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Putin Spokesman: 'Hysteria' Hurting U.S.-Russia Relations

By Aidan Quigley

Politico, March 6, 2017

A spokesman for Russian President Vladimir Putin, told CNN Monday that "hysteria" in the media and in Washington is hurting the relationship between the two countries.

"(It's) high time for someone in the States to think, 'Are we that weak that a country can interfere in our domestic affairs and influence our electoral system?'" said Russian spokesman Dmitry Peskov. "This is unimaginable and someone has to say, all this is not true. We have to be sober, let's come to our minds."

American intelligence agencies believe Russia attempted to influence the election in favor of President Donald Trump.

In recent weeks, the story has gained momentum: Former National Security Adviser Michael Flynn resigned after misleading Vice President Mike Pence about his discussions with Russia ambassador Sergey Kislyak. Last week, Attorney General Jeff Sessions recused himself from any investigation of Russian interactions with the Trump campaign after he acknowledged a previously unpublicized meeting with Kislyak.

Peskov said Russia did not have "the slightest intention to interfere."

"The only thing I can tell you is that all this hysteria and public opinion, hysteria in official Washington and hysteria in American media, this is doing lots of harm to the future of our bilateral relations," he said.

Russia wants a "predictable partner" to address world issues, Peskov said.

"We're really sorry about the situation that we are facing now," he said. "It is emotional extremism, of trying to make a toxic country out of Russia, to make a toxic ... ambassador out of Russia's ambassador."

Iranian Fast Boats Move Close To US Ship In Strait Of Hormuz

By Lolita C. Baldor

Associated Press, March 6, 2017

WASHINGTON (AP) – A Navy official says a U.S. ship was forced to change course and move out of the way of Iranian fast boats while moving through the Strait of Hormuz during the weekend, in what has become a frequent occurrence there.

No warning shots or flares were fired. The official says the Iranian boats tried to get between the U.S. and other ships, coming within about 600 yards of the USNS Invincible, a supply ship. The U.S. ship was traveling north through the strait into the Persian Gulf.

The official says the Navy considers the incidents unprofessional and dangerous, but they have been happening fairly regularly. In previous incidents, U.S. ships have fired warning shots.

The official was not authorized to discuss the incident publicly so spoke on condition of anonymity.

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U.S. Navy Ship Changes Course After Iran Vessel Interaction: U.S. Official

By Idrees Ali

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Pentagon Says Iranian Vessels Harass Navy Ship, As Iran Tests Missile Defense System

By Carol Morello

Washington Post, March 6, 2017

Swift-moving Iranian vessels came dangerously close to a U.S. Navy surveillance ship in the Strait of Hormuz over the weekend, U.S. officials said Monday.

The apparent harassment of the USS Invincible on two occasions, on Thursday and Saturday, came amid Iranian state media reports that Iran had tested its newly acquired S-300 missile air defense system that is designed to intercept incoming missiles.

In addition, Fox News reported that Iran had itself test-fired a pair of ballistic missiles that destroyed a floating barge over the weekend, but that could not be independently confirmed.

Iran fired a medium-range ballistic missile last month, apparent violating a U.N. Security Council Resolution. The administration responded with its first economic sanctions,

when it placed 13 people and 12 businesses on a list that prohibits Americans from dealing with them.

The February test led President Trump to tweet, "Iran is playing with fire — they don't appreciate how 'kind' President Obama was to them. Not me!"

Taken as a whole, the incidents form a pattern suggesting Tehran and Washington could be squaring off for a more direct confrontation. Trump came to office condemning the Obama administration for being what he characterized as weak on Iran, and he has vowed to be tougher. Iran seems to be testing whether Trump means what he says.

In the incidents involving the Invincible, an Iranian frigate came within 150 yards of the Navy ship on Thursday, Pentagon spokesman Capt. Jeff Davis told reporters. On Saturday, a number of smaller boats approached the U.S. ship, closing to within 600 yards, Davis said.

Surveillance ships like the Invincible are typically equipped with scientific instruments and radar that allow them to monitor missiles and rockets from their launching to the point that they land.

A Navy official condemned the Iranian actions as "unsafe and unprofessional."

British and U.S. warships patrol the regional waters, and three ships from the Royal British Navy were reportedly accompanying the Invincible.

State Department officials said they were aware of reports Iran had tested an air defense system, but could provide no further information.

But a key Republican called for more than tough words in response to what he described as Iranian provocations.

"These provocative tests are just the latest example of Iran's dangerous actions that demand a coordinated, multifaceted response from the United States," said Senate Foreign Relations Chairman Bob Corker (R-Tenn.). "The administration has already begun to push back in the way that we should, and I look forward to working with them as we prepare to introduce bipartisan legislation to deter Iran's threatening behavior on all fronts."

UN Atomic Chief Expects US Cooperation On Iran Nuke Pact

Associated Press, March 6, 2017

VIENNA (AP) – The head of the U.N. agency monitoring the Iran nuclear deal says he emphasized the benefits of the pact in a meeting with U.S. Secretary of State Rex Tillerson and says he is confident his message was heard.

The issue is important because U.S. President Donald Trump promised to "tear up" the pact during campaigning, saying it fell short of the aim of sufficiently crimping Tehran's nuclear programs.

Yukiya Amano of the U.N.'s International Atomic Energy Agency says he told Tillerson last week that because of the deal the IAEA now has the "strongest verification" tools to monitor Tehran's atomic activities. As well, he said, "the nuclear activities of Iran are reduced."

He told reporters Monday that he is confident of "very good cooperation" with the United States on Iran.

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Fearing U.S. Withdrawal, Europe Considers Its Own Nuclear Deterrent

By Max Fisher

New York Times, March 6, 2017

BERLIN — An idea, once unthinkable, is gaining attention in European policy circles: a European Union nuclear weapons program.

Under such a plan, France's arsenal would be repurposed to protect the rest of Europe and would be put under a common European command, funding plan, defense doctrine, or some combination of the three. It would be enacted only if the Continent could no longer count on American protection.

Though no new countries would join the nuclear club under this scheme, it would amount to an unprecedented escalation in Europe's collective military power and a drastic break with American leadership.

Analysts say that the talk, even if it never translates into action, demonstrates the growing sense in Europe that drastic steps may be necessary to protect the postwar order in the era of a Trump presidency, a resurgent Russia and the possibility of an alignment between the two.

Even proponents, who remain a minority, acknowledge enormous hurdles. But discussion of a so-called "Eurodeterrent" has entered the mainstream — particularly in Germany, a country that would be central to any plan but where antinuclear sentiment is widespread.

Jana Puglierin of the German Council on Foreign Relations said that a handful of senior European officials had "for sure triggered a public debate about this, taking place in newspapers and journals, radio interviews and TV documentaries."

She added: "That in itself is remarkable. I am indeed very astonished that we discuss this at all."

Jaroslaw Kaczynski, Poland's former prime minister and now the head of its ruling party, provided the highest-

level call for a European Union nuclear program in a February interview with a German newspaper.

But the most important support has come from Roderich Kiesewetter, a lawmaker and foreign policy spokesman with Germany's ruling party, who gave the nuclear option increased credibility by raising it shortly after President Trump's election.

In an interview in the German Bundestag, Mr. Kiesewetter, a former colonel who served in Afghanistan, calibrated his language carefully, providing just enough detail to demonstrate the option's seriousness without offering too much and risking an outcry from German voters or encouraging the American withdrawal he is hoping to avoid.

"My idea is to build on the existing weapons in Great Britain and France," he said, but acknowledged that Britain's decision to leave the European Union could preclude its participation.

The United States bases dozens of nuclear warheads in Germany, Italy, Belgium and the Netherlands as both a quick-reaction force and a symbol of its guarantee to protect the Continent. Mr. Kiesewetter said his plan would provide a replacement or parallel program.

This would require, he said, four ingredients: a French pledge to commit its weapons to a common European defense, German financing to demonstrate the program's collective nature, a joint command and a plan to place French warheads in other European countries.

The number of warheads in Europe would not increase under this plan, and could even decrease if the United States withdraws.

"It's not a question of numbers," Mr. Kiesewetter said. "The reassurance and deterrence comes from the existence of the weapons and their deployability."

He envisioned a program designed to deter nuclear as well as conventional threats — a clear nod to Russia's military superiority.

This would require a doctrine, he said, allowing Europe to introduce nuclear weapons to a non-nuclear conflict. He compared it to the Israeli program, which is believed to allow for a nuclear strike against an overwhelming conventional attack.

"These are political weapons. Their use must be unpredictable," he said. Smaller nuclear powers often maintain vague doctrines to deter more powerful adversaries.

The goal, he said, would be to maintain Europe's defense, seen as crucial for its internal unity, as well as its international diplomatic standing.

German lawmakers across the political spectrum worry that Mr. Trump could strike a grand bargain with Russia that excludes Europe, a potential first step toward Washington and Moscow dictating Europe's future. Mr. Kiesewetter believes a European nuclear program would allow Europe to preserve its autonomy.

Mostly, Mr. Kiesewetter said he hoped to spur Mr. Trump to end doubts over American security commitments to Europe, rendering unnecessary the nuclear "Plan B."

For now, Mr. Kiesewetter's intention is merely to "trigger a debate" over addressing "this silent, gigantic problem."

It has worked. A small but growing contingent of German analysts and commentators have endorsed versions of a European nuclear program.

Mr. Kiesewetter said he had heard interest from officials in the Polish and Hungarian governments, at NATO headquarters in Brussels and within relevant German ministries, though he would not say which.

But any European nuclear program would face enormous hurdles.

"The public is totally opposed," Ms. Puglierin said, referring to German antinuclear sentiment, which has at times culminated in nationwide protests against the weapons.

In practical terms, the plan would change the flag on Europe's nuclear deterrent from that of the United States to that of France. But this would risk making an American exit from Europe more permanent.

Oliver Thränert, a German analyst with the Switzerland-based Center for Security Studies, warned in a white paper that any plan "would not only be expensive, but also a political minefield full of undesirable potential political consequences."

The biggest challenge may be who controls the French arsenal and where it is based.

The United States currently shares warheads with allies like Germany, whose militaries are equipped to deliver the weapons, granting the program credibility as a Pan-European defense.

But France has shown no willingness to share its weapons, much less put them under a joint European command. If Paris maintains final say over their use, this might cause an adversary to doubt whether France would really initiate a nuclear conflict to protect, say, Estonia.

These sorts of problems are why Bruno Tertrais of the Foundation for Strategic Research in Paris said, "In other times I would have told you don't bother, there's no story here."

Similar proposals have been floated before, including by the French government, and always rejected as politically risky and strategically unnecessary. But, he said, that calculus appears to have a potential to change with Mr. Trump.

"There's already a bit more interest in Berlin and in Paris," Mr. Tertrais said, though he emphasized that this talk would become action only if there were "a serious loss of trust in the U.S. umbrella."

But a joint European command or funding scheme would most likely be impossible, he warned. The French

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government would insist on maintaining "the final decision to use nuclear weapons."

That is also United States policy in Europe, which is why Mr. Tertrais believes a more workable plan would be for France to reproduce American-style practices of basing its warheads abroad, while keeping them under French control.

While most French warheads are lodged on submarines, a few dozen are fitted to air-launched cruise missiles that could be housed in, for example, German airfields. These are smaller, shorter-range tactical weapons — exactly the American capability that Europe most fears losing.

French policy already allows for, though does not require, using nuclear weapons in defense of an ally.

With Britain's exit from the European Union, "the French might feel they have a special responsibility" as Europe's sole nuclear power.

Vipin Narang, a Massachusetts Institute of Technology professor who studies regional nuclear powers, was initially skeptical but came to see such a plan as both technically and politically feasible.

For France, he said, "it extends their frontier," making it likelier that a nuclear conflict would be fought far from French soil. For Germany and other European states, it would "increase the credibility of the forward deployment against Russian aggression."

Some observers believe that official shows of support are intended only to pressure Mr. Trump into maintaining the status quo, which Mr. Kiesewetter emphasized is his preferred outcome.

But Mr. Narang said that, regardless of intentions, there is a blurry line between mere signaling and actually pursuing a fallback nuclear option.

Nuclear scholars call this "insurance hedging," in which a protectee comes to doubt its protector and responds by taking steps toward, but not actually completing, its own nuclear program. This is meant to goad the protector into staying, and to prepare in case it doesn't.

Japan, for instance, has quietly developed latent capabilities that are sometimes figuratively described as a "screwdriver's turn" away from a bomb.

Because Europe's primary challenges are political rather than technical — France already possesses the warheads — sparking public discussion and exploring options makes those challenges more surmountable and the option more real.

"In order for it to be credible there has to be some sort of workable option," Mr. Narang said.

Mr. Kiesewetter hopes the United States will come around. He puts particular faith in Jim Mattis, the defense secretary, whom he met in Afghanistan and Brussels while both were military officers.

But Mr. Mattis has echoed Mr. Trump's warnings that the United States could lessen its support for Europe, saying in a recent speech in Brussels, "I owe it to you to give you clarity on the political reality in the United States."

If Europeans grew more serious about a nuclear program, Mr. Tertrais said, "you would not necessarily see it." Negotiations would most likely remain secret for fear of giving Mr. Trump an excuse to withdraw — or of triggering a reaction from Russia.

Mr. Narang said he was reeling from the seriousness of the discussion, the first since a failed and now-forgotten effort in the 1950s for French-German-Italian nuclear cooperation.

"I never thought we would see this again. I never thought there would actually be this concern," he said. But, he added, "You can see where the debate is surfacing from. There is a logic to it."

E.U. Moves To Create Military Training Headquarters

By James Kanter

New York Times, March 6, 2017

BRUSSELS — Foreign and defense ministers of European Union members reached a deal on Monday to create a headquarters for military training operations — setting aside, at least for now, concerns that the step might lead to the establishment of a "European army" to rival NATO.

France and Germany support the proposal and have pressed the European Union to do more to ensure its own defense and counter the threat of terrorism.

Britain has long opposed anything that resembled a European military command — but it has voted to leave the European Union, and that has altered the dynamic of the debate. With the United States appearing to take a step back in its role in the world, the core pair of France and Germany is pushing the European Union to take greater responsibility for its security.

The European Union and NATO have overlapping memberships: Of the 28 nations in the European Union, all but six — Austria, Cyprus, Finland, Ireland, Malta and Sweden — also belong to NATO. Albania, Iceland, Norway and Turkey are in NATO but are not part of the European Union, as are Canada and the United States.

The creation of the union's headquarters is specifically intended not to undermine NATO's role.

To placate countries like Poland and the Baltic states that look to NATO as a counterweight to possible Russian aggression, the mandate of the so-called Military Planning and Conduct Capability office is expected to be relatively modest.

"The European Union always takes a soft approach to hard security, but we also have some hard power that we are

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strengthening," Federica Mogherini, the European Union foreign policy chief, said on Monday. The new office is "not the European army — I know there is this label going around — but it's a more effective way of handling our military work," she added.

In a second announcement, in the early afternoon, Ms. Mogherini said that ministers had agreed to the step unanimously, without a vote.

"It's a first step," said Didier Reynders, the Belgian foreign minister. As for "a European army, maybe later," he said.

Michael Fallon, the British defense minister, said he would urge the European Union "to cooperate more closely with NATO to avoid unnecessary duplication and structures."

The Military Planning and Conduct Capability office will be based in a building in Brussels that is already used by European military experts, and it will have a core staff of about 30.

Its first job will be to take over the direction of training missions in the Democratic Republic of Congo, Mali and Somalia that are currently overseen by commanders in the field, an arrangement that European Union officials say poses strategic challenges. Under the existing system, field commanders often must return to Brussels to handle matters like administration and funding. The new structure should ensure more support and guidance from Brussels so that those commanders could remain in the field longer.

The three missions are expected to come under new command from Brussels in the next month, European Union officials said.

Ministers also discussed a separate initiative that could allow member states to join a permanent structure to develop equipment or even to engage in combat operations. A so-called Permanent Structured Cooperation was included in the Lisbon Treaty, which went into force in 2009, but the structure was never established.

Stepping up efforts to set up the permanent structure is a response to what European Union officials have said are decreasing levels of military cooperation among member states despite repeated promises in recent years to do more together. But the structure would be voluntary, and member states may not qualify if they lack the military capabilities and equipment, or if they are unable to make certain investments.

The approach of allowing member countries of the European Union to proceed at different speeds, even in major policy areas like security and defense, is a new reality for the bloc, which is facing enormous internal strains as a result of factors including the unresolved debt crisis in Greece and a large influx of migrants from the Middle East and Africa.

Last week, Jean-Claude Juncker, the president of the European Commission, the bloc's executive arm, set out five possible paths for the bloc's future. Though some of the avenues envision things continuing as they are, or even tighter integration, others acknowledge that Europe can work at different speeds and would roll back powers exercised from Brussels.

Germany Rejects Erdogan's 'Absurd' Nazi Comparison, Calls For Calm

By Andrea Shalal

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Turkish Referendum Has Country Trading Barbs With Germany Over Free Speech

By Alison Smale And Patrick Kingsley

New York Times, March 6, 2017

BERLIN — Germany and Turkey have been locked in an intensifying war of words over the past week, as campaigning heats up before an April referendum in Turkey on a new Constitution that would expand the powers of President Recep Tayyip Erdogan.

Mr. Erdogan, whose critics cast him as ever more authoritarian, badly wants a victory in the vote. With the referendum on a knife-edge, he and members of his Justice and Development Party, known as A.K.P., are desperate to campaign in Germany among the 1.5 million Turks who are eligible to vote.

"There is a need for the A.K.P. to secure as many votes as possible from the Turks living in Germany — that's the basic ingredient," said Marc Pierini, a former European Union ambassador to Turkey and a scholar at Carnegie Europe, a Brussels-based think tank.

"The yes vote is now in jeopardy, therefore votes in Germany are of course very important," he added.

But the campaign has put Chancellor Angela Merkel's government in a deeply awkward position. Mr. Erdogan's opponents in Germany, both Turkish and German, say the president wants to use the freedoms of Western democracy to further consolidate his anti-democratic powers at home, and they accuse him and his men of using their right to free speech in Germany while denying it in Turkey.

Of particular concern to Germany is a German-Turkish journalist, Deniz Yucel, who turned himself in last month, was held for 13 days and last week was ordered held indefinitely, with the Turkish authorities — including Mr. Erdogan himself — labeling him a terrorist.

Mr. Erdogan and his supporters have jailed tens of thousands of people they claim supported a failed military coup against him last July. Turkey jailed more journalists than any other country in 2016, according to the Committee to Protect Journalists.

But both sides are now accusing each other of stifling free speech, with Turkish officials charging that they are being blocked from campaigning in Germany.

Two Turkish ministers campaigning in Germany on Mr. Erdogan's behalf scrapped rallies last week after local German authorities said they could not guarantee security. Germany's federal government has denied intervening in any way.

On Sunday, Mr. Erdogan accused Berlin of using Nazi tactics and threatened to stir a revolt if he decided to go to Germany himself and was somehow prevented from entering. (He previously campaigned in Germany in 2008, 2011 and 2014.)

"Some friends talked about fascism," Mr. Erdogan said at a dinner event in Istanbul. "I was thinking that fascism is over in Germany, but it is still ongoing. It is ongoing, obviously."

Then he added: "My brothers, now they think Erdogan is supposed to come to Germany. I would come if I want to. I could come and set the world on fire if you don't let me come in, or you don't allow me to talk."

On Monday, Ms. Merkel told reporters, "One can't even really seriously comment on such misplaced statements."

Ms. Merkel's chief of staff, Peter Altmaier, said Mr. Erdogan's language was "absolutely unacceptable" and that the government would relay that message to Turkey.

"Concerning the rule of law, tolerance and liberalism, Germany is not to be bested," Mr. Altmaier said.

Analysts and commentators urged calm and noted that the sparring would benefit no one. Germany and Turkey are bound by the NATO alliance, aid from the European Union and an additional European Union agreement, negotiated by Ms. Merkel and worth up to six billion euros, or $6.3 billion, if Turkey keeps refugees from fleeing across the Aegean Sea to Greece and into Central Europe.

"The most important thing is that we have no interest in a rising spiral of insults — an insult arms race, or however you want to put it," said Volker Perthes, the director of the German Institute for Security and International Affairs, a government-funded think tank in Berlin. "That will not help us."

He predicted relations could get back on track after April 16.

In the meantime, Mr. Erdogan — labeled the "dictator on the Bosporus" by Andreas Scheuer, a leading politician in Bavaria — has come under fierce attack, and not only in Germany.

In Austria, which has a sizable Turkish minority and a strong right-wing opposition, Chancellor Christian Kern said Turkish politicians should not campaign abroad. In the Netherlands, the nationalist Geert Wilders, who leads polls for elections this month but is unlikely to become prime minister, said he would declare all of Turkey's ministers persona non grata.

In Turkey, opposition politicians criticized the decision to block Mr. Erdogan's allies from speaking to German Turks. The leader of Turkey's main opposition party, Kemal Kilicdaroglu, accused Germany of hypocrisy.

"You teach democracy to the world, but you forbid two ministers from speaking with this or that excuse," Mr. Kilicdaroglu said on Friday, in comments reported by Hurriyet Daily News.

But some of Mr. Erdogan's opponents noted the irony of the president defending his right to free speech in Europe, while eroding that of citizens at home.

Aysun Gezen, one of an estimated 4,000 academics purged from Turkish universities since the failed coup last year, said her case highlighted the Turkish government's intolerance of dissident voices within its own borders.

"It is impossible to say that there is freedom of speech in Turkey," argued Ms. Gezen, who was a political scientist at Ankara University before being fired last year for signing a petition that criticized the government's actions toward Kurds. She and her fellow petitioners were accused of creating terrorist propaganda.

In addition to academics like Ms. Gezen, more than 120,000 government employees are estimated to have been fired or suspended in recent months for perceived opposition to the government.

On the day that Mr. Kilicdaroglu, the opposition leader, defended his opponents' right to campaign in Germany, he also lamented his side's inability to campaign freely in Turkey.

In an interview last week with The New York Times, he said that the whole Turkish state apparatus was being mobilized behind the yes campaign, while voices in the private news media are stifled.

State officials had made it hard for his colleagues to rent spaces for campaign events, Mr. Kilicdaroglu argued, while the police in Istanbul had failed to properly investigate claims that a group of no-campaigners had been shot at.

"We repeat the same thing 100 times, but with the problem in the media, we can't deliver our message to the masses," Mr. Kilicdaroglu said.

Ahead Of Pivotal European Elections, Rightist Websites Grow In Influence

By Michael Birnbaum

Washington Post, March 6, 2017

AMSTERDAM — On the brand-new political news website, the headlines could have been ripped from a speech by President Trump: Immigrants commit more crime, Syrian refugees are raping girls, and Muslim education is taking over the school system.

But the two-month-old Gatestone Europe website is based in the Netherlands; the contributors are Dutch. And their aim, their editor says, is to swing the debate ahead of European elections this year to deliver a tide of anti-

immigrant leaders to office in the Netherlands, France, Germany and elsewhere.

Websites that focus on the perils of open borders, immigration and international alliances are expanding in scope and ambition in Europe, seeing a once-in-a-generation opportunity to harness the energy from Trump's win to drive deep into a continent where traditional political parties are struggling. Some of the websites are registered in Russia. Others, like Gatestone Europe, are being supported by Americans with ties to Trump.

In the Netherlands, some online activists are backing a handful of anti-Muslim candidates, including the fiery Geert Wilders, who is running in a dead heat against the ruling party ahead of March 15 elections. In France, news blogs are spreading innuendo about the rivals of the anti-immigrant Marine Le Pen, who is the most popular presidential candidate in the lead-up to the election in April and May. And in Germany, some of the outlets have spread false stories about refugees raping people that were repeated by the Russian foreign minister. Fed by public anger about refugees, the Muslim-bashing Alternative for Germany party is poised to seize seats in Germany's Parliament in September.

"There's quite a lot of news, quite shocking, often with rape or violence and immigrants," said Timon Dias, 29, who started Gate-stone Europe last month after several years of writing for a different anti-establishment website in the Netherlands. "We want people to learn what's happening in Europe and vote accordingly, especially ahead of elections this year."

Although many of the sites are small — the Amsterdam-based Gatestone Europe has only four writers, and no office — they do not need to be well established to score big on Facebook or Twitter. A spicy individual post can go viral with little regard for the history of the outlet.

"It's a crowbar in the system," Dias said. "The main line is highly vigilant, highly critical about what the effects are of having a significant Muslim minority in the inner cities."

The project is funded by the New York-based Gatestone Institute, which is chaired by former U.N. ambassador John Bolton, who was a finalist in Trump's search for a new national security adviser. Contacted for comment, the Gatestone Institute made available one of its board members, retired Harvard Law professor Alan Dershowitz, who said that the organization is nonpartisan and that its aim is to "move the debate to the center." Bolton did not reply to a request for comment.

As with other similar sites, many of Gatestone's posts are based on true events, spun aggressively to feed the narrative that mainstream, pro-European Union politicians are selling out their countries to immigrants. The site does not support any one candidate in the Dutch elections, but the anti-E.U. leader of the small Forum for Democracy party, Thierry Baudet, is a contributor.

"We report the news to our readers in a directed way," Dias said.

Although Wilders is likely to face trouble forming a coalition and Le Pen is forecast to lose the second round of France's presidential election, both candidates have had success in shifting -debate in their nations onto

more anti-immigrant, Euroskeptic ground. Far-right websites are often their megaphone.

In the Netherlands, similar news outlets have already made successful forays into Dutch political life.

A referendum last year on whether the Dutch government should ratify a trade deal with Ukraine was triggered by a far-right news site, GeenStijl.

The eventual rejection of the trade deal turned into an embarrassing defeat for the Dutch government, which was forced to backpedal on its commitment to Ukraine. Opponents of the trade deal, including GeenStijl, cited an opposition to E.U. expansion and a desire not to antagonize the Kremlin as reasons to vote it down.

Pro-Ukraine-deal campaigners say they suspect that the Kremlin put a finger on the scale by supporting activists and pro-Russian trolls online, although no link has been proved. The activists, including GeenStijl, deny any connection.

But even absent ties to Russia, the news sites demonstrated a powerful ability to disrupt the pro-E.U. agenda of the Dutch mainstream, creating a political headache for Dutch leaders and feeding Western disunity that coincides with Kremlin efforts.

"The Ukraine referendum has shown what kind of mayhem they can cause," said Cas Mudde, a Dutch scholar of far-right movements at the University of Georgia. "What impressed a lot of people was their ability to mobilize people who were commenting on websites to go out and actually vote for a cause. People weren't expecting that."

Now GeenStijl's political arm, GeenPeil — Dutch for "no poll" — has spun off into a political party and is contesting the parliamentary election on the promise to hold Dutch leaders accountable.

"Until my generation, everybody had a better life than their parents. That has stopped," said Jan Dijkgraaf, 54, a former journalist who is now the leader of GeenPeil.

He said he did not consider himself a far-right politician, but he seized on immigration as a major focus for Dutch voters.

Dijkgraaf said he could understand if a mother of three needed temporary refuge from war. "But when there are boys of 25 with these kind of muscles, you have to think, are they

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really victims of a war, or do they have plans to get rich, or to do something like in Brussels or in Paris?"

The Ukraine referendum sparked a number of political parties, most of which have struggled to break through Wilders's lock on anti-immigrant discourse in the Netherlands.

Wilders was using Twitter to spark outrage and publicity long before Trump turned to electoral politics. A tweet last month of a leading political opponent, Alexander Pechtold, Photoshopped into a pro-sharia demonstration in London dominated political coverage for days. Wilders later acknowledged that the photo was fake but said Pechtold had recently been to a similar demonstration.

"They don't care about what is really true, what is a little true, or what is fake," Pechtold said. "And that's of course what we have seen in the United States."

In the far-right Web universe, the faked picture caused no uproar.

"It's a way of speaking to people," said Bert Brussen, editor of ThePostOnline, another far-right website where headlines on recent articles have included "Iraqis on Trial for Gang Rape in Vienna" and "Massacre by Islamic terror was again prevented in Germany."

"A lot of what Wilders says, it's Internet language," Brussen said. "The Internet makes them stronger, and they make the Internet stronger."

In other countries with elections this year, far-right sites are also thriving, attracting the attention of some of the American outlets that helped propel Trump to victory. Last year, Breitbart News — whose former head, Stephen K. Bannon, is now Trump's chief strategist — said that it would take the plunge into the French and German markets, although there is so far little sign that it is readying to open.

But anti-establishment activists in those countries may need little help.

In France, where far-right candidate Le Pen wants to take a hard line against Muslim immigration, hold a referendum on E.U. membership and embrace relations with the Kremlin, far-right news sites have taken aim at whichever candidate appears most likely to challenge her in the final round of the presidential election, due to be held May 7. (Le Pen is expected to win the first round.)

For months, that was center-right candidate François Fillon. More recently, a surge from the centrist Emmanuel Macron has drawn a volley of darts from -rumor-mongering websites, some of them branches of Russian state media. Macron recently took on the rumors, joking that his apparent ability to have gay affairs puzzled his wife, who is usually by his side.

And in Germany and Austria, experts say roughly 30 German-language "alternative websites" are currently operating. Many have existed for years, but they have transformed into machines to undermine traditional politicians, especially since the start of Europe's refugee crisis.

The majority of them, experts say, tend to have opaque ownership structures, making it difficult to ascertain who is behind them. They are almost universally pro-Russian in tone, and some of the German-language sites are operated from Russian servers, though direct links to the Russian government are hard to find.

"They publish stories with a true core, building their own atmosphere around this core, what we call 'hybrid fake,' " said Andre Wolf, a spokesman for Mimikama, an Austria-based fact-checking website.

Many stories seem aimed at undermining German Chancellor Angela Merkel's bid for reelection on Sept. 24. But as a center-left challenger, Martin Schulz, rose in the polls in recent weeks, along surged a flurry of fake reports — including one by the website AnonymousNews.ru falsely claiming that his father once ran a Nazi concentration camp.

Across Europe, Dias said, the possibility of change is alive.

"People feel the epicness of the times they're living in," he said.

Annabell Van den Berghe in Amsterdam, Anthony Faiola in Berlin and James McAuley in Paris contributed to this report.

France's Fillon Wins Party Backing After Juppe Rules Out Election Bid

By Sophie Louet And Claude Canellas

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Scandal In Korea: Botox, And A Horse Called Vladimir

Presidential Botox claims raise eyebrows; Samsung probe grips a nation

By Timothy W. Martin And Eun-Young Jeong

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

South Korean Prosecutors Say President Colluded In Corruption Scandal

By Anna Fifield And Yoonjung Seo

Washington Post, March 6, 2017

TOKYO — South Korea's embattled president colluded with a confidante to extract $37 million from Samsung in return for granting favorable treatment to the corporate behemoth, special prosecutors asserted Monday after a 75-

day investigation of the sensational corruption scandal that has been roiling the country.

The damning 101-page report recommends five more charges against Park Geun-hye, taking the total to 13 and paving the way for her to be indicted if she is ejected from office. The Constitutional Court is set to announce, perhaps as soon as Friday, whether it will uphold a parliamentary motion to impeach Park, who has been suspended from duties for three months.

"The core purpose of this investigation was to shed light on the chronic collusion between private interests and the government, and to expose cases of abuse of state power for personal gain," Park Young-soo, head of the special prosecution team, told reporters in Seoul on Monday as he released the report.

The special prosecutors indicted 30 people in connection with the corruption and influence-peddling scandal, which has ensnared business chiefs, presidential aides and prosecutors. The affair has also brought to light extraordinary tales of million-dollar horses given as bribes and Botox injections administered in the presidential Blue House.

The special prosecutors — assigned to investigate the case because the state prosecution was embroiled in the scandal — were unable to complete their inquiry because of Park's refusal to appear and because the prime minister who is doing her job would not extend the time allowed for the inquiry.

"The investigation ended, accomplishing just half of what had to be done due to the limited period and uncooperative attitude of those subject to the investigation," the head of the special prosecution team said.

The president, who issued a 52-page rebuttal through her lawyer Monday, refused to be questioned by the special prosecutors regarding her role in the case or to appear before the Constitutional Court.

Although a president can be questioned while in office, the prosecution could not compel her to appear. Nor can Park be indicted while she holds the presidency. The 13 charges that prosecutors would like to press against her, once she becomes a regular citizen again, include abuse of power and receiving bribes.

She can be indicted if impeached — or once her term expires in February next year, if she is exonerated in the impeachment case.

The Constitutional Court, which set itself a deadline of March 13 to decide whether to uphold the National Assembly's motion to impeach Park, will announce Tuesday the date it will deliver its verdict. South Korean media have reported that it will most likely be Friday.

Park, 65, is the daughter of former military strongman Park Chung-hee, who served as president from 1963 to 1979 and oversaw South Korea's transformation into an economic powerhouse by supporting conglomerates such as Samsung and Hyundai. Park is South Korea's first female president and, if she is impeached, would become the first to be forced out of office.

In that event, a presidential election would be held within 60 days. If she is exonerated, it would be held as scheduled in December.

Even without Park's cooperation, the special prosecutors still charge that the president colluded with her friend Choi Soon-sil to take a total of $37 million in bribes from Samsung in return for approving a merger that would help Lee Jae-yong, the third-generation head of South Korea's largest conglomerate, maintain the family's control.

The presidential Blue House instructed the head of the National Pension Service, a major Samsung shareholder, to vote for the merger, even though the fund lost $120 million in the deal, the report said.

The president also gave Choi's associates influential positions, including ambassador to Burma, where the confidante could make money, the report found.

It concluded that Park and Choi had 573 phone calls in a six-month period — between April and October 2016, when the scandal broke — on cellphones registered under other people's names.

The report also implicated Park in the blacklisting of almost 9,500 left-leaning artists considered critical of her administration, which would prevent them from receiving government grants for their work.

The special investigation team handed over its inquiry to the state prosecutors' office Monday, which announced it would review the findings.

But Park, through her attorney, again strongly denied any wrongdoing.

The special prosecutors' investigation was "unfair and lacking in evidence," said the lawyer, Yoo Yeong-ha, and the president decided not to appear for questioning because she "could not trust the investigation team" after the date originally scheduled for her appearance was leaked to the media.

Park denied knowing anything about Choi's efforts to extort money from Samsung or to win business favors for the conglomerate, the statement continued.

Choi, who is on trial, has also denied all wrongdoing.

The report detailed specific allegations against Lee, the Samsung heir apparent who was indicted last month and is being held in a small cell outside Seoul.

The special prosecutors concluded that Lee paid $37 million in bribes to Choi and Park, and embezzled $24 million from Samsung units to pay the bribes. Lee also has been accused of transferring almost $7 million abroad to hide the money from prosecutors, and he has been charged with perjury for allegedly lying about it.

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If Lee is found guilty of hiding more than $5 million abroad, he could face at least 10 years in prison, special prosecutors have said.

Samsung again strongly denied the accusations. "We disagree with the special prosecutor's findings," a spokeswoman said in a statement Monday. "Samsung has not paid bribes nor made improper requests seeking favors. Future court proceedings will reveal the truth."

Seo reported from Seoul.

Prosecutor Pushes For Indictment Of South Korean President In Samsung Scandal

By Choe Sang-Hun

New York Times, March 6, 2017

SEOUL, South Korea — A special prosecutor in South Korea asked state prosecutors on Monday to indict President Park Geun-hye on bribery charges, saying that Ms. Park and her secretive confidante conspired to take $38 million in bribes from Samsung, one of the world's largest technology companies.

The special prosecutor, Park Young-soo, recommended the indictment as he announced the results of his team's 90-day investigation into a corruption scandal surrounding Ms. Park, who was impeached by a parliamentary vote in December.

The inquiry resulted in the indictments of 30 people, including several former aides to Ms. Park, on criminal charges, including the abuse of official power. But the prosecutor could not bring any charge against Ms. Park because she is protected from indictment while in office.

His mandate now over, Mr. Park said he was leaving the task of indicting Ms. Park once she is out of office to state prosecutors.

Ms. Park's presidential powers have been suspended since the impeachment vote in December. The Constitutional Court is expected to rule in the coming weeks on whether she should be reinstated or formally removed from office. Even if she resumes the presidency, her five-year term ends in February, after which she can face criminal charges.

On Monday, Ms. Park's lawyer, Yu Young-ha, rejected the special prosecutor's findings, saying his investigation was "politically biased" and "lacking in fairness." He called the bribery allegation "an absurd fiction."

But on Monday, Mr. Park, the special prosecutor, who is not related to Ms. Park, said his team found enough evidence that Ms. Park and her confidante, Choi Soon-sil, conspired to collect bribes from Samsung.

On Feb. 28, he indicted Lee Jae-yong, the third-generation scion of the family that runs Samsung, on charges of giving or promising $38 million in bribes to Ms. Park and Ms. Choi. He also added a bribery charge to the case against Ms. Choi, who is already on trial.

Mr. Lee offered the bribes in return for political favors from Ms. Park, most notably government support for a merger of two Samsung affiliates in 2015 that helped him inherit corporate control of the Samsung conglomerate from his incapacitated father, Lee Kun-hee, the prosecutor said.

Acting on Ms. Park's order, her aides forced the government-controlled National Pension Service, a major shareholder at the two Samsung companies, to vote for the merger, though it was opposed by many minority shareholders and devalued the pension fund's own stocks there, the prosecutor said.

On Monday, Samsung denied the special prosecutor's findings.

"Samsung has not paid bribes nor made improper requests seeking favors," it said in a statement. "Future court proceedings will reveal the truth."

On Monday, Mr. Park, the special prosecutor, said that the president should also face a criminal charge of abusing official power, saying she conspired with aides to blacklist thousands of artists, writers and movie directors deemed unfriendly to her government and exclude them from government-funded support programs.

Ms. Park also fired three senior Culture Ministry officials who had been reluctant to discriminate against some of the 9,473 names on the list, the prosecutor said. She demoted and later fired another senior ministry official who had angered Ms. Choi, her friend, by investigating allegations of corruption involving her family, the prosecutor said.

While blackballing unfriendly artists, Ms. Park's office ensured that pro-government civic groups received special favors, he said.

It asked the Federation of Korean Industries, which lobbies on behalf of Samsung and other big businesses, to provide $5.9 million for those groups between 2014 and 2016, the special prosecutor said. Some of those groups, like the right-wing Korea Parent Federation, have held noisy protests in downtown Seoul calling the critics of Ms. Park "commies."

Besides Samsung, scores of other South Korean companies were found to have made payments to two foundations controlled by Ms. Choi. But on Monday, the special prosecutor did not recommend further actions against them, and state prosecutors had earlier said that those companies were coerced to donate and were not engaged in bribery.

Ms. Park has repeatedly denied any legal wrongdoing, insisting that she was framed by hostile political forces and that she was not aware of any criminal conspiracy by Ms. Choi. She said she only let Ms. Choi edit some of her speeches and run her personal errands.

On Monday, the special prosecutor said Ms. Park and Ms. Choi had 573 phone conversations between April and October last year using cellphones issued under borrowed

names. Of these calls, 127 took place between September, when Ms. Choi left for Germany, and October, when she returned home to be arrested.

The prosecutor accused Ms. Park of impeding his investigation. She refused to be questioned by his investigators and also did not allow them to search her office. As a result, he said his team could not fully determine what she was doing at her residence for seven hours in April 2014, when a ferry loaded with hundreds of schoolchildren sank, killing more than 300.

Ms. Park said she was working at the time, getting reports on the disaster. But she has been haunted by lurid rumors, some of them claiming that she was having a romantic encounter or undergoing plastic surgery.

On Monday, the prosecutor said a cosmetic surgeon gave Ms. Park at least five simple face-lifting operations at her residence between 2013 and 2016. Even unlicensed people visited her there to give her nutritional shots and help her with kinesiotherapy and reiki, a form of traditional healing. But investigators could not find evidence that such things took place on the day of the ferry disaster.

NATIONAL NEWS

White House Aides Contort Themselves Trying To Defend Trump Wiretap Claims

By Ashley Parker And Jenna Johnson

Washington Post, March 6, 2017

The White House Monday attempted to defend President Trump's unfounded claim that former president Barack Obama wiretapped Trump Tower near the end of the presidential campaign, sending out a series of administration officials — both on and off camera — to reiterate the assertion without providing supporting evidence.

In a series of tweets over the weekend, Trump claimed that he had "just learned" that Obama wiretapped his midtown Manhattan skyscraper, where he lives and which housed his presidential campaign — accusing the former president of a potentially illegal act and writing that Obama was a "bad (or sick) guy."

Trump has since provided no concrete facts to back up his assertion, which has been refuted by Obama, FBI Director James B. Comey and former director of national intelligence James R. Clapper Jr. On Monday, senior administration officials contorted themselves trying to defend the president's claims, which seemed to emanate largely in response to a rant on conservative talk radio and in an article on Breitbart News, the conservative website that Stephen K. Bannon, Trump's chief strategist, used to lead.

Speaking to reporters from the White House briefing room without cameras present, White House press secretary Sean Spicer referred reporters to his weekend statement calling on the House and Senate intelligence committees to investigate the wiretapping charges as part of their broader probe of alleged Russian interference in the 2016 presidential election. He refused to add clarity or context to Trump's Twitter missives, saying neither the president nor the White House would comment further until the congressional investigations are completed.

"I'm just going to let the tweet speak for itself," Spicer said. "I think the president speaks very candidly."

Spicer, citing news reports, said there was sufficient evidence to warrant further investigation at the congressional level.

"I think that there's no question that something happened. The question is, is it surveillance, is it a wiretap or whatever?" Spicer said. "But there's been enough reporting that strongly suggests that something occurred."

Asked if he could unequivocally say that Trump's tweet was based on more than a talk radio report and the Breitbart article, Spicer declined, again referring to his calls for the intelligence panels to take the lead.

Asked about the specific sourcing behind the president's tweets, Spicer said there were several options: "It could be FISA, it could be surveillance," he said, referring to the Foreign Intelligence Surveillance Court, a secret court that can issue warrants for electronic surveillance on potential spies or terrorists. If there was a FISA wiretap of Trump during the campaign, it would mean that the court had found there was probable cause to believe he was acting as an "agent of a foreign power" as the law requires.

In perhaps the clearest sign of the uncomfortable situation the president's tweets created for his aides, the normally media-hungry White House went largely dark on Monday. Though several top officials did defend Trump in television interviews, Spicer did not allow cameras into the briefing room for his new conference Monday and Trump signed an executive order for his revamped travel ban in private.

Speaking on NBC's "Meet the Press" Sunday, Clapper did provide the White House with a bit of cover, saying there was "no evidence" of collusion between Trump and Russia during the campaign. But he also undercut the president's assertion that Obama had wiretapped him, saying, "There was no such wiretap activity mounted against the president-elect at the time as a candidate or against his campaign."

Spicer urged reporters to note Clapper's comments about an apparent lack of collusion, but gave less weight to his remarks refuting Trump's claims of wiretapping. Asked about the difference, Spicer said, "He said that he wasn't aware of anything. I take him at his word that he wasn't aware, but that doesn't mean that it didn't exist."

This reverse-engineering of evidence has happened before, as when the president declared erroneously that his inauguration crowd was the largest in history and when he

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claimed without evidence that at least 3 million undocumented immigrants illegally voted for Hillary Clinton in the general election.

The public face of this latest effort has mostly been deputy press secretary Sarah Huckabee Sanders who was dispatched to a Sunday news show — even though Spicer and chief of staff Reince Priebus usually take that task — and to two Monday morning talk shows.

Sanders admitted that she had not discussed the matter with the president, and she lacked answers to a series of questions. When asked Monday by ABC News' George Stephanopoulos if the president accepted that Comey had refuted his tweets, Sanders responded: "You know, I don't think he does."

Like Spicer, Sanders claimed Trump's accusations are supported by media reports, even though a list of such articles provided by the White House contained no such evidence. She also attempted to recast the president's words with a softer tone.

"Look, the president firmly believes that the Obama administration may have tapped into the phones at Trump Tower," Sanders said on the "Today Show" on NBC Monday. "This is something that we should look into. We'd like to know for sure."

Sanders repeatedly urged that the press and others give the president the same benefit of the doubt that they seemed to be giving to those accusing the Trump campaign of coordinating with the Russian government.

"Look," Sanders said on the Today Show, "I haven't had the chance to have the conversation directly with the president, and he's at a much higher classification than I am, so he may have access to documents that I don't know about, but I do know that we take this very seriously."

White House counselor Kellyanne Conway followed a similar script Monday on Fox News's "Fox and Friends," saying that there have been numerous media reports that there was "politically motivated activity all during the campaign and suggesting that there may be more there."

"He's the president of the United States," Conway said. "He has information and intelligence that the rest of us do not. And that's the way it should be for presidents."

Asked about that remark, Spicer said he hadn't talked with Conway about what she meant.

"I can't specifically respond to you in terms of what she was referring to, whether she was referring to the exact nature of this charge or whether generally speaking he is given information," Spicer said.

Ultimately, the White House all but stated that the best person to explain or defend the president's claims was the president himself. Asked by a reporter how it was appropriate for the president to make an explosive statement and then send out his aides to "clean it up," Spicer again referred back to Trump's social media feed.

"The president's tweets," he said, "speak for themselves."

White House Remains Mum On Source Of Trump's Wiretap Allegations

Press Secretary Sean Spicer said President Trump's claims on Twitter that his predecessor wiretapped his office were 'based on numerous things'

By Rebecca Ballhaus

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

White House Rejects Comey's Assertion That Wiretapping Claim Is False

By Michael S. Schmidt

New York Times, March 6, 2017

WASHINGTON — The White House on Monday refused to acknowledge reports that James B. Comey, the F.B.I. director, had asked the Justice Department to refute President Trump's claim that President Barack Obama wiretapped him during the 2016 presidential campaign, and said Mr. Trump still believes he was spied on.

Mr. Comey urged the Justice Department this weekend to push back against Mr. Trump's claims, but the department has not said anything publicly. The New York Times first reported about Mr. Comey's request to the Justice Department on Sunday, and other news media organizations followed suit.

Sean Spicer, the White House press secretary, dismissed the stories on Monday. "I have not seen anything, aside from another report based on anonymous sources, that that actually happened," Mr. Spicer said. "I'm not aware that that occurred. I don't think that we're aware that that occurred."

Mr. Spicer did not say why Mr. Trump or other administration officials had not reached out directly to the Justice Department or Mr. Comey to find out whether Mr. Trump's accusations are true. And Mr. Spicer provided little evidence to back up Mr. Trump's claim about Mr. Obama.

At one point, Mr. Spicer pointed to comments by Michael Mukasey, who served as attorney general in the administration of George W. Bush, as evidence of the eavesdropping. Mr. Mukasey said on television Sunday that based on reports he had read in the press, he believed Mr. Trump was probably right about the surveillance.

"There's no question that something happened," Mr. Spicer said. "The question is: Is it surveillance, or wiretapping or whatever?"

Mr. Spicer said that Mr. Trump still had confidence in the F.B.I. director. "There's nothing that I have been told by

him that would leave me to believe that anything is different than it was prior," Mr. Spicer said.

But the president could be headed for a confrontation with Mr. Comey that would pit the administration against the head of the nation's leading law enforcement agency, which is conducting an inquiry into links between Mr. Trump's associates and Russia.

Mr. Trump, who has already fired his national security adviser and acting attorney general, could dismiss Mr. Comey, but that would probably lead to significant backlash from lawmakers and federal authorities who would see such a move as an attempt to influence the Russia investigation.

Mr. Trump started the controversy early Saturday morning with a series of Twitter posts.

"Terrible! Just found out that Obama had my 'wires tapped' in Trump Tower just before the victory," Mr. Trump said. "Nothing found. This is McCarthyism!"

Mr. Trump added: "This is Nixon/Watergate. Bad (or sick) guy!"

The White House has not officially said what led Mr. Trump to make the claims. But administration officials have acknowledged that they were primarily prompted by unverified claims by Breitbart News and conservative talk radio hosts that secret warrants were issued authorizing tapping the phones of Mr. Trump and his aides.

Mr. Comey was said to be disturbed by Mr. Trump's claims about Mr. Obama, which insinuated that the F.B.I. had broken the law and raised the public's expectations about how much evidence federal authorities might have had on Mr. Trump. For the Justice Department to have obtained a warrant to eavesdrop on him, federal authorities would have had to prove to a judge that there was significant evidence that he was breaking the law or was the agent of a foreign power.

Along with asking the House and Senate Intelligence Committees to investigate whether Mr. Obama eavesdropped on Mr. Trump, Mr. Spicer called on the committees to investigate what he called a steady stream of national security leaks since Mr. Trump took office. Mr. Spicer said the White House would not commit to accepting the findings of those investigations.

"I don't think you would ever just blanketly say, 'I'm going to accept any outcome,'" Mr. Spicer said.

Some Republicans said on Monday that spying was a hallmark of Mr. Obama's administration, claiming that during his time in office the Internal Revenue Service targeted conservative groups. Other Republicans defended the impartiality of the Justice Department and F.B.I.

"I don't think the F.B.I. is the Obama team, and I don't think the men and women who are career prosecutors at D.O.J. belong to any team other than a blindfolded woman holding a set of scales," Representative Trey Gowdy, Republican of South Carolina, said in an interview on Fox News.

"We have certain tools this country needs to keep us safe — and it is great and wise and prudent and legal for those tools to be used lawfully and appropriately," Mr. Gowdy said, referring to court-approved wiretapping. "If they are not used lawfully and appropriately, there is a paper trail, and we will be able to find it out."

Mr. Gowdy, who headed the committee that investigated the 2012 attacks on American outposts in Benghazi, Libya, said that with the Obama administration out of office, "any information that the current Department of Justice has that suggests the previous Department of Justice acted inappropriately — they are welcome to release it."

Senator Patrick Leahy, Democrat of Vermont, said he had "never seen anything so outlandish, outrageous or incomprehensible" as Mr. Trump's claims.

"I've never seen anything like this — ever — since I've been here," Mr. Leahy said. "It is completely unprecedented, and it is destructive of our democracy."

Trump Doesn't Necessarily Believe Comey, Aide Says

By David Jackson And Kevin Johnson

USA Today, March 6, 2017

WASHINGTON — President Trump is questioning FBI Director James Comey's reported assertion that Trump is wrong to claim that predecessor Barack Obama had him wiretapped during last year's election, aides said Monday.

Asked on ABC's Good Morning America whether the president accepts Comey's statement that Obama did not authorize any wiretaps, White House spokesperson Sarah Sanders said: "You know, I don't think he does."

This past weekend, Comey sought a public rebuke from the Justice Department of Trump's accusation that Obama ordered the surveillance of Trump's phones prior to the election in connection with an investigation into Russian activities, a U.S. official confirmed Sunday to USA TODAY.

White House spokesman Sean Spicer said he doesn't know whether Comey really made that request because news reports are based on "anonymous sources." He said the president "wants Congress to look into" his concerns that he was under surveillance during last year's campaign.

Lawmakers and government officials said they are unaware of any Obama-authorized wiretap, and it would be illegal for any president to do that in any case.

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James Clapper, who was director of national intelligence last year, told NBC's Meet The Press that to his knowledge the special court that handles these cases under the Foreign Intelligence Surveillance Act (FISA) did not

authorize surveillance of Trump Tower, the New York office that housed the Republican candidate's campaign.

Clapper also said he saw no evidence of "collusion" between the Trump campaign and Russia during the 2016 election.

Democrats said that, in accusing Obama, Trump is either spinning a baseless conspiracy theory or seeking to distract people from the Russia investigation that could involve the president and some of his campaign associates. Rep. Jim Himes, D-Conn., appearing on MSNBC's Morning Joe, said that "I think it's him acting in a pretty crazy way."

Some lawmakers appear to be questioning Trump's mental state. Rep. Adam Schiff, D-Calif., the top Democrat on the House Intelligence Committee, tweeted that "we must accept possibility that @POTUS does not know fact from fiction, right from wrong. That wild claims are not strategic, but worse."

FBI and Justice Department officials did not comment on the flap Monday.

Trump made the allegation Saturday morning via Twitter, causing the latest political storm over investigations into whether Russia sought to influence last year's election by hacking Democrats close to presidential nominee (and Trump opponent) Hillary Clinton.

Spicer said Trump's tweets speak for themselves, and that the president believes "something happened" during the run-up to the November election. "It could be FISA, it could be surveillance," Spicer said. "Something occurred."

The spokesman said Trump also wants Congress to look into the leaks of classified information surrounding the Russia case.

While Spicer criticized the Comey report for using anonymous sources, so, too, did the stories that may have prodded Trump to unleash his weekend outburst on Twitter. USA TODAY policy requires multiple editors to know the identity of an anonymous source and why he or she is speaking on condition of anonymity before the sourcing is approved.

During a string of television morning show interviews, Sanders said she doesn't think that Trump has spoken with Comey. "I don't know that he has talked directly with the FBI director," she told ABC.

Sanders noted that Trump has requested a congressional investigation of his claims and only wants Congress to "do its job."

The Justice Department had not responded to the request Sunday after Comey's extraordinary request to discredit claims of a plot to sabotage the president's campaign.

Presidential counselor Kellyanne Conway, appearing on Fox News, called on the FBI director to make his concerns public.

"If Mr. Comey has something he'd like to say I'm sure we're all willing to hear it," Conway said. "All I saw was a published news report. I didn't see a statement from him so I don't know what Mr Comey knows."

By law, presidents do not order wiretaps.

Any kind of wiretap in connection with an investigation of Russia would have to be approved by a special court acting under FISA.

That law, passed in 1978 to reform the excesses of intelligence surveillance during the Richard Nixon administration and earlier presidencies, requires law enforcement to obtain an order from a special court of federal judges before they conduct telephone surveillance on people in the United States.

Trump Maintains Confidence In FBI Head Amid Wiretap Friction

By Jeff Mason

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

White House Aides Try To Justify Trump's Explosive Wiretapping Claim

By Louis Nelson

Politico, March 6, 2017

The White House on Monday pushed back against FBI Director James Comey, with spokeswoman Sarah Huckabee Sanders saying President Donald Trump does not accept the assertion from Comey that former President Barack Obama did not order an illegal wiretap of Trump Tower.

White House senior adviser Kellyanne Conway, meanwhile, hinted that Trump may have intelligence backing up his explosive claim that Obama had tapped Trump's phones in the lead-up to the November election. Like Trump, Conway did not provide any specific evidence.

Story Continued Below

When asked on "Fox and Friends" about how Trump knows his phones were actually tapped, Conway responded, "He's the President of the United States. He has information and intelligence that the rest of us do not, and that's the way it should be for presidents."

Neither Conway nor Sanders, the two White House officials who have offered the most prominent defenses of Trump, offered any proof of the president's claim, nor has any other Trump administration official. Obama, through a spokesman from his post-presidential office, flatly denied Trump's allegation, as did former Director of National Intelligence James Clapper, who appeared Sunday on NBC's "Meet the Press."

Comey's denial of Trump's allegation has not yet taken a public form but instead came via multiple media outlets who reported that the FBI director asked the Justice Department to publicly knock down the president's claim because it insinuated that the bureau had broken the law. At his daily press briefing, White House Press Secretary Sean Spicer was unwilling to concede even that Comey had asked the Justice Department to refute Trump's claim, telling reporters that "aside from anonymous sources... I'm not aware that occurred."

In her interview with ABC's "Good Morning America," Sanders said she did not know whether Trump had reached out to Comey, or anyone else within the intelligence community, seeking verification of his claim. But asked by anchor George Stephanopoulos if Trump accepted Comey's reported denial, Sanders responded, "You know, I don't think he does, George."

Asked Monday afternoon if Trump has spoken with Comey since leveling the wiretapping allegation, Spicer said, "I'm almost 100 percent certain he has not." But the press secretary stood behind the president's accusation, telling reporters that "there's no question something happened. The question is — is it surveillance, is it a wiretap, or whatever?"

It was Sanders' second appearance on ABC in as many days. When appearing on the network's "This Week" Sunday morning political talk show, Sanders sought to characterize Trump's allegation only as an act that may have occurred, a departure from the certainty with which the president leveled the charge on Twitter. On Monday, Sanders said it should be up to a congressional investigation to get to the bottom of it.

Rep. Adam Schiff, the ranking Democrat on the House intelligence committee, on Monday morning newly criticized Trump's accusation.

"We must accept possibility that @POTUS does not know fact from fiction, right from wrong. That wild claims are not strategic, but worse," Schiff wrote in a pinned tweet. He also wrote, "If Director Comey asked Justice Dept to reject @POTUS claim of illegal wiretap, did Attorney General Sessions decline, or recuse himself?"

Both Sanders and Conway said the president is the victim of a double standard, in which reporting on ties between individuals close to Trump and the Russian government is allowed but the allegation of illegal wiretapping by Obama is dismissed and criticized. Conway complained that anonymous sources are too often given credence in negative stories about the president and then ignored "when it may be something positive or exculpatory."

Democrats, too, are guilty of imposing a double standard on the president, according to Trump's aides. Conway equated Trump's as-of-yet unsubstantiated claim of Trump Tower wiretapping with the widely-reported controversy tying individuals close to the president to the Kremlin and said Democrats should be calling for an investigation into the former just as loudly as they are for the latter.

"You have Democrats every single day saying 'investigate, investigate, special prosecutors, investigate,'" she said. "Well then, what are they afraid of here? Let's investigate this and see where it leads."

In his own TV appearance Monday morning, House Oversight Committee chairman Jason Chaffetz (R-Utah) said his colleagues in the House Intelligence Committee would indeed investigate Trump's claim but admitted that "thus far I have not seen anything directly that would support what the president has said." The House Oversight Committee, Chaffetz said, "will play a supporting role."

Chaffetz also acknowledged that as president, Trump has the authority to prove his allegation true by declassifying the FISA court order that presumably would have been needed to authorize a wiretap on Trump Tower. If Trump's allegation is true, Chaffetz said, "the paper trail should be there."

"Look, it's a very serious allegation. The president has at his fingertips tens of billions of dollars in intelligence apparatus," he said. "I've got to believe – I think he might have something there, but if not, we're going to find out."

Kellyanne Conway: Donald Trump Has Info And Intelligence The Rest Of Us Do Not

By Dave Boyer, David Sherfinski

Washington Times, March 6, 2017

White House counselor Kellyanne Conway said Monday that President Trump has access to information and intelligence others do not and that "credible news sources" suggested there might be more to look into, after Mr. Trump accused former President Barack Obama over the weekend of tapping phones in Trump Tower during last year's campaign.

"Well, let's get to the bottom of it — that is the president's entire point," Ms. Conway said on "Fox & Friends." "You have a number of various and credible news sources showing that there was politically motivated activity all during the campaign and suggesting that there may be more there."

"The president's entire point is that the people deserve to know," she said. "If we don't know, then let's find out together."

Mr. Trump had tweeted over the weekend: "Terrible! Just found out that Obama had my 'wires tapped' in Trump Tower just before the victory. Nothing found. This is McCarthyism!"

Asked how he knows that happened to him, Ms. Conway said: "He's the president of the United States. He has information and intelligence that the rest of us do not, and that's the way it should be for presidents."

Referring to the wiretap accusation and other Trump tweets, Sen. Bernard Sanders, Vermont independent, said on Twitter: "President Trump cannot continue to lie, lie, lie. It diminishes the office of the president and our standing in the world."

A friend of the president, Newsmax CEO Christopher Ruddy, said Mr. Trump was "pissed" about the media's dismissive reaction to his claim of wiretapping when he saw him in Florida on Saturday.

A spokesman for Mr. Obama said in response that neither the former president nor his White House ever ordered surveillance on any U.S. citizen.

Mr. Ruddy said when he asked the president about Mr. Obama's denials of wiretapping, Mr. Trump replied, "This will be investigated. This will all come out. I will be proven right."

"I haven't seen him this pissed off in a long time," Mr. Ruddy wrote on his news web site.

Ms. Conway called for further investigation to see where things go.

"Let's have the House and Senate intelligence committees do their work and think about whether to include this," she said.

"But the president has made clear that he would like there to be an investigation of any possible abuses, and that hopefully that oversight activity will clarify" things, Ms. Conway said.

Rep. Adam Schiff, California Democrat and the ranking member on the House Intelligence Committee, said Monday that Mr. Trump simply might not know the difference between what's correct and incorrect at this point.

"We must accept possibility that @POTUS does not know fact from fiction, right from wrong. That wild claims are not strategic, but worse," Mr. Schiff said on Twitter.

Rep. Joaquin Castro, Texas Democrat and another member on the House Intelligence Committee, challenged Mr. Trump Monday to provide proof of wiretapping.

"President Trump should back up his wire tapping claim immediately or apologize to President Obama and the nation," Mr. Castro tweeted. "I've seen no evidence."Please enable JavaScript to view the comments powered by Disqus.blog comments powered by

Trump's Wiretapping Claims Puncture Veneer Of Presidential Civility

By Peter Baker

New York Times, March 6, 2017

WASHINGTON — When last they saw each other six weeks ago after the ceremonial passing of power, President Trump and former President Barack Obama parted with smiles and handshakes. But it did not take long for the surface bonhomie to degenerate into a fierce and public clash unlike any other in modern times.

While Mr. Obama has remained quiet for the most part, some of his closest loyalists moved into opposition mode, leading what some only half-jokingly call "the resistance." Mr. Trump, convinced that Obama holdovers still in government are trying to sabotage his presidency, took the conflict nuclear over the weekend by accusing his predecessor of bugging his telephones last year.

Mr. Trump provided no proof, and the charge was quickly dismissed by intelligence veterans and, indirectly, the F.B.I. but that did not make it any less sensational or any less historic. Never in recent generations has the natural friction between current and past presidents spilled over into such a public spectacle. If sustained, it could fray the institution of the presidency, further erode the public's already low confidence in the nation's leadership and leave both allies and enemies with the impression of an America at war with itself.

Perhaps it should be no surprise that it came to this between the 44th and 45th presidents. During last year's campaign, Mr. Obama called Mr. Trump a "con artist and a know-nothing" who could not be trusted with the nuclear codes. Mr. Trump called Mr. Obama "the worst president in the history of the United States" after spending years questioning whether he had been born in the United States. They put that rancor aside for a cordial meeting after the election, but that barely veiled the chasm between them in terms of personality, politics and policy.

"We're in a unique period," said Newt Gingrich, the Republican former House speaker who has been an outside adviser to the new president. "Trump is a genuinely disruptive figure who threatens everything Obama stands for."

Mr. Obama's camp insisted they are simply defending their legacy. "It takes two people to duel, and only one seems to be aiming his weapon," said Jennifer Psaki, White House communications director under Mr. Obama. "The uniqueness of the time is the fact that you have one unhinged and misinformed sitting president pointing his gun at a former. That is unprecedented."

Denis R. McDonough, Mr. Obama's last White House chief of staff, said the former president's team could not remain silent in the face of false assertions. "What I have witnessed in recent days is former colleagues speaking out against untruths when needed," he said. "That is best characterized as not backing down from attacks; it is not seeking out conflict."

But inside the Trump White House, it has become an article of faith that people seeded throughout the government by Mr. Obama have been leaking everything they could get their hands on to damage the new president.

"I think that President Obama is behind it, because his people are certainly behind it," Mr. Trump said in a recent interview with "Fox & Friends." "And some of the leaks possibly come from that group, you know, some of the leaks,

which are really very serious leaks, because they're very bad in terms of national security."

Other presidents have endured fractious relations. After leaving office, Herbert Hoover regularly castigated Franklin D. Roosevelt, who ostracized his predecessor. Harry S. Truman was so estranged from Dwight D. Eisenhower that they did not speak during a frosty ride to the 1953 inauguration. Ronald Reagan publicly blamed his woes on the mess he said Jimmy Carter had left him, just as Mr. Obama from time to time pointed the finger at George W. Bush.

But none of those moments compared to what America has seen in recent days. "Trump is on new ground in going after Obama," said the historian Robert Dallek, who has written acclaimed books on John F. Kennedy, Lyndon B. Johnson and Richard M. Nixon. Most presidents have publicly ignored their predecessors "until we get to Trump," he added. "He is either ignorant of recent presidential history or simply doesn't care."

The closest analogue in modern times may have been Johnson and Nixon, both presidents who favored secret wiretapping. In his last days in office, Johnson was furious at Nixon after wiretaps revealed that a Republican intermediary seemed to be trying to undercut possible peace talks before the 1968 election. For his part, Nixon was convinced that Johnson had bugged him. Yet neither Johnson nor Nixon publicly aired those grievances at the time.

"The Nixon tapes show that Nixon always thought that Johnson taped his 1968 campaign, and possibly Nixon himself," said Luke A. Nichter, a leading scholar of Nixon's secret Oval Office tapes at Texas A&M University. "Nixon said that it was J. Edgar Hoover who told him this. However, based on the available records, the closest to wiretapping Nixon that L.B.J. ever came was monitoring the phone calls out of Spiro Agnew's campaign plane."

Before last year's campaign, Mr. Obama told advisers that he was inclined to keep quiet after leaving office to give his successor a chance to govern, much as Mr. Bush did for him. But he expected that successor to be Hillary Clinton or even Jeb Bush or Marco Rubio. Mr. Trump was a different story, and Mr. Obama concluded he would speak out if he felt the nation's ideals were under threat.

Ten days into the new administration, when Mr. Trump issued his first temporary travel ban on visitors from seven largely Muslim countries and cited Mr. Obama's own actions as precedent, the former president did just that in a statement saying he "fundamentally disagrees with the notion of discriminating against individuals because of their faith or religion."

His team did not wait even that long. The day after the inauguration, former Obama administration officials, including John Kerry, whose tenure as secretary of state had just ended, joined a women's march in Washington protesting Mr. Trump. Other officials appeared on television talk shows and newspaper op-ed pages to speak out against the new president's policies.

Mr. Trump's team has been angered by the criticism but even more by what they see as the enemy within. With so few of his own political appointees in place, much of the government is still operating with acting officials, some held over from the Obama administration. Moreover, the federal Civil Service, while officially neutral politically, is not dominated by Trump supporters, judging by vote results in Washington and its suburbs.

So when Mark Levin, the conservative radio host, contended that Mr. Obama had targeted Mr. Trump for surveillance in what he called a "silent coup," an assertion picked up by Breitbart News, the former website of the White House chief strategist Stephen K. Bannon, it struck a chord. Along with reports that in Mr. Obama's last days in office his administration changed the rules on distributing intelligence and made a point of spreading information about Mr. Trump's team and Russia to different parts of the government to "preserve" it, the wiretapping allegation pushed Mr. Trump over the top.

"It's a sign of how deeply frustrated he is," Mr. Gingrich said. "They have a much bigger assault against them than people have had in the past."

And so, Mr. Gingrich added, Mr. Trump needs to figure out how to get control of his own bureaucracy. "He's not going to survive," he said, "unless he profoundly rethinks what they're doing and how they're doing it."

DHS Head: Trump Has 'Convincing' Wiretap Proof

By Mark Hensch

The Hill, March 6, 2017

Homeland Security Secretary John Kelly says President Trump possesses credible evidence that former President Barack Obama ordered the wiretapping of Trump Tower in New York City last year.

Trump claimed on Twitter last Saturday that Obama had his "wires tapped" in Trump Tower before Election Day last year, making the accusation without offering any evidence.

"If the president of the United States said that, he's got his reasons to say it," Kelly said Monday on CNN's "The Situation Room." "[Trump's] got some convincing evidence that that took place."

Kelly admitted he had learned about Trump's claims from watching CNN, adding he would not guess why the Obama administration might have wiretapped a 2016 presidential candidate.

"I don't know anything about it other when I was sitting off-studio here watching CNN," he told host Wolf Blitzer.

"I don't pretend to even guess what the motivation may have been for the previous administration to do something like that," the retired Marine Corps general added.

"Terrible! Just found out that Obama had my 'wires tapped' in Trump Tower just before the victory," Trump tweeted. "Nothing foundf. This is McCarthyism!"

"How low has President Obama gone to tap [sic] my phones during the very sacred election process," Trump added in a follow-up tweet. "This is Nixon/Watergate. Bad (or sick) guy!"

Kevin Lewis, a spokesman for Obama, said last Saturday that Trump's claims about the former president are "simply false."

"A cardinal rule of the Obama Administration was that no White House official ever interfered with any independent investigation led by the Department of Justice," he said in a statement.

"As part of that practice, neither President Obama nor any White House official ever ordered surveillance on any U.S. citizen."

White House spokesman Sarah Huckabee Sanders said Sunday an investigation of Trump's wiretapping claims should be included in any probe of ties between the president's 2016 bid and Russia.

FBI director James Comey asked the Department of Justice to disavow Trump's claims that Obama ordered a wiretap, according to a New York Times report.

Kelly On Trump's Wiretap Accusation: 'He's Got His Reasons'

By Daniella Diaz

CNN, March 6, 2017

Secretary of Homeland Security John Kelly said that President Donald Trump must have "convincing evidence" for his allegation on Twitter that President Barack Obama ordered a wiretap of his phones during the campaign.

"I don't know anything about it," he told CNN's Wolf Blitzer on the Situation Room. "If the President of the United States said that, he's got his reasons to say it."

Kelly continued: "He must have some convincing evidence that took place. ... I don't pretend to even guess as to what the motivation may have been for the previous administration to do something like that."

Trump created an uproar when he took to Twitter on Saturday to declare, without evidence, that Obama had the "wires tapped" in Trump Tower ahead of the election. The White House has declined to substantiate the President's claims, and a White House official told CNN that the theory reached Trump due to a Brietbart article circulating in the West Wing.

White House press secretary Sean Spicer, speaking at the White House on Monday, did not offer evidence to back up the claims, but doubled-down, saying, "There's no question that something happened."

FBI Director James Comey was 'incredulous' over Trump's tweets

Blitzer asked Kelly about CNN's report that FBI Director James Comey was "incredulous" over the weekend after seeing Trump's tweets accusing Obama of wiretapping. A source told CNN that Comey felt "institutionally he has to push back on this" because of the magnitude of the allegations that Comey knows not to be true.

Kelly responded by saying Comey is his "friend," and said he doesn't trust those reports.

"With due respect to sources, I have been wrong so many times in the last six, seven weeks," Kelly responded. "(Sources) that were dead wrong. I don't go much on single sources anymore."

Kelly said that he would expect Comey to turn Trump's wiretap allegation over to "an investigative arm, and we can get to the truth or to the bottom line."

"Jim Comey is an honorable guy," he said. "And so is the President of the United States. And the President must have his reasons."

Former Intelligence Chiefs Dispute Trump Wiretap Allegations

By Ben Brody, Jennifer Jacobs

Bloomberg Politics, March 6, 2017

Former U.S. intelligence officials continued to dispute President Donald Trump's explosive allegations that he was subject to wiretapping ordered by his predecessor, saying it never happened, as the controversy continued into a third day.

"I can deny it," James Clapper, the Obama administration's Director of National Intelligence, said Sunday on NBC's "Meet the Press" when asked whether he could confirm or deny that a court order allowing for eavesdropping at Trump Tower in New York existed.

Joining Clapper in knocking down Trump's assertions was FBI Director James Comey, who asked Department of Justice officials to issue a statement rejecting Trump's claims, according to a U.S. official who requested anonymity in order to discuss sensitive issues. The agency has not done so. The New York Times first reported Comey's request.

White House deputy press secretary Sarah Huckabee Sanders said in an ABC interview Monday, "I don't think he does," when asked whether Trump accepts Comey's denial. "I think he firmly believes this is a story line that has been reported pretty widely by quite a few outlets," she said.

A former director of the CIA and NSA during the George W. Bush administration, General Michael Hayden, said Monday that a president can't order such wiretapping and that "to set the record straight" the secret court records

may need to be provided to Trump in an "unprecedented" move.Breitbart Report

There are other ways for Trump to determine the truth, he said. "It looks as if the president just for a moment forgot that he was president," Hayden told Fox News. "Why didn't he simply use the powers of the presidency to ask the acting director of national intelligence, the head of the FBI to confirm or deny the story he apparently read from Breitbart, the evening before?"

Trump's claim in a series of Twitter posts Saturday that President Barack Obama had the Republican's "wires tapped in Trump Tower just before" the 2016 election relied on reports in conservative media, including Breitbart News, for his conclusion, a person familiar with the situation told Bloomberg.

"Let's get to the bottom of it. That is the president's entire point," Trump adviser Kellyanne Conway told Fox News Monday without providing evidence of the wiretapping claims. "He has intelligence and information that the rest of us do not."

On Sunday, White House press secretary Sean Spicer called on Congress to investigate the reports. Democrats said the White House was trying to shift focus away from ongoing investigations into possible connections between the Trump campaign and Russia. Trump's allegations came two days after the top U.S. law enforcement officer, Attorney General Jeff Sessions, removed himself from investigations of Russian interference with the election, including Russian contacts with associates of Trump related to the campaign.

For a QuickTake on the Trump-Russia saga, click here.

Senate Intelligence Committee Chairman Richard Burr, a Republican from North Carolina, said in a statement that the panel "will follow the evidence where it leads, and we will continue to be guided by the intelligence and facts as we compile our findings."

"There is one page in the Trump White House crisis management playbook," former Obama press secretary Josh Earnest said on ABC's "This Week." "And that is simply to tweet or say something outrageous to distract from a scandal."

Trump was furious about Sessions' recusal – a decision the attorney-general came to on his own – because it made the administration look weak, said a person familiar with the situation. The president on Friday yelled at senior staff in the Oval Office, an incident witnessed remotely by reporters with zoom-lens cameras waiting outside the building for Trump to board his Marine One helicopter for Joint Base Andrews and a weekend in Florida.'Nixon/Watergate' Process

Early Saturday, the president kicked off the furor about alleged wiretapping with a series of tweets to his 26 million followers. "Just found out that Obama had my 'wires tapped' in Trump Tower just before the victory,'' Trump wrote on his personal Twitter account. "Nothing found. This is McCarthyism!'' The president said a "Nixon/Watergate" process was under way, and called Obama a "bad (or sick) guy."

In a statement, Spicer said Trump "is requesting that as part of their investigation into Russian activity, the congressional intelligence committees exercise their oversight authority to determine whether executive branch investigative powers were abused in 2016."

Neither the White House nor the president will comment further "until such oversight is conducted," Spicer said.

Clapper said if a Foreign Intelligence Surveillance Act (FISA) court order had been approved to spy on Trump's home and office complex, he would "absolutely" have known it. "To my knowledge" there was no such order of anything at Trump Tower, he said.'No Such Wiretap Activity'

"For the part of the national security apparatus that I oversaw as DNI, there was no such wiretap activity mounted against the president-elect at the time or as a candidate or against his campaign," Clapper said.

The DNI, the top intelligence official in the U.S. government, oversees the intelligence efforts of more than a dozen civilian and military agencies. "I can't speak for other authorized entities in the government or a state or local entity," Clapper said.

Hayden said "it would be really unprecedented" to provide classified records from the FISA court to a sitting president, but "we're off the map here. We are in unprecedented territory, as well, so perhaps at some point in order to set the record straight we may do something unusual."

Senator Tom Cotton of Arkansas, a Republican member of the Senate Intelligence Committee, said on "Fox News Sunday" that the matter will be part of the ongoing inquiry. Asked whether he's seen any evidence that the Obama administration wiretapped Trump Tower, Cotton said, "I've seen no evidence of the allegations we've seen in the media.'"Make Inquiries'

Representative Devin Nunes of California, the Republican chairman of the House Intelligence Committee, also said in a statement on Sunday that his panel "will make inquiries into whether the government was conducting surveillance activities on any political party's campaign officials or surrogates, and we will continue to investigate this issue if the evidence warrants it."

Senator Marco Rubio of Florida, a member of the Senate Intelligence Committee, said on CNN's "State of the Union" that if the Trump's allegations aren't true, "then, obviously, he'll have to explain what he meant.''

Senate Democrats phrased their comments with care. "I am not aware of any FISA court order regarding Trump Tower," Mark Warner said on CBS's "Face the Nation," a reference to the the Foreign Intelligence Surveillance Act that allows warrants for eavesdropping.'Wrap-Up Smear'

Warner of Virginia, top Democrat on the intelligence panel, referred back to the precise wording of Clapper's comment. "I am not aware, as General Clapper has said, of any kind of FISA order that was somehow, you know, in effect bugging Trump Tower." The Virginia lawmaker left open the possibility of a FISA order or other surveillance directed outside of Trump Tower or the Trump campaign.

House Democratic leader Nancy Pelosi, speaking on CNN, said Trump's contentions about Obama, and the call for a Congressional inquiry, were an attempt at deflection. "Rather than Russia, we're talking about, did President Obama do thus and so," she said.

"It's called a wrap-up smear," Pelosi said of the wiretapping claims. "You make up something. Then you have the press write about it. And then you say, everybody is writing about this charge. It's a tool of an authoritarian."

Chuck Schumer, the top Senate Democrat, continued to demand that a special prosecutor be named to look into the Trump campaign's Russian activity.

Leon Panetta, a former secretary of defense and director of the Central Intelligence Agency under Obama, said Trump's unproven accusations send "a terrible message'' to other countries. "It makes us vulnerable to our enemies,'' Panetta said on CBS.

That sentiment was echoed by Representative Adam Schiff, top Democrat on the House intelligence committee. "For a president of the United States to make such an incendiary charge – and one that discredits our democracy in the eyes of the world – is as destructive as it was baseless," he said in a statement.

Noted Clapper: "Certainly the Russians have to be chortling about the success of their efforts to sow dissension in this country."

GOP Refuses To Back Trump's Wiretap Claim

Several Republican senators said the president again stepped on his messaging with an unfounded accusation.

By Burgess Everett And John Bresnahan

Politico, March 6, 2017

President Donald Trump will have to look somewhere besides Republican-controlled Capitol Hill for back-up to his explosive and unsubstantiated charge that former President Barack Obama wiretapped Trump Tower before the election.

Trump was reportedly incensed Sunday that Republicans didn't defend his allegations on the Sunday shows — in fact, several pointedly refused to lend Trump a lifeline when pressed. And more than 48 hours after the initial allegation, Republicans in Congress remained mostly mum as the controversy flared and threatened to create a lingering distraction for the GOP as they try to pass major legislation in the coming weeks.

Senate Majority Leader Mitch McConnell and House Speaker Paul Ryan offered no comment on the matter. And some of the chief critics of the Obama administration on Capitol Hill said there was simply no evidence they knew of to support Trump's claim.

"Boy. I have no idea," said No. 3 Sen. John Thune of South Dakota, appearing flummoxed. "I mean, I don't know what's behind it. I'm hoping in the next few days we'll find out."

It was perhaps the most vivid example of Trump's "tweet first, ask questions later" policy damaging the fortunes of the congressional GOP. Rep. Peter Roskam (R-Ill.) said the lesson for the president should be that some notions are best left unsaid.

"There's something called the unexpressed thought, which would probably aid the president well," Roskam said.

The unsubstantiated allegations are putting the congressional GOP in a box. If Republicans jump in behind Trump wholeheartedly, they risk being proven wrong by congressional probes into Russia's influence on the election. But they also know all too well that that Trump harbors grudges and values loyalty from his allies.

The president is unorthodox, Republicans say, but this one really has them scratching their heads.

"I don't know where Trump is coming from on this," said one top Republican, who would only speak on the condition of anonymity. "We're not worried about this. We have to deal with Obamacare and taxes and other legislative issues."

It's an extraordinarily awkward spot for Republicans, particularly because this is not the typical Trump tweet storm that can blow over after a couple days. Republicans would much rather Trump be helping them on the Herculean task of repealing Obamacare — not adding to the distractions and chaotic atmosphere on Capitol Hill by making GOP lawmakers answer for the president's accusations.

Trump's allegations were so inflammatory and so widely covered that he also seemed to stomp on the relatively smooth rollout of his new immigration order, which Republicans mostly praised on Monday after bashing the harried implementation of the first order

"It does … seem to take away from some pretty good messages that we should be having," said Sen. Roger Wicker (R-Miss.). "He probably got it right today on the immigration order. The flesh is coming on the bones of Obamacare repeal and replace. It just steps on policy stories."

The chairmen of the House and Senate intelligence committees have agreed to add an investigation of Trump's allegations to their investigations into Russian influence on the presidential election, as Trump demanded of Congress on Sunday. Senate Intelligence Chairman Richard Burr (R-N.C.) said he will "follow the evidence where it leads" and House Intelligence Chairman Devin Nunes (R-Calif.) "will make inquiries into whether the government was conducting

surveillance activities on any political party's campaign officials or surrogates."

That satisfied some Republican leaders: At least the truth will come out at some point.

"It needs to be investigated along with all the other looks at Russian activity," said Senate Majority Whip John Cornyn (R-Texas). "Most of what you're hearing from people is just pure speculation. I'd assume [any evidence] would be a classified matter."

The problem for Republicans is that some of their party's harshest critics of Obama say there's no evidence they know of to support Trump's statements — and it could set up the president for an embarrassing rebuke if he's proven wrong.

Rep. Trey Gowdy (R-S.C.), who ran the Benghazi committee, said he had seen nothing to back up Trump's claims. And House Oversight Chairman Jason Chaffetz (R-Utah) said he has "not seen anything directly that would support what the president has said."

Other Republicans agreed, including Sens. Susan Collins (Maine), Tom Cotton (Ark.) and Rob Portman (Ohio). Collins and Cotton receive intelligence briefings.

"We just don't have any evidence. That's why you're not hearing members comment on it," said Sen. Rob Portman (R-Ohio). "The evidence ought to be brought forward, I agree with that."

Plus, Trump seems to have only given more ammunition to Democrats who are looking for a wide-ranging, independent investigation into Russia's influence on the election and contact with Trump campaign officials.

Democrats say that by requesting a congressional investigation, Trump could get more than he bargained for.

"There is no evidence. Not a scintilla, to support his claim that President Obama ordered this wiretapping," said Sen. Richard Blumenthal (D-Conn.). "These bizarre and apparently baseless claims add more weight to the need for a special prosecutor."

Natasha Korecki contributed to this report.

Trump And Russia: A Clash Of Conspiracy Theories

Who's telling the truth, the president or James Clapper? It's possible both of them are.

By Michael Doran

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Did Obama Spy On Trump? Glenn Reynolds

By Glenn Harlan Reynolds

USA Today, March 6, 2017

So President Trump set off a firestorm over the weekend with a series of tweets alleging that Obama had tapped Trump Tower. But getting hung up on imprecise language in the president's tweets isn't the right way to look at things. What seems to be at true is that the Obama administration spied on some of Trump's associates and we don't know exactly how much information was collected under what authority and who was targeted.

As former prosecutor Andrew McCarthy summarizes in National Review, the Obama Justice Department considered a criminal investigation aimed at a number of Trump's associates. When they didn't find anything criminal, they converted the investigation into an intelligence probe under the Foreign Intelligence Surveillance Act. Elements of that story have been confirmed by The New York Times, the BBC and McClatchy newspapers.

FISA surveillance has to be approved by a special court, which almost always allows the government to spy on people when asked. But when the Justice Department asked to spy on several of Trump's associates, the court refused permission, according to the BBC. As McCarthy writes, this is notable because "the FISA court is notoriously solicitous of government requests to conduct national security surveillance."

Not taking no for an answer, the Obama administration came back during the final weeks of the election with a narrower request that didn't specifically mention Trump. That narrower request was granted by the court, but reports from the Guardian and the BBC don't mention the tapping of phones..

Former Obama officials issued denials that the former president had anything to do with it, which McCarthy calls "disingenuous on several levels." Others have characterized them as a "non-denial denial."

To the Obama camp's claim that the president didn't "order" surveillance of Trump, McCarthy writes:

First, as Obama officials well know, under the FISA process, it is technically the FISA court that 'orders' surveillance. And by statute, it is the Justice department, not the White House, that represents the government in proceedings before the FISA court. So, the issue is not whether Obama or some member of his White House staff "ordered" surveillance of Trump and his associates. The issues are (a) whether the Obama Justice Department sought such surveillance authorization from the FISA court, and (b) whether, if the Justice Department did that, the White House was aware of or complicit in the decision to do so. Personally, given the explosive and controversial nature of the surveillance request we are talking about — an application to wiretap the presidential candidate of the opposition party, and some of his associates, during the heat of the presidential campaign, based on the allegation that the candidate and his associates were acting as Russian agents — it seems to me that there is less than zero chance that could have happened

without consultation between the Justice Department and the White House.

And as journalist Mickey Kaus commented on Twitter, there's a reason why presidents name trusted allies as attorney general. As close as former attorney general Loretta Lynch was to Obama, and as supportive as she was of his political goals, it seems very unlikely that this was some sort of rogue operation.

It's certainly not impossible to believe that the Obama administration spied on Trump. Obama wouldn't be the first president to engage in illegal surveillance of opposition candidates, and his administration has been noted for its great enthusiasm for domestic spying. In an effort to plug embarrassing leaks, the Obama administration spied on Associated Press reporters and seized the phone records not only of a Fox News reporter but also of his parents. Obama's political allies even alleged that his CIA spied on Congress.

POLICING THE USA: A look at race, justice, media

Nor is it unbelievable that under the Obama administration, supposedly non-partisan civil servants would go after political opponents. After all, the notorious IRS scandal was about exactly that.

Trump has called for a congressional investigation, but what this really needs is a special prosecutor, someone from outside the politically tainted Justice Department, to look into the political abuse of surveillance laws by the Obama administration. Maybe, upon investigation, it will turn out that nothing improper happened — that this is a lot of smoke, but that there's no fire. But we can't know without an investigation, and if there really were political abuses of the Justice Department and the intelligence surveillance process, those guilty should not simply be exposed but go to jail. Such abuse strikes at democracy itself.

Note that FISA surveillance is severely limited and requires information from surveillance to be kept very secret or, if not relevant, deleted. If those limits were exceeded, if Obama officials lied to the court, or if the information was — as it appears to have been — excessively shared within the government, or leaked to outsiders, those are all serious crimes, as First Amendment attorney Robert Barnes notes.

Watergate brought down a presidency, but if the worst suspicions here are borne out, we're dealing with something worse. Hopefully not, but there's no way to tell at this point. As The Washington Post has been saying lately, "Democracy dies in darkness." Let's shine some light on what the Obama administration was doing during this election.

Glenn Harlan Reynolds, a University of Tennessee law professor and the author of The New School: How the Information Age Will Save American Education from Itself, is a member of USA TODAY's Board of Contributors.

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Trump May Regret Asking For An Investigation Into Wiretapping

Washington Post, March 6, 2017

ALL PRESIDENTS enter the White House with a store of credibility that comes with the office, which they can use to press an agenda, move Washington's policy machinery or lead the nation when crisis strikes. President Trump is burning through his with breathtaking speed. That will ultimately hurt him, the presidency and the country.

His latest rash expenditure from his already depleted trust account came in yet another Twitter outburst, in which Mr. Trump accused President Barack Obama of having his phones at Trump Tower tapped during the 2016 campaign. As is so often the case, Mr. Trump offered no substance to back up his charge, which appears to rely on a handful of news stories containing no significant evidence the former president personally ordered any wiretapping, let alone of Mr. Trump.

For some time, there have been suggestions that the Foreign Intelligence Surveillance Court, which operates behind closed doors, issued a warrant allowing federal agents to examine potential contacts between Trumpworld and Russia. But The Post and others have not confirmed these reports, and none of them personally implicate Mr. Obama. Nor would they: The president cannot order wiretaps. According to U.S. officials cited by The Post and others, FBI Director James B. Comey has asked the Justice Department to publicly knock down Mr. Trump's allegations.

Mr. Trump has nevertheless asked Congress to investigate his accusations. To which we say: fine, as long as doing so serves congressional investigators' larger purpose. The intelligence community has united around the conclusion that the Russian government interfered with the country's democratic process, and that the interference was tilted toward helping Mr. Trump. The nation must know what methods the Russians used, why they acted, to what extent any Americans wittingly or unwittingly aided them, and how to combat future intrusions.

In the process of answering these central questions, it would be only natural for the Senate Select Committee on Intelligence, many of whose members are committed to conducting a serious investigation, to inquire about any foreign intelligence surveillance relating to Mr. Trump and Russia, as well as the suspicions on which any warrants might have been based. As long as lawmakers see that a judge authorized any direct surveillance of Mr. Trump, his circle or his property, they can quickly discard concerns about improper wiretapping and reassure the public about federal

officials' propriety. After all, Mr. Trump asked. He may not like the answer he gets back.

If anything, the "Towergate" episode underlines the importance of a fair and thorough investigation into how and why a hostile foreign power meddled in the most fundamental process of American democracy. As the controversy continued to unfold Monday, Trump spokeswoman Sarah Huckabee Sanders said on "Good Morning America" that the president wants the House Intelligence Committee to examine his allegations against Mr. Obama. This is yet another warning sign about the direction of the House panel's work, which, under the leadership of Chairman Devin Nunes (R-Calif.), already appears to be poisoned with partisanship. It would be better for the House to run no investigation than to conduct a slanted one.

Meanwhile, the members of the Senate panel still have the credibility to proceed, even as Mr. Trump and his enablers lose more and more by the hour.

The Wild Wiretapping Charge: Our View

USA Today, March 6, 2017

When candidate Donald Trump trafficked in reckless rumors and accusations on Twitter, it was troubling but relatively insignificant, except as a measure of his fitness to be president. Now, when President Trump erupts on Twitter in some early morning tantrum, it's more disturbing and very consequential.

If it were true that "Obama had my 'wires tapped' in Trump Tower just before the victory," as Trump tweeted Saturday, it would be a political scandal of historic proportion, and a crime by the former president. Probably not the sort of thing that should be announced to the nation in 140 characters. Especially when followed on Twitter by this news bulletin: Arnold Schwarzenegger "was fired by his bad (pathetic) ratings" from The Apprentice.

Since making the explosive charge against President Obama, Trump has offered no evidence to back it up, and none has come to light. The Obama camp denied that the former president or White House officials "ever ordered surveillance on any U.S. citizen." And FBI director James Comey took the extraordinary step of calling on his Justice Department bosses to publicly reject the assertion as false.

It's possible, of course, that as intelligence agencies were investigating Russian interference into last year's election, they legally sought an order from the Foreign Intelligence Surveillance Court to monitor calls or a computer server at Trump Tower.

Trump could easily have read stories about this, which have appeared in several publications, including Breitbart. The president also has intelligence sources inside government. At any rate, even if he found that monitoring occurred, tweeting about an investigation of foreign interference would be at best unwise and at worst a breach of national security.

So much is wrong with this entire episode, it's hard to pinpoint what's most distressing. Is it that Trump is a master manipulator who turns to ever more inflammatory assertions to change the subject when the news goes against him? Is it that he cares so little about the truth? Or is it that the man with the nuclear codes lacks normal adult impulse control?

Trump was reported to be furious on Friday after his well-reviewed speech to Congress was overshadowed by news that his attorney general had misled the Senate about meetings with the Russian ambassador. When his anger overflows, Trump has often turned to Twitter or voiced outrageous claims, each time shedding more of his credibility — credibility he'll need in moments of external crisis.

Recall Trump's public outrage based on his belief that news reports and photos had somehow underestimated the size of crowds at his inauguration. Or his insistence, after losing the popular vote, that 3 to 5 million people had voted illegally for Hillary Clinton — complete with the promise of an investigation into this massive fraud. And now the congressional intelligence committees have been asked to look into far-fetched allegations of illegal surveillance at Trump Tower ordered by no less than a sitting president. None of this comes cheap.

Observers have noted that many of Trump's most unhinged tweets have come on Friday nights and Saturday mornings, when his daughter Ivanka and her husband, top Trump adviser Jared Kushner, are not working because they are observing the Jewish Sabbath. Perhaps, like children who have to take away dad's car keys when he becomes a danger to himself and others, the time has come for them to conduct a Twitter intervention.

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What Happens When Lunacy Comes From The White House?

McClatchy, March 6, 2017

Until now, the best way to deal with America's lunatic fringe was to keep it there – on the fringe. 9/11 truthers? Sandy Hook hoaxers? Just roll your eyes, feel sorry that some people are suckers for conspiracy, and try to ignore it.

But what happens when the lunacy comes from the White House?

Americans got another disturbing glimpse of its birther/denier/truther president this weekend. Donald Trump,

in a three-tweet rant Saturday, accused former president Barack Obama of "tapping my phones" at Trump Tower in October. On Sunday, the president doubled down on the nuttiness by calling for Congress to investigate whether Obama abused the power of federal law enforcement agencies.

Never mind that Trump had zero evidence to back up his accusation, just unfounded claims by Breitbart News and conservative talk show hosts that secret warrants were issued authorizing the taps. Never mind that he chooses to believe those outlets over the denials of former Director of National Intelligence James Clapper and the FBI, who would know about all wiretaps.

The FBI or Justice Department may very well have requested surveillance on someone else as part of investigating Russian ties to the election. But, as Obama spokesman Kevin Lewis said Saturday: "A cardinal rule of the Obama administration was that no White House official ever interfered with any independent investigation led by the Department of Justice. As part of that practice, neither President Obama nor any White House official ever ordered surveillance on any U.S. citizen."

It's telling – and troubling – that Trump's tweets show a glib assumption that illegal wiretapping of a presidential candidate is something a sitting president might do. It's also concerning that Trump has once again widened the fissure between his office and the intelligence community, which needs to trust that it can freely provide the president with critical information about urgent global affairs.

What's additionally disturbing is that this latest trip down Crazy Lane is yet another demolition of presidential norms, another stain on the office Trump occupies. That the leader of our country so casually accuses his predecessor of breaking the law, with no evidence to back it up, is appalling. That most Republicans are silent about it is a tragedy.

The strongest defense against fiction, however, has always been the truth, and Trump's latest foot-stomping oddly could move us in that direction. Most Americans already are concerned about contacts between Russians and Trump campaign associates. Now, with Trump's attempts to give his wild wiretapping claim equal footing with the Russia affair, Congress has seemingly little option but to at least appoint a special bipartisan committee to examine everything related to Russia and the election. Trump, meanwhile, should produce actual evidence to back up his accusation.

We believe an independent special prosecutor would be the better route toward separating truth from conspiracy. Not that we have confidence our president will accept any truth he doesn't like. How far toward the fringe will Congress let him take the presidency – and our country?

Furor Over Russia's Hacking Puts Congressional Republicans On Hot Seat

Can Republicans lead a fair, bipartisan investigation of not only the campaign that brought a GOP president into office, but also of his Democratic predecessor?

By Gerald F. Seib

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

It's The Truth According To Trump. Believe It.

By Dana Milbank

Washington Post, March 6, 2017

President Trump has no evidence for his incendiary claim that Barack Obama ordered wiretaps on Trump Tower, and denials have come not just from the former president and his director of national intelligence but from Jim Comey — the man Trump has showered with praise and retained as his FBI director.

But Trump has something more powerful to him than any evidence, no matter how compelling: He believes. Firmly.

"The president firmly believes that the Obama administration may have tapped into the phones at Trump Tower," Trump spokeswoman Sarah Huckabee Sanders declared on NBC's "Today" show Monday morning. But what about all the credible people saying it didn't happen? "I think the president firmly believes that it did."

ABC's George Stephanopoulos tried a more direct question on "Good Morning America" on Monday: "Does President Trump accept the FBI director's denial?"

"You know, I don't think he does," Huckabee Sanders said. "I think he firmly believes that this is a story line that has been reported pretty widely."

The reports mostly say that Trump had made a groundless claim, but never mind that. The White House defense isn't that what Trump said was true. The defense is that "I think he firmly believes" it.

The Trump White House is the ultimate faith-based initiative — and The Donald is the deity. Things aren't true because they can be proven via the scientific method or any other. They are true because Trump believes them to be true.

His advisers' contacts with the Russians? He doesn't believe it: "I saw one story recently where they said nine people have confirmed. There are no nine people. I don't believe there was one or two people."

His fabricated claim that 3 million to 5 million people voted illegally, causing him to lose the popular vote? "It was a comment that he made on a long-standing belief," White House press secretary Sean Spicer explained. An official White House statement called this "a belief he maintains."

He maintains beliefs — herbs in a garden.

Among those attempting to bestow the divine power on Trump to declare absolute truths is Ann Coulter, who last year published the book "In Trump We Trust." She tweeted after a meandering media appearance by Trump: "Trump is already head of state. After that press conference, in my eyes, he's now head of church."

Trump, in this position as head prelate, directs us to "believe" any number of things: that manufacturers are returning to the United States, there will be a massive military expansion, that he "inherited a mess" from Obama and that his Supreme Court nominee is a "great writer." Trump asked listeners to "believe me" seven times in a single speech last month, saying, "I will never, ever disappoint you. Believe me."

The Yemen raid was a success because "the president believes" it. The courts may have struck down Trump's first travel ban, but it's legal because "we believe" it is. "We are not going to let the fake news tell us what to do, how to live or what to believe," Trump told supporters at a rally last month.

Clearly. When Trump expressed his belief that news organizations weren't reporting on terrorist attacks, Spicer attempted to document this falsehood with a list of 78 terrorist attacks, most of which had been widely covered.

When Trump expressed his belief that 1.5 million people came to his inauguration, he leaned on the National Park Service to find evidence to support the falsehood and dispatched Spicer to furnish what another Trump aide, Kellyanne Conway, called "alternative facts."

It's not clear, as I've written, whether Trump knows the difference between fact and fiction as he makes up statistics about crime and jobs, alleges he never feuded with the intelligence community, alludes to mysterious happenings in Sweden, insists he opposed the Iraq invasion and claims there was bright sunshine during his rainy inaugural address. Survivors of the Bowling Green Massacre know some Trump aides have the same problem.

But look closely and you can sometimes see Trump aides squirm when called upon to defend his beliefs.

"You said the president believes that there was voter fraud," Spicer was asked at one news briefing. "I wonder if you believe that?"

Spicer explained that saying so wasn't "my job" and that Trump "believes what he believes based on the information that he's provided."

That was quite similar to Huckabee Sanders saying on Monday that "the president firmly believes" that Obama wiretapped Trump — without saying she believed it.

Likewise, Huckabee Sanders, pressed by ABC's Martha Raddatz on Sunday about Trump's wiretap claims, attempted to demur. "I will let the president speak for himself," she said.

"You're his spokesperson," Raddatz reminded her.

And that could test anybody's faith.

Read more from Dana Milbank's archive, follow him on Twitter or subscribe to his updates on Facebook.

Can Trump Weather The Storms Of His Own Making?

By Eugene Robinson

Washington Post, March 6, 2017

Wow, we went from no drama to all drama in the blink of an eye. An embattled President Trump spent the weekend raging in frustration at his inability to control events — and his administration is just in its second month. How will he make it through a year? Let alone four?

And how long before Trump campaign insiders whose names have surfaced in reports about Russian contacts start lawyering up? How long before nervous political allies start backing away? How long before Republicans in Congress start putting self-interest — and, one dares to hope, the national interest — above party loyalty?

According to widespread news reports, Trump was furious that any momentum he gained from his speech to Congress was halted in its tracks by revelations about Attorney General Jeff Sessions's meetings with the Russian ambassador. Sessions had testified in his confirmation hearing that "I didn't have — did not have communications with the Russians," which turned out to be what my grandmother used to call a lie.

The next morning, according to The Post, Trump "exploded" in anger. The day after that he "simmered with rage," the newspaper reported, as he summoned his senior aides to chew them out. Trump was apparently irate that after he had said publicly that there was no need for Sessions to recuse himself from any investigation into the Russia connection, Sessions had gone before the television cameras to do just that.

The attorney general's recusal was obviously a necessary and proper step, but necessity and propriety do not seem to matter to the president. Sessions had wussed out, in Trump's view, and he appears to consider wussing out a cardinal sin.

What happened is not hard to grasp: Sessions bowed to reality. But Trump won the White House by creating his own reality, built on what adviser Kellyanne Conway called "alternative facts." He has not learned that actual facts do not just go away, even if the president tries his best to ignore or deny them.

I'm assuming here that Trump can tell the difference between real facts and the ones he makes up. If he can't, then we're really in trouble.

I'd suggest that Trump reflect on this fact: The Post and other news organizations apparently had no trouble getting inside sources to dish about the president's mood swings. While Trump fumes about leaks from the intelligence

community and the entrenched federal bureaucracy, his closest aides are bending journalists' ears with self-serving narratives.

After he and others were taken to the woodshed by Trump on Friday, Chief of Staff Reince Priebus reportedly spent more than an hour calling reporters and trying vainly to convince them — on a not-for-attribution basis, of course — that no woodshedding had taken place.

On Saturday morning, at his Mar-a-Lago resort, Trump fired up his Twitter account to make an unprecedented — and apparently wholly unfounded — allegation: that then-President Barack Obama had ordered wiretapping of the Trump campaign. The White House press office later doubled down by demanding a congressional investigation of this alleged snooping.

Trump must be unfamiliar with the adage about being careful what you ask for.

A spokesman for Obama denied there was any wiretapping, as did Obama's director of national intelligence, James R. Clapper Jr., who was in a position to know. FBI Director James B. Comey reportedly pressed Justice Department officials to issue a statement denying the president's unsupported claim — which Justice has so far declined to do. If Sessions's recusal was enough to make Trump mad, imagine what a public statement refuting the president's angry tweets would do to his blood pressure.

What if Congress grants Trump's demand, however, and launches an investigation? Any serious inquiry, it seems to me, would necessarily have to look into the alleged reason for the alleged wiretapping: contacts between the Trump campaign and the Russians. A congressional probe would take as its starting point the consensus of the U.S. intelligence community that the Russian government meddled in our election with the aim of boosting Trump's prospects of victory.

Trump has put himself in a no-win position. If the Republican leadership in Congress denies his request for an investigation, he suffers an embarrassing public rebuke. If the request is granted, however, Trump sets in motion a process he will not be able to control.

It is one thing to take office determined to disrupt traditional ways of doing things. It is quite another to flail wildly at imaginary enemies, wounding oneself in the process. What on Earth will the third month of the Trump presidency be like?

'President For A Day,' Starring Donald Trump

By Richard Cohen

Washington Post, March 6, 2017

Donald Trump, clever guy that he is, has come up with a new reality show. It's called "President for a Day" and the way it works is that, every so often, maybe once a month, Trump acts presidential, gives a speech in which an aide is not standing by with meds, and many in the media and politics hug themselves and roll around on the floor, praising the president for his very presidentialness and cheering the emergence of the man who has been there all along but no one in the media or the creepy "deep state" seemed to notice. Thank God, that's over. He has arrived!

This happened last week after Trump spoke to a joint session of Congress. All over Washington, people fell off their chairs in shock that no one had been insulted, no brazen lies were uttered and no weird conspiracy theories had been advanced. My former Post colleague Ronald Kessler told Newsmax TV that the speech showed "the real Donald Trump." It was such a relief to learn that whoever it was who had insisted Barack Obama was born in Kenya and who had called Mexicans "rapists" and who had disparaged the heroism of Sen. John McCain was not the guy in the Oval Office. Had he been, I know Kessler and others on the right would not have supported him.

At the Wall Street Journal, Peggy Noonan treated the speech like it was a hypodermic: "He normalized himself." Just like that, roll up your sleeves, Mr. President, this won't hurt and it will block eruptions of narcissism and self-pity. This allowed Noonan and others to suggest — nay, to hope — that Trump "may have a capacity to grow into the office." Let us pray.

But within days, the normalization drug had worn off. Trump was having Oval Office tantrums. He was furious that Jeff Sessions had recused himself from investigating the relationship between the Trump campaign and the Kremlin. The attorney general would have had a clear conflict of interest, but that is nothing compared with allowing some special prosecutor from within the deep state to get at the truth, which would have been fake news anyway. The ranting and raving was so intense that word of it got to reporters. In many condo communities, this sort of behavior is not allowed.

By Saturday morning, the unreal Trump, the un-normalized one, was back on Twitter. Good morning, America — Barack Obama has had my phone tapped. "This is Nixon/Watergate," he tweeted. "Bad (or sick) guy!" A still-sleepy America had trouble taking it all in. The New Trump, Mr. Pivot Man, was saying that the then-president of the United States had, during the campaign, tapped his phone. (This is the way those Kenyans are.) Was it possible?

No, said the former president's spokesman. No, said the director of the FBI. No, said the former director of national intelligence. No, said everyone familiar with the procedures for obtaining a wiretap, such as getting permission from a special judge. In other words, no, no, no and no.

But these were some of the same people who denied that 3 million or so illegal immigrants, taking a day off from rampant crime, had somehow cast a ballot for Hillary Clinton, accounting — as anyone can see — for her popular-vote

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margin. This was the deep state at work again. Ask Stephen K. Bannon. He knows. He was once at Breitbart.

I know what's happening. I've been reading a lot lately about the infatuation some leftists once had with communism. Many felt they lived in an either-or world — either you were a communist or you were a fascist. They could not be the latter so they chose the former. Besides, the reds were the only ones around who fought racism and anti-Semitism.

Somewhat the same thing is happening now. Many conservatives have gone over to Trump because they hate his enemies more than they do him. They see Trump as the un-liberal, the un-PC person, the un-programmed pol who eschews talking points and identity politics. For too many people, their best and only reason for voting for Trump was that he was not Clinton. They had a point.

But being president for a day is not enough. And sticking with Trump out of a refusal to admit a mistake is hardly wise. One day a month or so, America has a decent president. The rest of the time it's Romper Room in the White House. Recant, Trump supporters. I won't forgive you, but history might.

This Former British Lawmaker Is At The Heart Of The Trump Wiretap Allegations

By Karla Adam

Washington Post, March 6, 2017

LONDON — A former British legislator is at the heart of the Trump administration's explosive allegation that President Barack Obama was spying on him during the 2016 campaign.

But who exactly is Louise Mensch?

For starters, the politician-turned-journalist is the writer behind an article published on the eve of the election titled: "EXCLUSIVE: FBI 'Granted FISA Warrant' Covering Trump Camp's Ties To Russia."

The article, published on the right-leaning, libertarian website Heat Street, did not create much of a stir at the time. But it has come under the spotlight after Trump, in a tweetstorm over the weekend, accused Obama of wiretapping his offices during the election campaign. Trump compared the alleged bugging to the Watergate scandal, but he has not offered any evidence to back up his claims.

In tweets on Monday, Mensch emphasized that her reporting does not back up Trump's wiretapping claim, even though the White House cited her article to justify the allegation. She stressed that her reporting refers to a Foreign Intelligence Surveillance Act (FISA) court warrant and does not mention anything about wiretapping.

Over the weekend, the White House cited reports "from BBC, Heat Street, New York Times, Fox News, among others" to justify the claims. Former Obama administration officials and aides have denied the accusation.

After combing through these news reports, The Washington Post's Glenn Kessler concluded that the piece by Mensch in Heat Street was "the most important" of the lot.

In her report, published Nov. 7, Mensch said the FBI was granted a FISA court warrant in October "giving counter-intelligence permission to examine the activities of 'U.S. persons' in Donald Trump's campaign with ties to Russia."

She cited "two separate sources with links to the counter-intelligence community" as evidence for those claims.

Mensch, who is based in New York, said her sources contacted her because of her outspoken backing for the intelligence community. She has, for instance, called Edward Snowden, the former National Security Agency contractor who leaked classified documents, "a loathsome traitor."

"They gave me one of the most closely guarded secrets in intelligence," she said, referring to her sources. Speaking to the Guardian, a left-leaning British newspaper, she added: "People are speculating why someone trusted me with that. Nobody met me in a darkened alley in a fedora, but they saw me as someone who has political experience and is their friend. I am a pro-national security partisan. I don't have divided loyalties."

Mensch, 45, is a force on social media and describes herself on Twitter as a "Conservative. Feminist. Optimist. Patriot."

Anyone who follows her on Twitter — and more than 170,000 people do — knows that she is not a Trump supporter and has been probing Trump-Russia links for some time.

Her name also appeared in the hacked emails of John Podesta, the former chairman of Hillary Clinton's presidential campaign. In an email she sent to the Creative Artists Agency that was forwarded to Podesta, Mensch described herself as a "committed Republican" who was concerned about a Trump presidency and offered a suggestion for a campaign ad for Clinton.

In Britain, Mensch is best known for her stint as a Conservative lawmaker and for her work as a successful chick-lit novelist under her maiden name, Louise Bagshawe.

She resigned as a lawmaker in 2012, saying it "proved impossible to balance the needs of my family." The mother of three moved to New York to live with her husband, Peter Mensch, manager of the bands Metallica and the Red Hot Chili Peppers.

Although she served as a member of Parliament for only two years, she quickly became a high-profile figure, partly because of her leading role in a parliamentary committee investigating phone hacking at Rupert Murdoch's News of the World tabloid.

Mensch was one of four Conservative lawmakers on the committee who refused to endorse the panel's conclusions. The committee's description of Murdoch as "not a fit person" to run a major international company, Mensch

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said, was "partisan" and unjustified. She also apologized to the broadcaster Piers Morgan after falsely accusing him of admitting to phone hacking.

Mensch was regularly featured in the news when she was a politician. She was once contacted by an investigative journalist who claimed to have pictures proving that Mensch had taken drugs in a nightclub in the 1990s with the violinist Nigel Kennedy.

Mensch responded in a statement by saying it was "highly probable" and apologized for her dancing.

"Since I was in my twenties, I'm sure it was not the only incident of the kind; we all do idiotic things when young. I am not a very good dancer and must apologise to any and all journalists who were forced to watch me dance that night at Ronnie Scott's," she said.

She works as an executive for News Corp., a media company owned by Murdoch. She helped to launch Heat Street last year but left that role in December and is focusing on creating digital media projects for the company.

U.S. Senator Calls For Investigation Of DEA Enforcement Slowdown Amid Opioid Crisis

By Scott Higham And Lenny Bernstein

Washington Post, March 6, 2017

A U.S. senator on Monday called for an investigation into whether the Drug Enforcement Administration slowed enforcement efforts against pharmaceutical companies accused of violating laws designed to prevent pain pills from reaching the black market.

U.S. Sen. Claire McCaskill (Mo.), the ranking Democrat of the Senate Homeland Security and Governmental Affairs Committee, in a letter asked the inspector general of the Justice Department to investigate. She said she had "serious concerns" about reports of an enforcement slowdown as the opioid epidemic escalated nationwide.

"This a matter of life and death and I want to know whether or not we could have done more," McCaskill said in a statement.

A spokesman for Inspector General Michael E. Horowitz declined to comment. A DEA spokesman said the agency would review the senator's request.

McCaskill cited recent reports by The Washington Post that the agency had delayed and blocked enforcement efforts against several large opioid distributors and required field investigators to meet a higher burden of proof before they could take action.

Five former supervisors from the DEA's Diversion Control Division, which regulates the pharmaceutical industry, told The Post in on-the-record interviews that they had become frustrated by the slowdown as overdose deaths soared, particularly in the nation's rural communities.

Their concerns were documented by the DEA's chief administrative law judge, who said in his quarterly reports to agency supervisors that the number of enforcement actions being approved at headquarters was "stunningly low for the national program."

The Post also reported that enforcement efforts had been questioned by high-ranking Justice Department officials and that key architects of the DEA's campaign against opioid distributors had been hired away by the pharmaceutical industry.

McCaskill noted that 183,000 people have died from overdoses of prescription narcotics over the past 16 years, more than 15,000 in 2015 alone. She said her home state ranked first among Midwestern states in the number of prescription painkillers being sold.

The senator said that the DEA had reached financial settlements in several cases against the nation's largest distributors of narcotic painkillers. But she questioned whether those penalties were sufficient to curb the continuing epidemic and hold the companies accountable.

The DEA's efforts have been "too little, too late," she said.

In October, nine other U.S. senators demanded that the DEA explain why it has slowed enforcement efforts against the pharmaceutical industry. In letters to the agency, those senators said their questions have been "ignored" by the agency or that the answers they received "were totally inadequate."

Trump Taps Giuliani's Son For WH Job

By Jordan Fabian

The Hill, March 6, 2017

President Trump has hired the son of former New York City Mayor and trusted campaign adviser Rudy Giuliani to work on his White House staff.

Andrew Giuliani, 31, will work as an associate director in the Office of Public Liaison, which is tasked with outreach to outside interest groups.

The former Trump campaign volunteer is helping organize the New England Patriots' upcoming visit to the White House to celebrate their Super Bowl victory, according to Politico, which first reported his hire.

The former New York mayor was reportedly considered for secretary of State, before withdrawing his name from consideration for a Cabinet post.

The White House announced that three others would join the Office of Public Liaison, which has been understaffed since Trump took office on Jan. 20.

George Sifakis, who runs a government relations firm, will lead the office. The former George W. Bush official appears to be a replacement for Anthony Scaramucci, a longtime Trump adviser who was originally tapped for the role.

But the sale of Scaramucci's investment firm, SkyBridge Capital, to a Chinese company reportedly held up his appointment. Scaramucci was known to be close with some members of Trump's inner circle, including top advisers Jared Kushner and Steve Bannon. But he did not have a relationship with White House chief of staff Reince Priebus.

Former Republican National Committee official Jennifer Korn and Texas Republican Party Chairman Steve Munisteri will also work in the office, according to the White House.

Trump Hires Rudy Giuliani's Son For White House Role

By Annie Karni

Politico, March 6, 2017

A Giuliani is finally joining the Trump administration.

President Donald Trump has brought on Andrew Giuliani, the son of former New York City Mayor Rudy Giuliani, to work in the Office of Public Liaison and Intergovernmental Affairs, two sources familiar with the hire told POLITICO.

In his new post, Andrew Giuliani, who once dreamed of becoming a professional golfer, helped organize the Patriots' upcoming visit to the White House after their come-from-behind Super Bowl victory, and also assisted First Lady Melania Trump's staff during Trump's speech before a joint session of Congress last week. The younger Giuliani has known the Trump family for years.

A White House spokeswoman did not immediately respond to a request for comment.

Andrew Giuliani's hire comes as the administration belatedly has started to fill in lower- and mid-level slots in that office — a relief to outside groups who have struggled to communicate with an overwhelmed and understaffed White House.

Rudy Giuliani, one of Trump's earliest and most ardent supporters, was briefly in the running for secretary of state, before withdrawing his name from consideration for a cabinet-level post. The former mayor, who is the CEO of an international consulting firm Giuliani Partners, was announced during the presidential transition as an adviser to Trump on cybersecurity. He has also credited himself with being the architect of Trump's "Muslim ban."

Politics has split the Giuliani children. Last summer, POLITICO reported that the former mayor's daughter, Caroline, was voting for and publicly supporting Hillary Clinton while her father served as a top Trump surrogate and a headliner at the Republican National Convention.

Andrew Giuliani is the son of the former mayor and his ex-wife, Donna Hanover. The political scion had hoped for a career as a professional golfer, and made headlines in 2008 when he sued Duke University for cutting him from the varsity golf team after he threw an apple at a teammate and threw and broke a golf club in a parking lot, according to the lawsuit. The suit was eventually dismissed.

Andrew Giuliani's first star turn came in 1994, as his father was sworn in as mayor of New York City: as a kid, he upstaged his father by repeating parts of the oath of office along with him — and then blowing kisses, yawning, and clowning around on stage while his father delivered his inaugural address. At one point, he pushed over a pitcher of cold water that ran down his father's leg. The shenanigans were lampooned on "Saturday Night Live," where Andrew Giuliani was played by comedian Chris Farley.

Trump Names Sifakis As Public Liaison, Passing Over Scaramucci

By Justin Sink, Kevin Cirilli

Bloomberg Politics, March 7, 2017

President Donald Trump appointed George Sifakis, founder of information management firm Ideagen Pfc, as his director for the Office of Public Liaison, a job once thought to be reserved for Trump fundraiser Anthony Scaramucci.

Sifakis will coordinate for the administration with various interest groups, including outreach to corporations, advocacy organizations, and state and local elected officials. Scaramucci, a hedge fund investor, had been a leading candidate for the position, but that appointment was put on hold because of a delay in the Office of Government Ethics' review of Scaramucci's financial disclosures, a senior Trump official said last month.

The White House also announced that Andrew Giuliani, the son of former New York mayor and Trump surrogate Rudy Giuliani, also would be working in the Office of Public Liaison as an associate director. Former Republican National Committee deputy political director Jennifer Korn and former Texas Republican Party Chairman Steve Munisteri will serve as Sifakis's deputies.

Scaramucci, 53, was a regular adviser during the Trump transition, appearing almost every day at Trump Tower and regularly defending the president on television. He agreed in January to sell his approximately 45 percent stake in SkyBridge Capital, an investment firm he founded, in a deal that values the company at least $180 million.

The buyer group included a subsidiary of HNA Group, a Chinese conglomerate, as well as a little-known company called RON Transatlantic. Scaramucci said on Twitter on Feb. 27 that the sale of his stake was still moving forward.

Reached briefly on his mobile phone, Scaramucci declined to comment immediately.

The White House didn't respond to a request for comment on why Scaramucci didn't receive the job. It's possible he will still be given another job in the administration.

Trump University Lawsuits May Not Be Closed After All

By Steve Eder

New York Times, March 6, 2017

President Trump's postelection agreement to pay $25 million appeared to settle the fraud claims arising from his defunct for-profit education venture, Trump University. But a former student is now asking to opt out of the settlement, a move that, if permitted, could put the deal in jeopardy.

Lawyers for the student, Sherri Simpson of Fort Lauderdale, Fla., on Monday asked a federal judge in San Diego to reject the settlement unless former students are given an opportunity to be excluded from the deal so they can sue Mr. Trump individually.

If the judge, Gonzalo Curiel, decides that Ms. Simpson and potentially others should have that chance, legal experts say it could disrupt the settlement because Mr. Trump and his lawyers saw the deal as a way to resolve all of the claims, once and for all, to avoid a trial and distractions to his presidency.

"If even one person could opt out of the settlement and force a trial, that might, in fact, crater the deal," said Shaun Martin, a professor at the University of San Diego School of Law. "I'm sure Judge Curiel will be aware of that."

The agreement, announced in November, appeared to resolve years of hotly contested litigation, including two federal class-action cases in San Diego and a separate suit by Eric T. Schneiderman, the New York attorney general. Students maintained that they were cheated out of tuition through high-pressure sales tactics and misleading claims about what they would learn. At one point during the contentious case, Mr. Trump questioned Judge Curiel's impartiality based on his Mexican heritage.

Mr. Trump, who has rejected the claims and did not acknowledge fault in the settlement, posted on Twitter after the settlement announcement that the only downside of his winning the presidency was that it meant he "did not have the time to go through a long but winning trial on Trump U."

Patrick Coughlin, a lawyer representing the class-action plaintiffs, said that it was a "terrific settlement" and that the objection seemed "politically motivated." He said he feared that the objection could result in delays for students who have waited years to get money back. "She could have excluded herself before and pursued her own litigation," he said. "That time passed."

Lawyers for Mr. Trump did not respond to messages seeking comment.

Monday is the deadline for students to file claims to participate in the settlement, or object to it — as in the case of Ms. Simpson.

Her lawyers argue that a notice sent to students about the class-action lawsuits in 2015 left the impression that they could later request to be excluded from a settlement, but that opportunity was not afforded to them in the agreement.

"There was precious little reason to exercise the right to opt out at that juncture" in 2015, wrote one of Ms. Simpson's lawyers, Gary Friedman of New York, in the objection filed on Monday. "The case was barreling towards trial, by all accounts."

Carl Tobias, a professor at the University of Richmond School of Law, said that Judge Curiel would probably give the objection serious consideration, but that he would have to weigh it against "substantial pressure to hold the deal together."

"A lot of work has gone into this, and people are generally satisfied all around," Mr. Tobias said.

Plaintiffs' lawyers have said that they would waive their fees and that they expected roughly 7,000 former students to recover half to all of what they spent on courses.

If they are allowed, it is not clear how many former students may seek to opt out.

In 2010, Ms. Simpson — a lawyer who spoke out about her Trump University experience during last year's campaign — paid $1,495 for a three-day seminar, in which she said instructors pressured her to sign up for the $35,000 "Gold Elite" program under the premise that she would have access to the "resources of Mr. Trump and his real estate organization," she wrote in a sworn statement. She split the fee with another student, spending about $19,000 in total, Mr. Friedman said.

But she soon grew dissatisfied when promises went unfulfilled. She wrote, "The Gold Elite program was a scam."

Former Trump U Student Threatens To Undo Settlement

By Maggie Severns And Josh Gerstein

Politico, March 6, 2017

A former Trump University student is objecting to the proposed $25 million settlement that would put to bed three years-long lawsuits over President Donald Trump's defunct real estate education seminars.

Ex-student Sherri Simpson is objecting to the settlement because she wants an opportunity to opt out of it and sue Trump individually, her lawyers said in a filing on Monday, which Simpson cannot do under the proposed agreement. The proposed settlement struck last December is expected to pay refunds of about 50 cents on the dollar of what students paid to attend Trump University, which former students allege pushed them to pay up to $35,000 for real estate courses that taught them little from poorly qualified instructors.

"If the settlement indeed represents 50 cents on the dollar of loss, as has been reported, it is certainly a beneficial settlement by the standards of class actions. But there is no

principle of law or fairness that requires Sherri Simpson to accept 50 cents on the dollar," Simpson's lawyer, Gary B. Friedman, wrote in the objection filed in San Diego District Court on Monday.

"What Ms. Simpson seeks is her day in court," including pressing for "full damages plus punitive damages and injunctive relief," Friedman wrote.

If San Diego District Court Judge Gonzalo Curiel heeds the objection, it could delay the settlement or even call the deal into question. The settlement was quickly reached after Trump won the presidency in November. Up until then multiple lawsuits alleging Trump defrauded students with his Trump University courses had been slowly proceeding in court. Curiel has set a hearing on the fairness of the settlement for March 30.

The lawsuits became a flashpoint in the 2016 presidential campaign and Trump faced the possibility of having to stand trial as president of the United States. Trump verbally attacked Curiel on the campaign trail, calling him a "hater" who was inclined to rule against him in the case because he is Hispanic. The Trump Organization did not respond to a request for this story and the White House referred questions to the Trump Organization.

As part of the proposed settlement reached in December, former Trump University students could object to the terms of the agreement but didn't have the right to "opt out," or leave the class all-together.

A total of 13 other people have previously opted out of the class-action lawsuits and could still bring separate suits against Trump on their own. But due to statute-of-limitations rules, it's unclear whether former Trump University students could still press their own lawsuits over the alleged fraud. Trump University essentially shut down in 2010.

Jason Forge of Robbins Geller Rudman & Dowd, who is among the lawyers representing the class, said in a statement that the document sent to plaintiffs in November 2015 said "that if they decided to stay in the class, rather than pursue their claims individually, they would forever be giving up the right to pursue an individual claim against the defendants."

"Any attempt to delay the payment of this settlement cannot be motivated by what is in the best interests of the class," Forge added. "As promised, class members had the opportunity to exclude themselves from the settlement. Anyone who chose to submit a claim obviously wanted to be included — and for good reason."

Simpson's claims about being misled and scammed by Trump University instructors echo the complaints of other former students that grabbed the spotlight multiple times during Trump's presidential campaign.

Simpson attended a three-day real estate seminar in April 2010 that cost $1,495 and expected to learn "secrets" of Trump's real estate investment success and receive mentoring. At the end of the seminar, attendees were encouraged to increase their credit card limits, Simpson said, and she purchased another Trump University program.

But "none of the promised resources were made available," Simpson said in a signed statement, and the mentor assigned to help her learn how to buy and sell real estate soon disappeared.

The last time plaintiffs were given an opportunity to opt out of the lawsuit in November 2015, "the case was barreling towards trial, by all accounts," Friedman wrote. "The plaintiffs' lawyers were obtaining excellent results," and plaintiffs like Simpson assumed they'd get another opportunity to opt out of the class again, which they didn't.

Simpson is the second former Trump University student to lodge a recent complaint with the settlement. Last week another former student, Harold Doe, wrote the court to complain about the amount of money he anticipated receiving out of the settlement. He said he is submitting a claim for $35,000, but that he believes he should be compensated for three times that amount.

"I was homeless with my family because of Trump and Trump University," Doe wrote in the letter. "Although I'm submitting a claim for thirty-five thousand dollars I spent on that so-called class I would appreciate being awarded the three times that amount, for the suffering that my family and I had to endure, as a direct result of Trump and Trump University."

Trump U Student Threatens To Take President To Trial

By Carl Campanile And Kaja Whitehouse

New York Post, March 6, 2017

A Florida woman is seeking to opt out of a $25 million class action settlement over fraud allegations at Trump University and take President Trump to trial.

In a court filing Monday in federal court in San Diego, Calif., Sherri B. Simpson said she doesn't want to settle for less than the 100 percent she paid for Trump U. courses.

Each defendant in the settlement is guarantee 50 percent of the fees they paid for what they claim were sham Trump U. classes.

Simpson, of Fort Lauderdale, wants 100 percent.

Lawyers for other class action defendants worry that if Simpson is allowed to opt out and go to trial, it could unfairly delay payments to their clients.

"The primary basis for this objection is that the settlement deprives me of my constitutionally protected right to opt of out the class," Simpson said.

Simpson said she was deceived and defrauded by the Trump U..

She said she attended a free Trump University seminar in Florida in April 2010.

"I was told repeatedly at that program that, if I further enrolled in the Trump University Gold Elite mentorship program, the resources of Donald Trump and his real estate organization… would be made available to me, " Simpson said.

"I was told I would learn the `secrets' of Trump's real estate investing success, studying under professionals that Trump himself had personally `hand-picked' to deliver `Ivy League quality' instruction at his `university. I was promised that the mentor would be available to me for a full year.

After the three-day seminar, she enrolled in the pricey Gold Elite program.

"The Gold Elite program was a scam," Simpson said.

Federal Judge Gonzalo Curiel has given preliminary approval to the settlement in January. Trump agreed to settle in November, ten days after winning the presidency.

A final approval hearing is scheduled for March 30, which Simpson and her attorney, Gary Friedman intend to plead her case.

Other parties to the case said Simpson has an uphill climb to sever herself from the class settlement.

"Anyone who chose to give up their individual claim and remain in the class will be rewarded for doing so under the terms of what is an historically beneficial settlement.

Any attempt to delay the payment of this settlement cannot be motivated by what is in the best interests of the class. As promised, class members had the opportunity to exclude themselves from the settlement. Anyone who chose to submit a claim obviously wanted to be included — and for good reason," said class action lawyer Jason Forge.

But Simpson's attorney, argued that the class action notice promised to plaintiffs a "new opportunity" to opt out.

"What Ms. Simpson seeks is her day in court, at which she will press for the complete vindication of all her rights, including her full damages plus punitive damages and injunctive relief," Friedman in a legal memo to the court.

Former Trump University Student Objects To Settlement

Request, if allowed, could clear way for others to pursue claims individually and could ultimately unravel $25 million settlement

By Sara Randazzo

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Trump Asks Congress For Probe Of Leaked Classified Intelligence

By Dave Boyer

Washington Times, March 6, 2017

The White House said Monday that President Trump is asking Congress to investigate leaks of classified government secrets, in addition to the possibility that President Obama ordered the wiretapping of his campaign operation.

White House press secretary Sean Spicer said Mr. Trump wants lawmakers on the House and Senate intelligence committees to look into "pervasive leaks of national security classified information."

"He believes it undermines our national security," Mr. Spicer said.

The White House also said Mr. Trump has not spoken to FBI Director James B. Comey about possible wiretapping of his campaign.

The president and his advisers are frustrated by a series of leaked intelligence reports linking his campaign officials to Russia. Mr. Trump on Saturday also demanded a probe into a report that the Obama administration obtained a court order for surveillance of Trump Tower during last year's presidential campaign.

Mr. Obama and his former top aides have refuted the allegation.

Mr. Spicer didn't elaborate on what information the president was basing his claims of wiretapping. But he pointed to former Bush administration Attorney General Michael Mukasey, who said Sunday it was "likely" there was surveillance.

Mr. Mukasey said, "The president was not correct in saying President Obama ordered a tap on a server in Trump Tower. However, I think he's right in that there was surveillance and that it was conducted at the behest of the attorney general — at the Justice Department through the FISA court."

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Grassley Probes FBI's Ties To British Spy Who Investigated Trump

By Jonathan Easley

The Hill, March 6, 2017

Senate Judiciary Committee Chairman Chuck Grassley (R-Iowa) has opened an inquiry into allegations the FBI worked with the British spy who authored a controversial opposition research dossier on President Trump during the 2016 election.

In a Monday letter to FBI Director James Comey, Grassley asked for records pertaining to any agreements the agency may have had with Christopher Steele. The MI6 agent wrote an explosive memo on behalf of Trump's political enemies alleging that the Russians had compromising information on the president.

Comey briefed Trump on the existence of the memo in a private meeting in January.

Shortly after, several news organizations published the unverified allegations, which the White House denied.

In late February, The Washington Post reported that the FBI reached an agreement with Steele whereby the British spy would continue his investigation on behalf of the bureau.

"While Trump has derided the dossier as 'fake news' compiled by his political opponents, the FBI's arrangement with Steele shows that the bureau considered him credible and found his information, while unproved, to be worthy of further investigation," the Post reported at the time.

Grassley is pushing back and demanding the FBI provide information pertaining to its use of the British spy, whose salacious allegations have infuriated Trump and his allies.

"The idea that the FBI and associates of the Clinton campaign would pay Mr. Steele to investigate the Republican nominee for President in the run-up to the election raises further questions about the FBI's independence from politics, as well as the Obama administration's use of law enforcement and intelligence agencies for political ends," Grassley wrote.

"It is additionally troubling that the FBI reportedly agreed to such an arrangement given that, in January of 2017, then-Director Clapper issued a statement stating that 'the [intelligence community] has not made any judgment that the information in this document is reliable, and we did not rely upon it in any way for our conclusions.'"

In his letter, Grassley asks for all records regarding Steele's investigation, details of the agreement between the FBI and Steele, the FBI's policies for using outside investigators, and whether the bureau has relied on any of the information Steele has provided in seeking warrants.

Ohio Congresswoman Wants To Know What You Saw At The RNC In Cleveland

WKSU-FM Kent (OH), March 6, 2017

If you were at the Republican National Convention in Cleveland last summer, Ohio Congresswoman Marcy Kaptur wants to know if you witnessed any meetings between President Donald Trump's campaign team and Russian officials.

Looking for clues on possible connections between President Trump and Russia

As investigations into possible connections between Trump presidential campaign officials and the Russians gear up, Kaptur believes there is some evidence in Cleveland. Some meetings at the RNC between the two have been confirmed, and Kaptur wants cab drivers, restaurant and hotel operators and journalists to tell her want they saw or heard.

"Unearthing your photos, unearthing your transcripts, unearthing articles you may have written last year. And just innocent citizens who may have been present when some of these individuals were meeting."

Kaptur says any information will be kept confidential. While officials like Attorney General Jeff Sessions have admitted meeting with a Russian diplomat at the RNC, he and President Trump deny there is any conspiracy.

Republicans Are Becoming Russia's Accomplices

By Robert Kagan

Washington Post, March 6, 2017

It would have been impossible to imagine a year ago that the Republican Party's leaders would be effectively serving as enablers of Russian interference in this country's political system. Yet, astonishingly, that is the role the Republican Party is playing.

U.S. intelligence services have stated that the Russian government interfered in the 2016 presidential election with the intention of swinging it to one side. Knowing how cautious the intelligence community is in making such judgments, and given the significance of this particular finding, the evidence must be compelling. At the very least, any reasonable person would have to conclude that there is enough evidence to warrant a serious, wide-ranging and open investigation. Polls suggest that a majority of Americans would like to see such an investigation carried out.

It's important at this time of intense political conflict to remain focused on the most critical issue. Whether certain individuals met with Russian officials, and whether those meetings were significant, is secondary and can eventually be sorted out. The most important question concerns Russia's ability to manipulate U.S. elections. That is not a political issue. It is a national security issue. If the Russian government did interfere in the United States' electoral processes last year, then it has the capacity to do so in every election going forward. This is a powerful and dangerous weapon, more than warships or tanks or bombers. Neither Russia nor any potential adversary has the power to damage the U.S. political system with weapons of war. But by creating doubts about the validity, integrity and reliability of U.S. elections, it can shake that system to its foundations.

The United States has not been the only victim. The argument by at least one former Obama administration official and others that last year's interference was understandable payback for past American policies is undermined by the fact that Russia is also interfering in the coming elections in France and Germany, and it has already interfered in Italy's recent referendum and in numerous other elections across Europe. Russia is deploying this weapon against as many democracies as it can to sap public confidence in democratic institutions.

The democracies are going to have to figure out how to respond. With U.S. congressional elections just 20 months away, it is essential to get a full picture of what the Russians did do and can do here, and soon. The longer the American people remain in the dark about Russian manipulations, the longer they will remain vulnerable to them. The longer Congress fails to inform itself, the longer it will be before it can take steps to meet the threat. Unfortunately, the present administration cannot be counted on to do so on its own.

There's no need to ask what Republicans would be doing if the shoe were on the other foot — if the Russians had intervened to help elect the Democratic nominee. They would be demanding a bipartisan select committee of Congress, or a congressionally mandated blue-ribbon panel of experts and senior statesmen with full subpoena powers to look into the matter. They would be insisting that, for reasons of national security alone, it was essential to determine what happened: what the Russians did, how they did it and how they could be prevented from doing it again. If that investigation found that certain American individuals had somehow participated in or facilitated the Russian operation, they would insist that such information be made public and that appropriate legal proceedings begin. And if the Democrats tried to slow-roll the investigations, to block the creation of select committees or outside panels, or to insist that investigations be confined to the intelligence committees whose inquiries and findings could be kept from the public, Republicans would accuse them of a coverup and of exposing the nation to further attacks. And they would be right.

But it is the Republicans who are covering up. The party's current leader, the president, questions the intelligence community's findings, motives and integrity. Republican leaders in Congress have opposed the creation of any special investigating committee, either inside or outside Congress. They have insisted that inquiries be conducted by the two intelligence committees. Yet the Republican chairman of the committee in the House has indicated that he sees no great urgency to the investigation and has even questioned the seriousness and validity of the accusations. The Republican chairman of the committee in the Senate has approached the task grudgingly. The result is that the investigations seem destined to move slowly, produce little information and provide even less to the public. It is hard not to conclude that this is precisely the intent of the Republican Party's leadership, both in the White House and Congress.

This approach not only is damaging to U.S. national security but also puts the Republican Party in an untenable position. When Republicans stand in the way of thorough, open and immediate investigations, they become Russia's accomplices after the fact. This is undoubtedly not their intent. No one in the party wants to help Russia harm the United States and its democratic institutions. But Republicans need to face the fact that by slowing down, limiting or otherwise hampering the fullest possible investigation into what happened, that is what they are doing.

It's time for the party to put national security above partisan interest. Republican leaders need to name a bipartisan select committee or create an outside panel, and they need to do so immediately. They must give that committee the mission and all the necessary means for getting to the bottom of what happened last year. And then they must begin to find ways to defend the nation against this new weapon that threatens to weaken American democracy. The stakes are far too high for politics as usual.

New Commerce Secretary Was No Friend To Russians At Cyprus Bank

By Andrew Higgins

New York Times, March 6, 2017

NICOSIA, Cyprus — When Wilbur L. Ross, a billionaire American investor, bought shares in the Bank of Cyprus three years ago, he found himself part owner of a big but failing bank with a vice chairman who used to work with Vladimir V. Putin in the Leningrad K.G.B. and five other Russians on its board.

That was enough to raise concerns when President Trump nominated Mr. Ross to be his commerce secretary. The president's critics wanted to know if Mr. Ross had ever met with Russian intelligence, or if the bank ever gave favorable loans to the new president. They suspected that might be why Mr. Trump had spoken so favorably of Mr. Putin.

But while several of Mr. Trump's closest allies have come under scrutiny for Kremlin ties, Mr. Ross, who was confirmed by the Senate on Monday, was no friend to the Russians in Cyprus — and in fact, he forced them out of the bank.

According to bankers, lawyers and others who have worked closely with the Bank of Cyprus, within months of Mr. Ross's becoming a shareholder in the summer of 2014, all six Russians who were on the board when he arrived, including Mr. Putin's former K.G.B. colleague, Vladimir Strzhalkovsky, were gone, ousted in a rolling purge of Kremlin influence.

"He has not been an accomplice of the Russians but the opposite," Loizos Hadjicostis, president of the Cyprus Union of Bank Employees, said in an interview.

"Ross came in to block the Russians, not to help them," he added. "The theory that Ross is a Russian Trojan horse does not make any sense to me."

Helping to keep such theories alive, however, has been a refusal by the White House — over Mr. Ross's objections — to release his written responses to questions posed by United States senators. In a speech in the Senate on

Monday, Senator Bill Nelson, a Florida Democrat, complained that the White House was "sitting on" the replies.

Mr. Nelson said he had spoken with Mr. Ross about the Bank of Cyprus and had been told that Mr. Ross had one meeting of about an hour with a Russian investor in the lender in 2014. "He knows of no loans or interaction between the bank or anyone affiliated with the Trump campaign or organization," the senator said. He added that he believed Mr. Ross and that he could not understand the White House's "secretive behavior."

"Not only is this lack of transparency unsettling, it's behavior that everyone in this Senate should agree is unacceptable and shouldn't be tolerated," Mr. Nelson said.

After leading a group of around 30 investors from the United States and elsewhere in a 2014 investment in the Bank of Cyprus worth 400 million euros, Mr. Ross served for a period as co-vice chairman of the bank along with Mr. Strzhalkovsky, Mr. Putin's old K.G.B. associate. But Mr. Strzhalkovsky, who had no experience in banking, was then forced out.

The only Russian with a prominent role in the bank today is Viktor Vekselberg, a billionaire businessman who bought shares in 2014, around the same time as Mr. Ross. Like all wealthy business people still working in Russia, Mr. Vekselberg has maintained good relations with the Kremlin but, unlike Mr. Strzhalkovsky and the Russians ousted from the bank, he has a long record of actually doing real business.

A company Mr. Vekselberg controls is now the biggest single Bank of Cyprus shareholder and has a representative on the board, Maksim Goldman, an American-educated Russian lawyer.

"Wilbur Ross was kind of a savior," said Andreas Neocleous, the founder and chairman of the biggest law firm in Cyprus, which bears his name and has many Russian clients. They have included Dmitri Rybolovlev, a Russian billionaire who paid $95 million in 2008 to buy a Florida mansion from Mr. Trump, who had purchased it for less than half that just a few years earlier.

For a time, Mr. Rybolovlev, who has had tense and even hostile relations with the Kremlin, was the biggest shareholder in the Bank of Cyprus. But his stake in the bank, which at one point reached close to 10 percent, was mostly wiped out in 2013, when the island's banking system nearly collapsed. In the process, he lost $600 million, his lawyer said.

That 2013 banking crisis, however, opened the way for other Russians, some of whom had close ties to the Kremlin, in contrast with Mr. Rybolovlev, to gain control of the Bank of Cyprus, at least on paper.

This happened when the Cypriot authorities, desperate for cash to prop up failing banks, confiscated billions of dollars in deposits held in the Bank of Cyprus and Laiki Bank, also known as Cyprus Popular Bank, which had failed. Many of these seized deposits belonged to Russians who, as partial compensation, received Bank of Cyprus shares.

As a result of this highly controversial maneuver, Mr. Strzhalkovsky and other Russians lost billions. But in September 2013, they secured seats on the Bank of Cyprus board, meaning that Russia, for the first time, had effective control of a major European bank.

Unfortunately, said Mr. Neocleous, the lawyer, none of them knew anything about banking and they could not agree on ways to save the Bank of Cyprus from ruin. "None of them were bankers," he said. "They could offer nothing."

With the lender on the edge of bankruptcy, John Hourican, an Irishman who had been brought in as chief executive, insisted that the bank raise capital. Fearful that the bank might go under, the Russians and other shareholders reluctantly agreed to the plan, which would greatly dilute their ownership stakes.

The Bank of Cyprus held meetings in New York and London to drum up investor interest, attracting the attention of Mr. Ross, a veteran of investing in distressed assets who had turned a tidy profit rescuing the Bank of Ireland. He then assembled a group of investors who follow his lead in these matters because they view him as having the Midas touch.

But the bank conspicuously stayed away from Moscow.

Adonis Papaconstantinou, who leads a group of Laiki Bank creditors seeking to recover lost money, and who was once on the Bank of Cyprus board, said that the 2014 share issue was intended to make it difficult for Russians to invest and was skewed in favor of potential investors from the United States and Europe.

"Nobody could tell the Russians that they could not invest, but they are proud people and they could see that this was an attempt to keep them out — or at least minimize their influence," said Mr. Papaconstantinou, who lost his seat on the bank's board in the purge that started after Mr. Ross's arrival.

Christodoulous Vassiliades, the managing director of a Cypriot legal firm that represented some of the former Russian board members, recalled that the Russians had already lost so much money in the 2013 banking blowout that most of them had little appetite for a fight with Mr. Ross over control of the Bank of Cyprus.

It was clear, he said, that "Ross was there to benefit the interests of the U.S. and Britain," Cyprus's former colonial master, but the Russians "just wanted their money back" and came around to the view that the American investor was the best hope for keeping the bank afloat. Mr. Ross became vice chairman of the bank in November 2014 and gave up this position after his confirmation as commerce secretary.

"The bank is a business, not a geopolitical football," said Mr. Hourican, the chief executive.

FOIA CBP 001279

In many ways, however, it is much more than just a business. As the biggest bank in the country — a member of the European Union that is on a delicate fault line between East and West — the Bank of Cyprus plays an outsize role not only in the nation's economy but also in its political and even geopolitical direction. In a June 2013 letter to the European Central Bank pleading for help, the Cypriot president, Nicos Anastasiades, described the Bank of Cyprus as a "mega-systemic bank" on which the future of the island depended.

Mr. Anastasiades, in public statements at the time, expressed alarm that the confiscation of deposits, carried out at the behest of the European Union in return for aid, would hand the bank to the Russians by issuing shares as compensation for seized money.

This has led to speculation in Cyprus that Mr. Ross came into the bank as part of an operation arranged by Mr. Anastasiades with help from Vice President Joseph R. Biden Jr., who visited the island in 2014.

Mr. Ross declined to comment.

Mr. Anastasiades, in an interview, denied having asked Mr. Biden to help line up investors for the Bank of Cyprus so as to break the grip of Russian shareholders. The government, he said, had no business deciding who invests in a private bank, and no interest in expelling the Russians.

"We are interested in keeping the Russian business community," he said. "It is not a matter of Russians or Americans. We want everyone."

The bank, fortified by the 2014 recapitalization and money from the sale of assets in Russia, Serbia and elsewhere, has now stabilized and even managed to pay back nearly $12 billion in emergency loans granted at the height of the crisis by the European Central Bank.

But while it is on the way to recovery and is no longer considered a potential beachhead for a Russian presence in Europe's financial system, the bank has not yet proved to be a good investment for Mr. Ross. Its share price is still lower than what he paid in 2014.

Mr. Papaconstantinou, the former board member, said he spoke with Mr. Ross during one of his visits to Cyprus and asked why he had put money into such a troubled bank. "He told me he thought it was a good move because Cyprus had gone down so far it could not get any worse and could only go up," Mr. Papaconstantinou recalled.

In the long run, that is probably a safe bet. But, said Stelios Orphanides, a financial journalist with Cyprus Mail: "It is like owning tickets to a first-class cabin on the Titanic. It is a good investment, so long as the Titanic does not go down. But if the Bank of Cyprus goes down, Cyprus goes down, too."

Attorney General Jeff Sessions: Senate Testimony Was 'Correct'

By Kevin Johnson

USA Today, March 6, 2017

WASHINGTON — Attorney General Jeff Sessions asserted Monday that his January confirmation testimony to the Senate Judiciary Committee was "correct,'' saying that he did not disclose meetings with the Russian ambassador to the United States because he was not specifically asked about them.

Sessions, who abruptly recused himself last week from overseeing the ongoing federal inquiry into Russia's intervention in the U.S. election following the public disclosure of two meetings with Russia envoy Sergey Kislyak, said he always believed that he had answered the committee's questions "honestly'' about Trump surrogates' contacts with Russian officials.

"I did not mention communications I had had with the Russian ambassador over the years because the question did not ask about them,'' Sessions said in a letter to the committee, explaining the disputed testimony.

Sessions referred to a question posed by Sen. Al Franken, D-Minn., who asked Sessions what he would do if he became aware that "anyone affiliated with the Trump campaign communicated with the Russian government in the course of this campaign.''

"I'm not aware of any of those activities,'' Sessions responded at the time. "I have been called a surrogate at a time or two in that campaign and I didn't have have--did not have communications with the Russians.''

Democrats seized on Sessions' response, and a similar answer provided to Sen. Patrick Leahy, D-Vt., in a written response, as at least misleading and disqualifying him from managing the FBI's continuing Russia investigation. Others, including Senate Majority Leader Chuck Schumer of New York, and House Minority Leader Nancy Pelosi of California have called for the former Alabama senator to resign.

"I answered the question, which asked about a 'continuing exchange of information during the campaign between Trump's surrogates and intermediaries for the Russian government,' honestly,'' Sessions maintained.

Read more:

Sessions letter to the committee largely offered a similar defense of his prior testimony as he provided last week during a news conference at the Justice Department, where he announced his recusal from the Russia investigation.

The attorney general said he never sought to clarify his testimony, following last month's dismissal of former national security adviser Michael Flynn for his separate communications with Kislyak, because he had "considered

my answer responsive, and no one having suggested otherwise, there was no need for a supplemented response.''

Still, the failure to disclose his meetings with Kislyak stoked a political firestorm, prompting Sessions to cede oversight of the ongoing Russia probe to acting Deputy Attorney General Dana Boente. Democrats have called for Sessions to return to the committee to publicly explain his January testimony, but panel Chairman Chuck Grassley, R-Iowa, said last week that he would not recall the attorney general.

The attorney general, who took office just more than three weeks ago, denied discussing campaign-related matters when he encountered Kislyak in July during an event at the Republican National Convention and later during a September meeting in his Senate office in Washington.

He said the September meeting was sought by Russian officials and included at least two senior advisers from his Senate staff, both retired Army colonels. Sessions did not specifically recall the purpose of the meeting or whether there was any mention of the then-contentious election campaign, but he recalled some discussion about terrorism and described Kislyak as "a Soviet-type'' diplomat.

Sessions said the conversation "got to be testy'' when it turned to Russia's aggression in the Ukraine. It concluded with the ambassador extending Sessions an invitation to lunch, which the attorney general said he did not pursue.

In an interview on Fox News last week, Sessions he was "not sure...what was on (the ambassador's) mind'' when Kislyak arranged the meeting. Though, he called the news reports disclosing the meetings Wednesday night "hyped beyond measure."

"I do not recall any discussions with the Russian ambassador or any other representative of the Russian government regarding the political campaign on these occasions or any other occasion,'' Sessions said in the Monday letter to the committee.

The same committee Tuesday is set to consider the nomination of Maryland U.S. Attorney Rod Rosenstein for deputy attorney general, who if confirmed, would assume management of the Russia inquiry.

Democrats, including Sen. Richard Blumenthal, D-Conn., have vowed to press Rosenstein to appoint a special prosecutor to oversee the investigation.

Atty. Gen. Jeff Sessions Defends Russia Testimony And Says He Didn't Mislead Congress

By Del Quentin Wilber, Contact Reporter

Los Angeles Times, March 6, 2017

Atty. Gen. Jeff Sessions sought Monday to clarify his denial to the Senate about contact with Russian officials during the presidential campaign, a misstatement that led him to recuse himself from overseeing federal investigations into meddling by the Kremlin in the U.S. election.

Reports that Sessions met with the Russian ambassador twice during the campaign sparked a storm of demands last week on Capitol Hill for the former U.S. senator from Alabama to recuse himself from the investigations or resign.

He announced his recusal on Thursday and promised to send a letter to clarify his January testimony to the Senate Judiciary Committee.

In the letter, Sessions told his former colleagues that he had correctly answered a question when he said he "did not have communications with Russians" during the campaign.

Sessions reiterated what he told reporters last week: that he had focused on part of the question posed by Sen. Al Franken (D-Minn.) that sought to determine what the attorney general would do about "continuing exchange of information during the campaign between Trump's surrogates and intermediaries for the Russian government."

Sessions said in the letter that he answered honestly.

"I did not mention communications I had had with the Russian ambassador over the years because the question did not ask about them," Sessions wrote.

The FBI and the House and Senate intelligence committees are investigating whether anyone on then-candidate Donald Trump's team colluded with Russia's government while the Kremlin was hacking Democratic Party computers and seeking to disrupt the campaign.

The issue has cast a cloud over the fledgling Trump administration, which has denied any improper contacts. President Trump ousted his national security advisor, Michael Flynn, last month for misleading the White House about his contacts with Russian Ambassador Sergey Kislyak during the campaign.

The Justice Department disclosed last week that Sessions also met twice with Kislyak in 2016, first after a speech at the Republican National Convention in July and then in a private sit-down meeting in Sessions' Senate office in September.

Justice Department officials have said that Sessions had conversations with more than two dozen foreign ambassadors and that his meeting with Kislyak was not unusual. They said he met the Russian diplomat in his capacity as a member of the the Armed Services Committee, not as a representative of the Trump campaign.

The day before his sit-down with the Russian, he met the Ukranian ambassador, for example, they said.

In comments to reporters, Sessions described his encounters with Kislyak as pro forma discussion. He described Kislyak as an "old-style, Soviet-type ambassador" and added that their conversation grew testy over Russia's support for separatists fighting in eastern Ukraine.

A U.S. intelligence report issued on Jan. 6, before Trump took office, assessed that Russian President Vladimir Putin had ordered the election-related meddling in an effort to hurt Democratic presidential nominee Hillary Clinton and help Trump.

FBI officials have not publicly discussed their investigation, and no evidence indicates that they have discovered wrongdoing by any Trump associate. Even so, the inquiry has disrupted the early weeks of Trump's administration.

Trump added fuel to the controversy over the weekend by tweeting that President Obama had ordered wiretapping of Trump Tower during the campaign. Neither he nor his aides have offered any proof, and Obama and James R. Clapper, the former director of national intelligence, said the claim was false.

FBI Director James B. Comey told fellow law enforcement officials that he is concerned that Trump's charge could tarnish the bureau by suggesting agents had conducted an illegal wiretapping campaign on a political candidate.

Former and current officials have said no such wiretaps were directed at Trump, his campaign or Trump Tower.

FBI surveillance of Russian operatives is routine, however, and could have picked up Americans speaking or writing to Russians who were monitored by U.S. counterintelligence agencies.

White House Deputy Press Secretary Sarah Huckabee Sanders told ABC News on Monday that Trump was not willing to accept Comey's denials on the wiretapping allegations.

"You know, I don't think he does," Sanders said of Trump. "I think he firmly believes that this is a story line that has been reported pretty widely by quite a few outlets."

The fallout from Trump's tweets came as Democrats continued to seek answers from Sessions about his contacts with Kislyak.

Sen. Dianne Feinstein (D-California), the ranking member of the Judiciary Committee, last week called on Sessions to answer questions in person from lawmakers and asked the Justice Department's inspector general to investigate Sessions' testimony, his contacts with Russian officials and his decision to recuse himself.

"He has not explained why he failed to come forward and correct the record before reports of his contacts with Russian Ambassador Sergey Kislyak became public, why there was a delay in recusing himself until those public disclosures, and why he only recused himself with respect to campaign-related investigations and not Russian contacts with the Trump transition team and administration," Feinstein said.

Judiciary Committee Chairman Sen. Charles E. Grassley (R-Iowa) blocked the move to call Sessions to testify, saying that there were no plans to question Sessions until an annual oversight hearing in coming months.

Sessions wrote that before he decided to recuse himself, he had consulted with Justice Department officials over the effect of his role as a former Trump campaign surrogate.

Justice Department officials recommended that Sessions recuse himself, the attorney general said, because of his connection to Trump and the campaign. "I believe these recommendations are just and right," he said.

Sessions Updates Testimony To Congress, Insists He Was "Correct" To Say He Had No Communication With Russians In Campaign

By Matt Zapotosky

Washington Post, March 6, 2017

Attorney General Jeff Sessions insisted in a letter to Congress Monday that he was "correct" to say he did not have communications with the Russians as part of the presidential campaign even though he had twice met with the Russian ambassador.

He said in the letter that he did not tell legislators sooner about those meetings because he thought he had fully answered the particular question he was asked.

In what he framed as a supplement to his testimony during his January confirmation hearing, Sessions acknowledged that he spoke briefly to Russian Ambassador Sergey Kislyak at the Republican National Convention in Cleveland in July and that he met with Kislyak in his Senate office in September.

At his confirmation hearing, Sen. Al Franken (D-Minn.) had asked Sessions what he would do as attorney general if there was any evidence that anyone affiliated with the Trump campaign communicated with the Russian government during the course of the campaign. Sessions responded: "Sen. Franken, I'm not aware of any of those activities. I have been called a surrogate at a time or two in that campaign and I didn't have — did not have communications with the Russians, and I'm unable to comment on it."

"My answer was correct," Sessions wrote in his letter to Congress. "As I noted in my public statement on March 2, 2017, I was surprised by the allegations in the question, which I had not heard before. I answered the question, which asked about a 'continuing exchange of information during the campaign between Trump's surrogates and intermediaries for the Russian government,' honestly. I did not mention communications I had had with the Russian ambassador over the years because the question did not ask about them."

Last week, Sessions announced he was recusing himself from any Justice Department investigations involving Trump's campaign, on which he served as an adviser.

He did so a day after The Washington Post reported his meetings with Kislyak — though he said he had been talking about doing so with Justice Department ethics officials for some time. He clarified specifically Monday that recusal would include any probes of "Russian contacts with the Trump transition team and administration," though he said that clarification "should not be taken as any evidence of the existence of any such investigation or its scope."

"Suffice it to say that the scope of my recusal is consistent with the applicable regulations, which I have considered and to which I have adhered," Sessions wrote.

Sessions wrote that he did not disclose his meetings with Kislyak before The Post reported on them because he considered his previous answer to Franken "responsive, and no one having suggested otherwise, there was no need for a supplemented answer." He said he did "not recall any discussions with the Russian ambassador, or any other representative of the Russian government, regarding the political campaign on these occasions or any other occasion."

Sessions Tells Senate Panel: 'My Answer Was Correct'

By Nolan D. McCaskill

Politico, March 6, 2017

Attorney General Jeff Sessions maintained Monday that his response to a query about contact with Russian officials during his confirmation hearing was "correct."

"My answer was correct," Sessions wrote in supplemental testimony to the Senate Judiciary Committee chairman and ranking member Monday.

At his confirmation hearing in January, Sessions, then a Republican senator representing Alabama, testified before the Senate panel, unprompted, that he "did not have communications with the Russians."

But reports emerged last week that Sessions had met with Russian ambassador Sergey Kislyak twice in 2016, meetings he failed to disclose during his confirmation hearings.

In his supplemental testimony, which follows his recusal Thursday from any Justice Department investigation related to presidential campaigns, Sessions said he "honestly" answered a question from Minnesota Sen. Al Franken about contact — as a Trump surrogate.

"I did not mention communications I had had with the Russian Ambassador over the years because the question did not ask about them," he argued.

Sessions met with Kislyak on the sidelines of the Republican National Convention following a speech and again in his Senate office in September.

"I do not recall any discussions with the Russian Ambassador, or any other representative of the Russian government, regarding the political campaign on these occasions or any other occasion," he said.

Sessions' No. 2 In Waiting Faces Heat On Russia Probe

Democrats will use a confirmation hearing for a deputy attorney general to keep the spotlight on Donald Trump's Moscow problem.

By Seung Min Kim And Burgess Everett

Politico, March 6, 2017

Senate Democrats, intent on keeping questions about the Trump campaign's ties to Russia front and center, are turning to their next target: Attorney General Jeff Sessions' top deputy.

Rod Rosenstein, a veteran U.S. attorney whom President Donald Trump has nominated to become the Justice Department's No. 2, heads into his confirmation hearing Tuesday squarely in the eye of the firestorm over the Russia controversy that has engulfed the Trump presidency for weeks.

Sessions announced last week he would step aside from any federal probe involving the Trump campaign — in which the former Alabama senator was a central and enthusiastic figure. So the weight of the Russia investigation would fall on Rosenstein if he's confirmed.

Democrats are using what would usually be a noncontroversial nomination to extract as many concessions from Rosenstein as possible. The best case for the minority would be getting him to commit to naming a special prosecutor to investigate any collusion between the Trump campaign and Moscow. Short of that, they want to eat up time — the most precious commodity in the Senate — and throw the Trump administration back into an uncomfortable, Russia-hued spotlight.

"Far and away the No. 1 issue that will face Mr. Rosenstein in his hearing is whether he will appoint a special prosecutor," Senate Minority Leader Chuck Schumer (D-N.Y.) said in a Monday interview with POLITICO. "I am strongly urging him to do so. The guidelines of the Justice Department fit this to a T."

Schumer stressed that while "nobody has any concerns about [Rosenstein], his personality, his integrity," the minority leader nonetheless said that for him, it would be "very difficult" to support Rosenstein if he didn't commit to appointing an independent counsel outside DOJ's chain of command to oversee the Russia probe.

Democrats argue that last week's recusal by Sessions, who had not disclosed two previous contacts with Russian ambassador Sergey Kislyak despite testifying that he "did not have communications with the Russians" during his confirmation hearing in January, was nowhere near sufficient.

In addition to pressing Rosenstein on how the Russia probe should be handled, Democrats are demanding more independent probes. Schumer on Monday wrote to the DOJ's chief watchdog asking him to dig into the Trump administration's handling of the matter.

Sen. Richard Blumenthal (D-Conn.), a member of the Judiciary Committee that will question Rosenstein and another top DOJ nominee on Tuesday, said he would use all parliamentary tools at his disposal to block Rosenstein's nomination until he commits to appoint an independent counsel.

"Whatever this nominee's credentials — and he has, on paper, [an] impressive prosecutorial background — he is a political appointee, which I'm sure he recognizes," Blumenthal said in an interview on Monday. "And the areas that need to be investigated here and potentially prosecuted involve highly sensitive political overtones and should be pursued without politics involved."

Some committee Democrats, including Hawaii Sen. Mazie Hirono, had called for the hearings for Rosenstein and the No. 3 Justice official, Rachel Brand, to be delayed due to questions surrounding the Trump DOJ's handling of the probe. Hirono met privately with Rosenstein and Brand on Monday.

"At this point, I feel as though the entire department has been compromised," Hirono said last week. "I would like to see an independent investigation."

Senate Republicans who will take up the two DOJ nominations say there are deep inconsistencies in the Democrats' call for a special prosecutor. They note that Democrats didn't demand one to look into Hillary Clinton's use of a private e-mail server, even after former attorney general Loretta Lynch met privately with Bill Clinton in an encounter that raised questions about the appearance of impropriety.

"That's ridiculous," Senate Majority Whip John Cornyn (R-Texas) said of the Democrats' strategy. "He's a career prosecutor with an outstanding reputation. That's just politics."

Indeed, Rosenstein — first appointed as U.S. attorney under George W. Bush and held over under Barack Obama — has a top-notch reputation among members of both parties. On Monday, nearly 130 former U.S. attorneys wrote to the committee's leaders, praising the prosecutor's "tireless work ethic, unassailable integrity, careful legal thinking and prudent judgment."

"Many of us served alongside Rod, know him personally, and can vouch for his outstanding reputation — both as a fair and extraordinarily effective prosecutor, and as a person of the highest integrity," the lawyers wrote in the letter.

Though Russia will be in the spotlight considering Rosenstein's role in the federal probe, Democrats also plan to grill the two DOJ nominees on several other hot-button issues.

Multiple Democratic sources said the nominee will be asked about voting rights and the Trump administration's executive orders, including the updated travel ban issued Monday that temporarily halts immigration from six majority-Muslim nations. Another topic could be Trump's accusation — which he made without offering evidence — that Obama ordered an illegal wiretap of Trump Tower.

Democratic senators, including Blumenthal, are also sure to reiterate their demand for Senate Judiciary Committee Chairman Chuck Grassley call Sessions back before his panel to clarify the Russia issue — a request that the Iowa Republican has already denied.

Republicans, by and large, are satisfied with Sessions' recusal and the ongoing investigations by the House and Senate intelligence panels into Russian interference in the election.

"In his opinion, [recusal] was needed and he's done that," Sen. Deb Fischer (R-Neb.) said of Sessions. "I don't know what more could be done on it."

Sessions's Potential Deputy Faces A Stern Test On Russia Inquiries

By Eric Lichtblau

New York Times, March 6, 2017

WASHINGTON — Known as a no-nonsense, even-keeled prosecutor, Rod J. Rosenstein was expected to sail through Senate confirmation to be the Justice Department's second-in-command. But that process has become enmeshed in the drama surrounding questions about President Trump's campaign ties to Russia.

Mr. Rosenstein faces the Senate Judiciary Committee on Tuesday as the president's nominee for deputy attorney general. In that post, he would oversee investigations into Mr. Trump's campaign and Russia, because Attorney General Jeff Sessions removed himself from any such cases after the disclosure last week that he had misled Congress about meeting twice with the Russian ambassador.

Democrats who have otherwise expressed confidence in Mr. Rosenstein's prosecutorial skills said they were skeptical that he — or anyone besides an independent outside counsel — would not be subject to political pressure while overseeing such an investigation.

"Rosenstein has a good reputation as a career prosecutor, but this is going to test him, and I worry about the integrity of the Justice Department," Senator Patrick J. Leahy, a Vermont Democrat on the Judiciary Committee, said in a telephone interview Monday.

Through his office, Mr. Rosenstein declined to comment.

The F.B.I., which is overseen by the Justice Department, is known to have examined possible contacts between Russia and Trump advisers. The House Intelligence Committee has also opened an inquiry into whether Russia tried to influence the election.

Mr. Rosenstein, who received his law degree from Harvard, is nothing if not a survivor after nearly 12 years as the United States attorney for Maryland under both Republican and Democratic presidents.

He was one of only three United States attorneys appointed by the administration of President George W. Bush to be kept in the job by President Barack Obama in 2009 — and the only one to last all eight years of Mr. Obama's administration. His supporters say he has been willing to take on politically charged cases throughout his career.

Two decades ago, Mr. Rosenstein worked on Kenneth Starr's independent counsel investigation into the Whitewater affair, earning three convictions related to President Bill Clinton's business dealings in Arkansas.

In a high-profile leak case last year, Mr. Rosenstein extracted a guilty plea from James E. "Hoss" Cartwright, a retired four-star Marine general and a former vice chairman of the Joint Chiefs of Staff. Former Attorney General Eric H. Holder Jr. had asked Mr. Rosenstein and another prosecutor to handle the investigation after accusations the Obama administration was behind leaks related to a cyberattack and drone strikes.

Just last week, Mr. Rosenstein announced the indictments of seven Baltimore police officers on conspiracy and racketeering charges.

"He has a reputation for being a straight shooter who plays it right down the middle, and those are important qualities for a deputy attorney general," said Matthew S. Axelrod, who was the top aide to former Deputy Attorney General Sally Q. Yates and is now in private practice in Washington at the Linklaters law firm.

Mr. Trump fired Ms. Yates as the acting attorney general five weeks ago after she refused to defend the initial version of his travel ban in court because she said she was uncertain it was legal.

Mr. Leahy, the Vermont senator, said that her firing made the debate over Mr. Rosenstein's nomination even more important, with "that kind of precedent" hanging over him.

Douglas F. Gansler, a former Maryland attorney general, said on Monday, "Rod is about as apolitical a person as you can imagine, which is why he could survive eight years in a Democratic administration after being named by a Republican."

"Would he stand up to the political winds of President Trump?" he said. "I'd think yes."

The Justice Department said Monday that if Mr. Rosenstein was confirmed, he would oversee any investigations related not only to the Trump campaign, but also to the president's transition after the Nov. 8 election.

In announcing on Thursday that he would remove himself from such a case, Mr. Sessions had left open the possibility that he might still oversee matters related to the transition period. But in a letter to leaders of the Senate Judiciary Committee late on Monday, he said that his recusal "would include any such matters," as well.

That question is important because Michael T. Flynn, who served as Mr. Trump's national security adviser for less than a month, admitted that he had contacts with the Russian ambassador, Sergey I. Kislyak, during the transition. Some Democrats have said that those contacts — which helped force Mr. Flynn's resignation — might have been illegal.

Mr. Sessions also spoke at least twice with Mr. Kislyak: once at the Republican National Convention in July, and again at his Senate office in September, two months before the election.

When asked at his confirmation hearing in January about a news article about contacts between the Trump campaign and Russian officials, Mr. Sessions responded, "I didn't have, did not have communications with the Russians."

Democrats accused him of lying to the committee by not disclosing his conversations with the ambassador, and they called for the Justice Department to open a perjury investigation. In his letter on Monday, Mr. Sessions said that "my answer was correct," because he said his conversations with the ambassador were not political in nature.

In answering the question, Mr. Sessions wrote, "I did not mention communications I had had with the Russian ambassador over the years, because the question did not ask about them."

Senator Charles E. Grassley, the Iowa Republican who leads the Judiciary Committee, said he was satisfied with the attorney general's explanation.

"I appreciate Attorney General Sessions's quick action to clear up confusion about his statement," Mr. Grassley said Monday.

Schumer's Rosenstein Extortion

Democrats strong-arm a nominee to name a special prosecutor.

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Trump's Oval Office Eruption Was Aimed At Lawyer McGahn

Daily Mail, March 6, 2017

Footage appearing to show the impact of an agitated Donald Trump dressing down top aides Steve Bannon and Reince Priebus on Friday actually depicted fallout from the president directing his ire at White House counsel Don

McGahn, according to three sources familiar with the tense meeting.

'He was chewing out the White House counsel about Sessions,' a senior administration official told DailyMail.com on Monday, referring to Attorney General Jeff Sessions' move a day earlier to recuse himself from federal investigations linking Russian officials with Trump campaign personnel.

Sessions' move came hours after Trump said he had 'total' confidence in Sessions, and shortly after White House press secretary Sean Spicer pre-recorded a Fox news Channel interview for Friday broadcast in which he said there was no reason for Sessions to step away.

McGahn absorbed most of Hurricane Donald's force after the president found Wednesday's glowing media coverage – following his well-received speech to a Joint session of Congress – crowded out by the Sessions mini-scandal.

While it is not clear what the discussion was about, Bannon was filmed in an animated conversation and at one point was spotted waving his arms around.

Ivanka Trump, Jared Kushner and Sean Spicer were spotted in the background of the footage.

Trump had accused his staff of fumbling the situations with Sessions after the attorney general recused himself from all FBI investigations regarding Russia on Thursday.

The president is said to have then taken it out on his senior staff the following day.

Sources said to CNN the Oval Office lecture had a 'lot of expletives' and that 'nobody has seen him that upset'.

Earlier reporting described Friday's shout-fest as a rebuke of Bannon and Priebus. But an official close to McGahn confirmed that the longtime Trump lawyer was one of the aides in the president's crosshairs.

'That's about right,' the McGahn associate said. 'He was mad at Don.'

Trump, that source said, complained that the White House counsel's office should have huddled with Sessions before his announcement to reassure him that the president would stand behind him if he resisted calls to recuse himself.

Instead the president was 'forced to play defense on Thursday instead of offense,' a third administration official said of the fallout from Sessions' announcement, 'and his mood Friday was about as bad as it gets.'

McGahan did not respond to a request for comment. He does not appear in the CNN video, which was shot through an Oval Office window.

Bannon is shown in the CNN video yelling at someone and dropping an apparent F-bomb. He did not respond to a request to identify who he was reprimanding.

One official said McGahn was standing in a spot that would have put him in Bannon's line of fire, near first daughter Ivanka Trump.

As the video unfolds, Trump adviser Jared Kushner – Ivanka's husband – also takes up position on that side of the room.

Bannon was there to calm the president down on Friday, the first official said.

'He was on blast mode,' that source said of the president's reaction to the attorney general's unexpected decision, and 'hitting the White House counsel for not explaining it better.'

The three administration officials were granted anonymity to speak freely about Friday's events.

All of them cast doubt on earlier reports that Bannon and Priebus were both left in the White House's doghouse when Trump left town for Florida on Friday afternoon.

The power pair did remain behind in Washington. But neither man, a second official said, was being put in a corner.

In particular, the first official said, 'this had nothing to do with Reince.'

Priebus, one official said, stayed in D.C. to work Friday night working with White House Budget Director Mick Mulvaney and House Republicans, hammering out details of the coming Obamacare replacement bill.

Bannon remained behind along with McGahn to help Sessions connect his recusal decision with what he told the Senate Judiciary Committee during his January confirmation hearing.

That hearing saw then-Senator Sessions deny that he had met with Russian officials during the presidential campaign, even though he had at least one meeting with Russian ambassador Sergey Kislyak.

Sessions said later that he took that meeting in his capacity as a senator, not as a campaign aide.

But his Justice Department aides later persuaded him to back away from any Russia-related probes that might involve the campaign, which he advised at immigration and homeland security matters.

Sessions, McGahn and Bannon flew to Florida together on Saturday afternoon to brief Trump about what one official called 'the fact pattern' behind Thursday's decision.

First daughter Ivanka Trump, her husband Jared Kushner, press secretary Sean Spicer and newly minted communications director Mike Dubke were also in the Oval office when sparks flew.

This Is What Trump Sees When He Opens His Twitter Feed

By Donie O'Sullivan

CNN, March 6, 2017

For a man with 26.1 million Twitter followers, President Donald Trump follows back surprisingly few people on his @realdonaldtrump account – a mere 43. (See the full list here)

Seven of them are family members (Tiffany Trump, Vanessa Trump, Lara Trump) and nine are family businesses (Trump Organization, Trump Golf, Trump Wakiki).

The rest are made up of close advisers (Kellyanne Conway, Reince Priebus), supporters (Sean Hannity, Laura Ingram, Piers Morgan) and other right-leaning personalities (Ann Coulter, Joe Scarborough, Bill O'Reilly).

Mainstream news outlets (CNN, New York Times) are absent from the list, as is Breitbart News and Infowars. Also missing: the account belonging to his press secretary Sean Spicer and the official @POTUS account.

Rep. Roskam Calls Criticism For Lack Of Town Hall Meetings 'False Narrative'

By Rick Pearson

Barrington (IL) Courier-Review, March 6, 2017

Republican U.S. Rep. Peter Roskam on Monday defended not holding public "town hall" meetings, calling them nonproductive and saying the people he represents long for "civility" in politics.

Roskam spoke for nearly 50 minutes and answered questions posed by some of the nearly 300 attendees at a City Club of Chicago lunch at a downtown restaurant. The Wheaton congressman arrived to the event in an alley and left without answering questions from a throng of reporters.

Across the street, about 50 protesters waved signs and shouted chants, including, "Where's Peter? What do we want? A town hall. When do we want it? Now."

Roskam characterized the idea that he has a lack of accountability to his constituents a "false narrative," and said as an alternative to a public meeting he recently held a telephone town hall that involved 18,000 people. Critics have contended telephone town halls are more controlled than a public meeting.

"In 2016, I had 11 telephone town hall meetings in the district, 113 speaking engagements in the district, 147 other meetings events or award presentations, 107 other site visits to local businesses, hospitals and non profits, 21 school visits, 30 roundtable discussions and 74 other meetings," said Roskam, whose 6th Congressional District includes portions of the west and northwest suburbs.

"So there is a false narrative that is running out there and if it's not that false narrative, it is another false narrative. But the House of Representatives is actually the entity in the United States Congress that is the flattest and easiest to get to," he said.

"But participating in big circuses and other things, I've just found not to be productive and I think I represent a constituency that is longing for civility in public life. I mean, longing for it," he said. "They don't want to hear judgments. They want to hear solutions and that's how I've tried to present myself."

Speaking on a wide range of subjects at the City Club event, Roskam said there was a "national inflection point" on enacting comprehensive tax reform, including simplifying the tax code and working to make it help encourage business growth.

But Roskam, the tax policy chairman on the powerful House Ways and Means Committee, also said if tax reform doesn't happen in 2017, "it doesn't happen at all." He called the current tax code an "island disappearing" beneath the public and said taxpayers should "jump (on tax reform) while there's an opportunity to jump."

Roskam also said that in repealing Obamacare, there should be a "type of transition that makes sense" to the program Republicans will propose, particularly in states like Illinois that have increased health care coverage through federally paid for expansion of Medicaid.

"I think we need a lot more discussion" on the Affordable Care Act, instead of just jamming through a GOP-backed plan, the congressman said. But he also said merely tinkering with Obamacare would be "insincere" since it was a promise Republicans made to voters.

As for Congress' relationship with President Donald Trump, Roskam said he believed the president was counting on the Republican-led House to help enact initiatives such as tax reform and the repeal and replacement of Obamacare. But in noting the president's Twitter habits, Roskam said he has a better appreciation today for the "unexpressed thought."

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Trump Political Group Ensnarled In Drama After Launch

By Theodore Schleifer

CNN, March 6, 2017

A major outside group intended to serve as the political muscle behind Donald Trump's nascent presidency is sputtering and potentially splintering as tension tears the nonprofit further from its biggest donor, multiple sources close to the group told CNN.

America First Policies, a group set up this winter to advocate for the Trump agenda, is treading water at best at a time when other, rival groups are staffing up and pushing them toward the sidelines. If the nonprofit does not regain its footing, several Trump allies fear that it could find itself out-punched politically as several looming policy battles invite a raft of spending from Democratic interest groups.

One group source, granted anonymity to candidly assess the nonprofit's launch, conceded that "it has been slow."

A month after a splashy group of senior Trump advisers promised "significant" funding, the group has barely lifted a

finger to politically bolster the young administration. And as a pricey fight beckons this month over the future of the Supreme Court, the president remains unpopular and seems almost certain to not have the "surround-sound super structure" that the White House once envisioned.

Much of the drama stems from an ongoing dispute with the Mercers, a father-daughter set of donors who have become intertwined deeply within the Trump political infrastructure. The Mercers were initially expected to provide much of the funding for the group.

Bob and Rebekah Mercer are known for being exceedingly controlling of how their dollars will be spent, but it remains disputed how much sway they will hold over the nonprofit, according to three people briefed on the discussions. Several of the Mercers' most trusted hands went to work in the West Wing, leaving the nonprofit largely run by a half-dozen aides loyal to either Vice President Mike Pence or to Jared Kushner, Trump's son-in-law.

Part of the dispute, according to one of the people, centers on whether the Mercers will have a seat on the nonprofit's board of directors. The placement would require a $1 million contribution, the person said, a buy-in that sources described them as uneasy about handing over.

"I don't get the sense that they're driving the train with this group," said one person close to the organization. "This is not a personality-driven entity. That shell game has come and gone."

The Mercers did not respond to a request for comment on their support for the group, nor did Brad Parscale, who is in charge of the nonprofit. The Mercers, people familiar with the relationship say, harbor particular dislike for Parscale, who was Trump's top digital strategist and is close with Kushner.

Now, several strategists involved are considering working with multiple rival nonprofits simultaneously, according to a group source, which would be unusual and raise questions about which group they are serving at any given time. The Mercers may choose to form their own group, and it is unclear whether Home Depot founder Bernie Marcus — the other mega-donor expected to provide substantial backing to the group — may go with them. A Marcus aide declined to comment.

"There's a healthy dose of desire to do different things," said the group source, who said the Mercers' involvement was "still to be determined."

America First Policies is one of at least three nonprofit groups trying to assert itself as a major player in the new political order — it is set to release its first advertising spot this week as inquires swirl about its future. The groups can accept checks of unlimited sizes and shield their donors' identities as long as most of the money is focused on policy, not elections.

It's a new challenge for Trump big-money supporters: How can a group support an incumbent president who is far more likely to drive the conversation than their ads might?

"Americans seem to trust their friends and communities more than their leaders," said Ken McKay, who led a pro-Trump super PAC during the campaign that disbanded after the election and who is no longer involved with the outside groups.

"Maintaining and building support horizontally is more important than ever, and those groups can help with that."

But the groups are only as powerful as their donors – and in a twist of irony, some of the likeliest Republican givers are off the board for Trump organizations since Trump named them to his Cabinet. Some of the most reliable Republican givers during the campaign, from Commerce Secretary Wilbur Ross to Small Business Administration chief Linda McMahon, are settling into their new Washington bureaucracies, not cutting seven-figure checks to big-money groups.

Another hurdle: Several group leaders have cited Organizing for America, Barack Obama's nonprofit, as a model. Yet OFA, which was born directly out of Obama's reelection campaign, did encounter the same crowded, disputed terrain that awaits the host of Trump nonprofits. Unlike the Democratic group — which clearly had the imprimatur of the president — each of the Republican groups claims some mantle of legitimacy from the administration, even though none of their arguments are convincing enough to dry up the fundraising reserves of the others.

That clutter is a remnant and reminder of the general election, when a half-dozen super PACs rose and fell at various points as Trump campaign aides did. No Super PAC ever secured a durable "blessing" from the Republican nominee, and high-wattage donors scattered across different groups, many of which were underfunded and disorganized until the very last weeks of the campaign.

But today there is little downside for Republican donors – and some Democrats, even – to financially support the leader of the GOP for at least the next four years.

The pool of likely donors has deepened.

But while some anti-Trump donors have sought to make amends, a minority has cast their aspersions on the entire party and treated Trump as an infection. Michael Vlock, a longtime GOP financier who grew disgusted by Trump during the primary, recently told the National Republican Senatorial Committee that he wasn't interested when asked if he'd like to speak by phone with new NRSC chair, Sen. Cory Gardner.

"I will no longer support any Republican until and unless they repudiate Trump. The party has been co-opted or has surrendered to the ignorant and dishonest sociopath presumably because, in spite of his policies that are at odds with numerous fundamental conservative principles, they

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believe that they can achieve much needed legislative changes by holding its nose and accepting him," Vlock wrote in an email to the NRSC aide, which he shared with CNN.

"Until and unless they repudiate Trump," he continued, "every Republican will find, deservedly, that their legacy is irrevocably stained."

Because nonprofits do not have to disclose fundraising hauls or contributors, it's unclear just how alone Vlock may find himself. A survey of major conservative givers during the 2016 campaign revealed few who had committed major contributions to the nonprofit, with Republican contributors ranging from Warren Stephens to T. Boone Pickens telling CNN they had no contact with America First Policies.

Meanwhile, rival groups are trying to fill the sudden void. Great America Alliance, one such nonprofit, revealed to CNN that this week will announce a $1 million advertising campaign in 2018 Senate states portraying Trump as a promise-keeper. It boasts Trump confidants Rudy Gluliani and Newt Gingrich as chairs.

"The difference between us and other organizations is that we have principals," claimed Eric Beach, the group's strategist.

And one group with a track record of success is run to the wealthy Ricketts family of the Midwest. Future 45, a super PAC which thanks to a half-dozen of the most elite Republican donors spent close to $30 million on Trump's behalf, and its linked nonprofit has hired a suite of A-list Republican operatives from around Washington as it prepares advertising campaigns on Trump administration priorities.

In addition to the money left over from the campaign — a substantial majority of which came from Las Vegas casino titan Sheldon Adelson — the groups are actively fundraising, throwing it into competition with other pro-Trump groups that is all too familiar.

GOP Rep. Tom MacArthur Tells Town Hall Audience He Is Not A Trump Clone

Philly (PA), March 6, 2017

U.S. Rep. Tom MacArthur sought to mollify unrest from the left as he took questions for two hours at a town-hall meeting Monday night, reminding constituents who filled an Ocean County firehouse that he was "not Donald Trump."

The Republican congressman, who represents New Jersey's Third District, won applause as he told the crowd that he was among a handful of GOP members of Congress who had most often worked with Democrats, and as he empathized with some of their concerns, like condemning a recent rise in hate crimes.

But he drew objections as he maintained it was too soon to appoint a special prosecutor to investigate claims of Russian interference in the recent presidential election, or to force Trump to release his tax returns.

"I'm not Donald Trump's spokesman," MacArthur said. "Donald Trump actually doesn't answer to Congress, Donald Trump answers to you."

While "I think he should release his taxes," that "doesn't mean I think it's Congress' role" to step in, MacArthur said.

"If not you, then who?" someone called out.

MacArthur assured the crowd he was "always watching" the moves by the new administration, including "to make sure we don't start breaking up families" with immigration changes.

"But he is," came another response from the crowd.

To the dissenters, MacArthur said, "My guess is you weren't thrilled [Trump] got elected in the first place." But "I am going to give this administration a chance."

MacArthur is the first lawmaker from the Philadelphia region to host a town-hall meeting since Trump's election, which has motivated activism and spurred demands for Republicans to address constituents in person.

Like a number of other Republicans, MacArthur had rebuffed what he described as meetings co-opted by outside organizers seeking to embarrass lawmakers. He skipped a meeting held two weeks ago in Marlton that drew hundreds of constituents.

On Monday in Waretown, Geoff Ginter of Pine Beach told MacArthur that he took "deep, serious offense" to characterizations that meetings were being "taken over by protesters."

"I am your constituent, whether I agree with you or not," Ginter said. "I assure you, sir, that I cannot be marginalized."

MacArthur, in response, told the crowd that "I know you are my constituents. I know that."

"That doesn't mean there aren't paid organizers," he said to some boos, before adding that he respected protesters and freedom of speech.

People lined the perimeter of the firehouse, which has a capacity of 250. Some people waiting outside were let in as others left, though a MacArthur spokeswoman estimated 60 couldn't get inside.

While the crowd appeared mostly left-leaning, there were conservatives in the room, too.

On guns, one man thanked MacArthur for sponsoring a concealed-carry reciprocity law, garnering some applause.

At times, MacArthur told people his mind wasn't made up — including on the future of the Affordable Care Act.

House Republicans released a replacement bill Monday night, just as MacArthur's town hall was to begin.

MacArthur said he had recently spoken to Gov. Christie about the potential impact to New Jersey — which expanded Medicaid under the health-care law — "if this gets frozen or cut off."

"He gave me pretty dire predictions about what happens," MacArthur said.

While "I don't know how I'm going to vote," he said, "if we pull the rug out from under the most vulnerable, I can't support that."

Voters Think Race Relations Will Worsen Under Trump

Raleigh (NC) News & Observer, March 6, 2017

African-Americans, whites and Latinos are united in their pessimism about the current and future state of race relations under President Donald Trump, according to a new McClatchy-Marist poll.

More than half of Americans believe race relations in the country have worsened over the last year and will continue to deteriorate under Trump.

The poll found that 51 percent of registered voters think relations have gotten worse while only 10 percent think they have improved. And voters don't have much hope that things will get better with Trump in the White House: Fifty-one percent also said they expect relations to worsen under Trump.

This gloomy outlook spans racial lines, according to Lee Miringoff, the director of the Marist College Institute for Public Opinion, which conducted the national survey. Sixty percent of Latinos, 57 percent of African-Americans and 50 percent of whites think relations have gotten worse over the last year.

"Usually, it's a different response from different groups," Miringoff said. "But it's practically uniform among blacks, whites and Latinos that it will deteriorate."

There's little optimism about the future. Among African-Americans, 73 percent said race relations would worsen under Trump, 9 percent said things would improve and 12 percent said they expected relations to remain the same.

"I'm not sure if everything is going to be OK or not," said Tessie Ross, 70, an African-American Democrat from Overton, Texas. "I got a feeling that (Trump) is a little bit prejudiced. I'm not sure where he'll stand, if he starts taking away rights. I'm trying to save my judgments and see what he does."

Sixty-four percent of Latinos said race relations would get worse, 19 percent said they would improve and 13 percent think nothing will change. Their grim outlook is fueled in part by Trump's recent executive orders on immigration and refugees and his campaign vow to build a giant wall along the U.S.-Mexican border, Miringoff said.

Forty-eight percent of white voters thought race relations will worsen under Trump, 29 percent said they would improve and 20 percent don't expect relations to change under Trump.

"I think we've come a long way, but there's always room for more understanding on both sides," said Mary Bailes, 62, a white moderate conservative voter from Boca Raton, Florida. "There definitely has to be more conversations, empathy, definitely."

By political affiliation, 79 percent of Democrats expected race relations to worsen under Trump, only 6 percent said things will improve and 12 percent said things would stay about the same.

Republicans voters offered a more optimistic view: Sixty-three percent said race relations would improve under Trump, 22 percent predicted no change and 12 percent think relations will get worse.

"I pray that things do get better," said Sandra Church, a 50-year-old white independent voter from Dillon, South Carolina. "But that's not saying they will."

Sen. Tim Scott, R-S.C., told McClatchy that America is "moving in the right direction" when it comes to race relations while also "hitting potholes along the way."

"Obviously, there's more polarization than we've seen in recent decades, probably," said Scott, whose state has been rocked in recent years by the racially motivated slayings of nine African-American churchgoers in Charleston and a debate over flying the Confederate flag.

"That's probably more the manifestations of the challenges that have been unearthed. . . . I think you'll see tremendous gains in the years to come. But there's no question that there's a certain level of distrust that is palpable that perhaps was not as evident before, and we're all going to have to be responsible for defusing some of those challenges."

Trump won 8 percent of the African-American vote and 29 percent of the Latino vote in last year's election, a contest in which race played heavily.

He called former President Barack Obama, the nation's first African-American president, "a great divider" and argued that "race relations now are as bad as they've ever been."

Trump riled many African-American voters by calling their neighborhoods "ghettos" and suggesting that cities with large African-American populations, like Philadelphia and Cleveland, were places where large-scale voter fraud would likely occur.

He also made overtures to African-American voters, outlining a so-called "New Deal for Black America" in an October campaign speech in Charlotte, North Carolina, and saying he would help strengthen historically black colleges and universities.

His pitch to African-American voters: "What the hell do you have to lose?"

Samantha Calixtro, 26, an independent voter from Weatherford, Texas, hopes that Trump is able to bridge racial divides. But she also said it was going to take more than the man in the White House to make race relations better.

"It's kind of up to us as people that need to unite," she said. "Hopefully, we teach our children, just raise them to think that we're all equal."

Manchin In The Middle – POLITICO Magazine

Politico Magazine, March 6, 2017

The first time Manchin ran for governor, in 1996, he was against abortion and for the death penalty and boot camps for juvenile offenders, and he had campaign contributions from the coal industry and endorsements from the state's biggest bankers and

The day before the inauguration of Donald Trump, in the Hart Senate Office Building on Capitol Hill, Senator Joe Manchin of West Virginia was sitting at his desk eating chili out of a paper cup when his cellphone buzzed. He didn't recognize the number, but he answered anyway, something he almost always does.

"Hey, hey—governor!" he said. "How ya doin', buddy?"

It was Jeb Bush. The two have known each other for years. Bush was the governor of Florida at the same time Manchin was the governor of West Virginia, and "governors have a bond," Manchin mused to Bush on the phone. But Bush had not called to catch up. He had called to lobby. One of Trump's Cabinet nominees was in trouble—Betsy DeVos, his pick to be education secretary—and she would need help to win confirmation in the Senate. Two moderate Republicans would vote against her, and Manchin, perhaps the most conservative Democrat in Washington, was the likeliest candidate to break from his party and push DeVos over the line. He had already proved his willingness to back other nominees. Could he see his way to getting behind Trump's education pick as well?

The former Republican presidential front-runner is not a voice most Democrats would expect to find on the line, or so clearly take in stride. But most Democrats don't sit where Joe Manchin sits, in one of the most unusual positions in Washington today. The instant Trump won his surprise victory in November, all eyes turned to Manchin as maybe the most vulnerable senator on the 2018 electoral map. Trump had swept Manchin's state by an astonishing 42 points. His home-state voters hadn't just leaned away from the candidate he endorsed—they had rejected her more convincingly than any voters outside Wyoming.

But if Manchin is worried, he isn't behaving that way. In fact, as Bush's personal entreaty suggests, Manchin is being courted by both parties: He was tapped for the Senate Democratic leadership within days of the election, but that didn't prevent him from making a visit to Trump Tower almost a month later, briefly putting his name in the mix for a Cabinet job. Nationally, the party needs him for his 48th vote in the Senate and also as a kind of translator for its ideas to Trump's America. As for his home state, he seems almost relieved no longer to be tied to the liberal policies of a president his voters hated. And he doesn't mind the attention from the new one."I've had more personal time with Trump in two months," he marveled, "than I had with [Barack] Obama in eight years."

Manchin's comfort working with Trump has infuriated progressives, which have lambasted him as an enemy of party purity—a Democrat in name only—and there's chatter in West Virginia about a possible primary from his left. Emboldened Republicans, meanwhile, see the seat in red-shifting West Virginia as theirs for the taking. It's hard to view his 2018 race as anything other than a referendum on what it means to be a Democrat. Here at the hyperdivisive dawn of the era of Trump, Manchin sits smack in the middle of the unresolved debate over whether rattled Democrats should respond to an angry base by veering harder to the left or instead notch some compromises in an effort to regain the trust of people who aren't clustered on the coasts or in cities and college towns. Is Manchin, in other words, part of the answer for the Democratic Party, a piece of the future—or is he the end of a line, one of the last of his breed?

"If the question is, 'Is there space for Joe Manchin inside the tent of the Democratic Party?'" said Matt Bennett of Third Way, a group that advocates for center-left Democrats, "the answer is, 'There better be.' Or else we're going to be in the minority forever."

"If you want to have a Democratic Party in places like West Virginia," said Democratic Senator Chris Murphy of Connecticut, "you have to be happy about somebody like Joe Manchin, right?"

Progressives, though, say extinction is next to inevitable for Democrats who have chosen the route Manchin has. "Our position," said Adam Green, co-founder of the Progressive Change Campaign Committee, "is that Democrats in red states are shooting themselves in the foot for the November 2018 election if they are not fighting Trump."

"Not fighting Trump" is a pretty fair description of how Manchin had spent November, December and January. He had chided House Democrats for their decision to boycott the new president's inauguration. He had supported nearly all of Trump's Cabinet nominees. He had even introduced Rick Perry, another former governor and Trump's nominee for energy secretary, at his Senate hearing.

DeVos, though, was turning out to be an exception. In his office, in his folksy, meandering way, Manchin displayed no hint of existential fear as he politely explained to Bush the limits of his Trump support. "Jeb," he said, "I appreciate your call, because that means a lot, but …." Charter schools, vouchers, the privatization of education—it wasn't a good fit, Manchin believed, for rural West Virginia. He had heard from constituents, and from the state's teachers' union. He assured Bush that he would work with DeVos no matter what, and that she almost certainly was going to get confirmed, even without his vote—eventually she did, albeit barely—but Manchin let him know that on this vote he would stick with his

party. “I’ve got people back home who are very much concerned,” he said.

He hung up, finished his chili and rested one of his big brown shoes on top of his desk. On one wall in his suite in Hart is a poster with a picture of John F. Kennedy and a quote from the 35th president—”Let us not seek the Republican answer or the Democratic answer, but the right answer”—and to Manchin’s right in his office is a glass case filled with campaign buttons for Kennedy, Bobby Kennedy, Jimmy Carter and other Democrats from the past half-century. Next to the glass case is a small bronze statue of a coal miner. And above the coal miner is a flat-screen television, and now it was set on CNN, with the sound back on, showing images of Trump’s arrival in Washington.

“I can call Donald Trump now, and he’ll probably pick up,” Manchin said in his office. “He picks up his phone. If you’ve got his number, he’ll talk to you. Damnedest thing I ever seen in my life. And he’ll call me and say, ‘Hey, this is Donald.’” Trump had called him—the first of several conversations—on Thanksgiving weekend. “Just called me out of the clear blue sky,” Manchin said. “And he says, ‘I know you’re a centrist Democrat, and you don’t look at party lines, and you want to work across the aisle and get something done, and I want to work with you.’ I said, ‘Oh, you got no problem with me.’”

I’ve had more personal time with Trump in two months than I had with Obama in eight years. … he’ll call me and say, ‘Hey, this is Donald.’”

This Trump-friendly stance, of course, comes with risk as well. The extent and durability of Trump’s popularity is impossible to predict. If Trump doesn’t deliver on his promise of coal jobs; if the flashy New Yorker goes down in some kind of self-dealing scandal, he could become a liability for the rural voters who put him in office. But as the clock ticked down on the Obama presidency, Manchin wasn’t holding himself like a man under threat. Outside his office, he walked the halls of the Hill and the streets with the loping, confident gait of the ex-athlete that he is.

One man flagged him down, wanting to shake his hand. “You’re a good man,” the man said to Manchin. “I like what you do. And I’m a Republican.”

“You’re an American,” Manchin responded.

Several people wearing red hats saying MAKE AMERICA GREAT AGAIN asked to have their picture taken with Manchin, and he happily obliged.

Was this bipartisan glad-handing a glimpse of the way forward for the Democratic Party, or a quaint anachronism of a less partisan time? On the way back to his office, Manchin was stopped once more, by Buck McKeon, the former California congressman—another Republican. “You’re doing great,” McKeon said. He told Manchin he was in the “sweet spot.”

“Well,” Manchin said, as he walked on, mulling over the notion, “it’s either the sweet spot or the hot spot.” He laughed. “It’s some kind of spot.”

Regardless, he said, “I like it.”

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Joe Manchin’s ascent as a Democrat in West Virginia is remarkable given that it has coincided with his state’s lurch from being one of the most resolutely blue to one of the most reliably red. Since 2000, West Virginia has voted for only Republicans for president, its congressional delegation has turned from all Democrats to all Republicans except Manchin, and the state legislature in 2014 flipped to GOP control for the first time in 83 years. And during this transformative span, exactly one statewide Democrat won again and again.

His many supporters say it’s because Manchin, 69, is skilled and shrewd and pragmatic. His many critics say it’s because he’s politically pliable and driven by instincts of self-preservation. All of them are right.

What Manchin is doing right now vis-à-vis Trump and his administration, this exacting straddling act—a nod to the left and a nod to the right, balancing the preferences of his party with the realities of the state he represents—is a version of something Democrats used to do almost reflexively, blending strains of liberalism and conservatism to create a mixture that appealed to their specific constituents. Zell Miller of Georgia and Ben Nelson of Nebraska personified that ethic in the Senate; representatives like Jane Harman anchored the conservative Blue Dog Democrats in the House. By the time Manchin arrived in the Senate in 2010, filling the seat held for half a century by Robert Byrd, he had been honing his own unique combination of political ideas for decades.

The first time Manchin ran for governor, in 1996, he was against abortion and for the death penalty and boot camps for juvenile offenders, and he had campaign contributions from the coal industry and endorsements from the state’s biggest bankers and business leaders. He then lost in the Democratic primary to Charlotte Pritt, a teacher, a daughter of a coal miner and an unabashed liberal who had the enthusiastic backing of union labor. Progressives in West Virginia still fume over what Manchin did next. In October of that year, weeks before the general election, he sent 900 letters to top Democrats around the state saying he wasn’t supporting Pritt because she wasn’t “interested in the concerns of moderate and conservative Democrats.” Instead, Manchin wrote, he would be supporting Cecil Underwood, the Republican candidate. Underwood won.

“He’s not a real Democrat and never has been,” Pritt said in a recent interview. Back in 1996, though, the most important Democrats in the state made the same decision he did. Gaston Caperton, the outgoing governor at the time, didn’t actively support Pritt. Neither did Byrd in Washington. And Pritt wasn’t endorsed by a single major newspaper in the state—not even the Democratic-leaning Charleston Gazette.

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Most Democrats in West Virginia, its editorial pointed out, are "middle-of-the-road folks, not inclined to stray too far from the centerline."

Manchin gauged the political makeup of the state and chose pragmatism over ideological purity. His calculus paid off. By 2005, he was the governor, a tax-cutting, anti-abortion, pro-gun Democrat—an overall political portrait that hasn't changed. His tax policies earned him an "A" from the libertarian Cato Institute—the sole Democrat to get that grade—and he would slam Obama's Environmental Protection Agency for "pie-in-the-sky" environmental standards, siding more with the interests of the state's influential extraction industries. "I'm Governor Joe Manchin," he said in one of his first speeches in the office, "and I am proud to be a friend of coal." He talked a lot about wanting to run the government like a business, sounding like a Republican at least as often as he sounded like a Democrat, but he also managed to gain the support of labor groups that had shunned him in 1996. He won in 2004 with 64 percent of the vote. He won in 2008 with just shy of 70 percent of the vote.

When he ran for the Senate, to highlight his endorsement from the National Rifle Association while simultaneously distancing himself from the toxic-in-West Virginia Obama, he filmed a theatrical ad titled "Dead Aim," in which he slowly loaded a rifle, pointed it downfield and fired a bullet through a copy of the president's cap-and-trade bill. It was a Manchin touch on a GOP template—and it worked. But in Washington, he was willing to cross the NRA crowd as well. After the murder of 20 elementary school students in Newtown, Connecticut, in 2012, he partnered with Republican Pat Toomey of Pennsylvania to push for bipartisan legislation to bolster background checks on sales of guns. For this, some Second Amendment crusaders called him a faker and a traitor.

The effort with Toomey ultimately failed, but it cemented how Manchin wanted to be seen: as a common-sense conduit between warring political factions, an image he has tried to cultivate throughout his time in the Senate. He has the most conservative voting record of Senate Democrats, according to GovTrack, a congressional analyst. He wishes more of his colleagues would do the same, too, to soften up the party-line lockstep.

In Washington, he lives on a houseboat, Almost Heaven, which he keeps docked in Southeast D.C.—"You buy something permanent, they think you like the place, and I sure as hell don't like the place," he says—and uses it as a neutral ground for foes from the Hill. Once, he invited Senate colleagues Tom Harkin and Ted Cruz, ideological opposites from Iowa and Texas, respectively. "Tom wasn't really excited about it, because they come from the yin and the yang," Manchin recalled. "I thought, 'Oh, hell, have another glass of wine.'" Liquor is a go-to lubricant. Manchin likes hosting bipartisan happy hours for staffers of senators who are politically combative. "A little moonshine loosens 'em up," he said.

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It's fair to say these matchmaking efforts in Washington haven't made much of a difference. Congress has gone the opposite way. Rarely have the nation's political parties been more starkly divided. Regular aisle-crossers like Manchin have been vanishing from both parties. And never has his brand of bipartisanship been more of a tightrope than over the past year and a half.

He endorsed Hillary Clinton early in the presidential campaign, in the middle of 2015, almost a year before she said her policies were "going to put a lot of coal miners and coal companies out of business"—and yet he still campaigned with her after that, making sure to label her comment "horrific" but insisting it wasn't what was "in her heart" and that she was "a friend" to West Virginia. It didn't work. In the state's Democratic primary, Bernie Sanders won all 55 counties. In the general election, only 26 percent of the voters in his state voted for Clinton. After that, it didn't take long for Manchin to toggle toward Trump.

If the question is, 'Is there space for Joe Manchin inside the tent of the Democratic Party?' the answer is, 'There better be.'"

In November, when exiting Senate Minority Leader Harry Reid, with whom Manchin had a frosty relationship, called Trump "a sexual predator who lost the popular vote," Manchin noisily sided with Trump, saying Reid's comments were "an absolute embarrassment." In December, Manchin eagerly accepted the invitation to go to Trump Tower, issuing a statement that he was "honored" to meet with Trump and "humbled" to be considered for secretary of energy. It wasn't clear at the time whether he was ever in serious contention for the post—Trump went with Perry shortly after meeting with Manchin—but a source familiar with GOP deliberations told

Politico there was concerted maneuvering to get Manchin into the Trump administration, blessed by Senate Majority Leader Mitch McConnell of Kentucky. In a Machiavellian play, McConnell hoped to remove Manchin from the Senate, the source says, believing it would all but guarantee the seat going to a Republican. "There was serious effort to get him into the Cabinet," a top GOP official said. Manchin pooh-poohed this: "I talked to Mitch a few times, but it was nothing," he said. "It wasn't anything about, 'I want you to do anything.'"

Either way, Manchin continued in January with his pro-Trump activity. He skipped a meeting on the Hill to discuss health care with Obama and fellow Democrats because he couldn't "in good conscience" talk to "only Democrats." He announced his support for Trump's selection to lead the EPA, Scott Pruitt, a climate-change denier who has been an

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antagonist of the agency he was tapped to lead, by participating in a highly unusual joint news release with Trump's transition team, in which Manchin was quoted saying he and Pruitt had "a great deal in common."

The day before the inauguration, over a breakfast of oatmeal and berries at the Hay-Adams Hotel a block from the White House, he let loose with some parting shots for Obama. The "redundancies" of his environmental regulations, Manchin said, "broke the will of the businessperson." Manchin is not in favor of "repealing and replacing" the Affordable Care Act, wanting to fix what needs to be fixed rather than starting over, but he said "Obamacare" was "when everything in the states got crazy—just divided the country." In West Virginia, he said, Obama is beyond disliked. "There's hatred." Manchin voted for Obama in 2008, and for Clinton last year, but he won't say whether he voted for Obama in 2012—"that's between me and my ballot."

About the new president, on the other hand, Manchin expressed fairly unfettered optimism. "He'll correct the trading policies, the imbalance in our trade policies, which are horrible," he said. "He'll hold China's feet to the fire. He's spot-on on China." And "hell no," Manchin said, he didn't have a problem with Trump calling companies to keep them from moving factories overseas. "Go right ahead and bully them, if we get more jobs in America," he said. Then he went and introduced Rick Perry—"my friend," he said—at his confirmation hearing.

In the first week of the Trump presidency, he voted to confirm Trump defense secretary General James Mattis, Trump homeland security secretary General John Kelly and Trump ambassador to the United Nations Nikki Haley, which put him in line with most Senate Democrats—but he also objected to his party's delay tactics on confirming many of Trump's other, more disputed nominees, which he called "bullshit."

In interviews with

Politico, Republicans lobbed compliments his way. "He is certainly someone who's unafraid of crossing the aisle," said Senator Susan Collins, the moderate Republican from Maine. "The American people need people like Joe Manchin," said Senator Richard Burr of North Carolina, who has a Manchin bumper sticker—his only bumper sticker for a Democrat—on his beat-up, semi-notorious Volkswagen Thing.

Manchin's chumminess with Trump, the statements he has made and the stances he has taken, have left some in his own caucus, meanwhile, privately rolling their eyes and shaking their heads. For the most part, though, his Democratic Senate colleagues tacitly have given him latitude based on a resigned understanding of his looming test in 2018.

"He will have a very hard reelection, and we know it," one Senate Democrat told

Politico.

"We know West Virginia voted overwhelmingly for Donald Trump as president, and he has to represent his state, so it's not unusual for him to take the positions he does," said Gary Peters of Michigan.

"You can't really blame Joe," another Senate Democrat said. "You can blame West Virginia."

"And he really tries, I think, to help when he can," said Dick Durbin of Illinois. "But there are times when he can't."

Senate Minority Leader Chuck Schumer of New York gave Manchin a leadership role after the election in November, tasking him with, among other things, improving Democrats' "messaging" to Democrats, or one-time Democrats who voted for Trump in places like West Virginia. And on the sixth day of the Trump presidency, at a retreat for Senate Democrats in Shepherdstown, West Virginia, Manchin hosted a panel of half a dozen such people—people whose families he has known for a long time, people who have voted for Manchin who nonetheless also voted for Trump. Some of Manchin's colleagues got more out of the session than others—Senator Richard Blumenthal of Connecticut called it "interesting, but certainly not novel"—but the overall takeaway was sufficiently simple: These are the sorts of people Democrats are going to have to win back, at least if they want to win again in areas that are red and getting redder, and they will vote for a Democrat so long as that Democrat looks something like Manchin. "Joe," Durbin told

Politico, "is a reminder to us."

Two days later, in Charleston, the capital of West Virginia, and where Manchin lives when he's not staying on Almost Heaven in Washington, Manchin attended a small ceremony to recognize eight graduates of a program called Mined Minds to help train blue-collar workers for technology jobs. The venue was the airy, high-ceilinged atrium of the state culture center and history museum, across a courtyard from the capitol's handsome gold dome. Outside, it was cold and gray and looked like snow. Inside, Manchin shook hands, kissed cheeks and touched shoulders. He is 6-foot-3, but his physical presence is tempered by his soft-featured face and genial, first-name-basis disposition. In his non-politics life, he was a carpet salesman and a coal broker. He's good at the retail side of the job, and even his critics concur. Manchin congratulated the graduates, concluding his remarks by saying, "Please come to Washington to visit me. I get lonely up there for West Virginians."

As the people filed out, off to the side, Manchin was asked about a story on the bottom of the front page of that day's local paper. A state legislator from the southern part of the state had dropped his party affiliation, changing from a Democrat to an independent. The legislator was quoted in the article saying the national Democratic Party hadn't done a good job of being "pro-coal, pro-gun, pro-life and pro-jobs."

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"I can understand that," Manchin said.

"My secret sauce is this: It's just me. I am who I am," he explained. "My brand is Joe Manchin, and I don't think they're looking at the 'D' or the 'R.' They know me—they knew me as governor, they knew me as secretary of state—and they say, 'Yeah, but he's not that type of Democrat.'"

Some wonder why he's still any kind of Democrat.

"I'm hanging on to my roots," Manchin said.

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Manchin is a Democrat because of the Kennedys, and because he was and is Catholic, and because of coal and the unions of workers who pulled it out of mountains, and because of where he grew up, and when—the 1950s and '60s, when basically everybody in West Virginia, and especially in Farmington, up by the Pennsylvania border, was a Democrat. Republicans, Manchin thought when he was young, were rich. And he lived "between the crick and the tracks." He didn't know anybody who was rich.

He is a Democrat because of his grandfather, who came to this country in 1904 as a boy from Italy named Giuseppe Mancini. America made that Joe Manchin. He went to work in the mines when he was 11 and helped organize a union in his 20s and then opened an auto repair shop and finally a grocery store, where he kept what customers owed in a black box of debts he seldom tried to collect.

Manchin is a Democrat because of his grandmother, Kathleen Roscoe Manchin, or Mama Kay. She was all but officially Farmington's largest charity. He watched her take in hobos off the passing trains, giving them a place to stay only if they agreed to dry out. He watched her broker peace between pregnant teenagers and their mothers. He delivered the loaves of bread she baked for neighbors on Saturdays.

And he is a Democrat because of his uncle, A. James Manchin, perhaps the most colorful politician in the history of West Virginia, a 5-foot-9, 280-pound "parade of handshakes, kisses and oratory," in the words of his biographer. There are those who say John F. Kennedy would not have won the presidency without winning the primary in West Virginia, and that he wouldn't have won the primary without A. James Manchin, and so it would follow that Kennedy would not have been president without the grass-roots help of the man Manchin knew as Uncle Jimmy.

Manchin got married in 1967, and he became a father in 1969, but the month he became an adult really was November 1968. His father owned a furniture store, and it burned down, killing three customers and a sales clerk. A week later, the local No. 9 mine blew up, killing 78 miners—including his mother's brother. Manchin took a semester off from West Virginia University, where he was a business administration major, to help his family regroup. November 1968 was a blur of grief for the Manchins, a before-and-after event.

For the country, too, it would prove to be an inflection point, because Richard Nixon's election as president marked the end of the winning Democratic coalition pieced together in the aftermath of the Depression by Franklin D. Roosevelt—and the beginning of a new political framework in which many people who were white and lived in rural, working-class places peeled away from Democrats and started to vote for Republicans. Looking back, the late '60s and early '70s were the incubator for the long-arc trends that put Manchin on an island of congressional moderates and Trump in the Oval Office—mechanization and then globalization, the decline of the unions that helped non-college-educated workers earn wages that enabled middle-class existences, and the slow deaths of so many towns like the one in which Manchin was raised.

Farmington today is a shell of what it was. St. Peter's Catholic Church, where Manchin was an altar boy, is still there. So is the smoke-filled pool hall called Sam's, where the Manchin men played poker. The Manchin clinic, where Manchin's brother is a doctor, is still open as well. Otherwise, the two-block main drag is mostly vacant. Manchin's high school is long since closed. The No. 9 mine shut down a decade after the disaster, and other mines in the area have closed or slowed, able to operate with fewer employees. Manchin says people in Farmington were Democrats "because Roosevelt saved 'em in the Depression." "But the old FDR Democrats, they're not alive anymore," said Ted Boettner, executive director of the West Virginia Center on Budget and Policy—and subsequent generations didn't see the party "working for them the way it did for their parents." Farmington has been losing population since the '50s. And in November, Marion County, a cradle of the candidacy of JFK, voted for Trump just as passionately as the rest of the state. Democrats at this point in a place like this are clinging to pieces of the past.

The first week of February, in the house where Manchin grew up, his sister, Paula Manchin Llaneza, plucked from their parents' chest of drawers photo albums and brittle, yellowed clippings from local newspapers. Later, in a house across town, one of Manchin's cousins, Theresa Witt, gathered her own collection of Manchin memorabilia. Together they formed a jumbled archive of the life of Senator Joe Manchin—the news of his all-conference exploits ("Versatile QB," the headline said), of his athletic scholarship to WVU ("strong arm," the coach said), of his injured knee and finished career ("heartbroken," his sister said), the coverage of the fire ("the town's largest business establishment," the article said), a brief about his first political victory in 1982, a picture of him on election night in 2000 with Uncle Jimmy. And all the obituaries. Of his uncle and his father and his grandfather. Of Mama Kay.

"I'm going to call Joe," Witt announced. "I want him to tell you about Mama Kay."

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It was a Thursday, nearing the end of the second hectic week of President Trump, dinner hour, dark now, and Manchin was in Washington. He had votes early the next morning, leading up to the DeVos decision. To that point in the week, Manchin—the West Virginia Democrat, the Farmington Democrat, a Democrat by birth just as much as by choice and therefore this idiosyncratic, iconoclastic mix on display in D.C.—on Tuesday had voted to confirm Trump Transportation Secretary Elaine Chao and on Wednesday had voted to confirm Trump Secretary of State Rex Tillerson and met in his office with Trump's unsurprisingly conservative pick for the Supreme Court. In his statement about Neil Gorsuch, Manchin had urged his colleagues to "put partisan politics aside." The biggest ongoing story of the week, though, was the furor and nationwide protests over Trump's immigration ban—and here was another break from Trump for Manchin. It had taken Manchin, conspicuously, three days to say something about it, putting him well behind his peers—his mother-in-law had died over the weekend—and his statement read cautiously compared with many of the other Democrats' stern rebukes. But Manchin noted that the "scope and execution" of the order "unfortunately" did not in his estimation constitute "a common sense approach" and seemed to be "rushed through before being properly vetted by senior security advisers."

Now Manchin was on speakerphone, his voice filling the kitchen of his cousin's house in his hometown, and he was talking about the bedtime stories his Mama Kay used to tell him.

"She's 6 years old, and she's on a ship, she's in steerage, the cheapest area of the boat, which is the bottom, and I remember her telling the story that she heard people screaming. She couldn't—she's down at the bottom of the boat—but she says she remembers when they're coming into New York Harbor. She didn't know where she was or what was going on, but all she remembers hearing is people screaming, 'The lady, the lady, the lady!' And the lady was the Statue of Liberty. And she wanted to see that lady. She kept running up and they kept chasing her down, she kept running up and they kept chasing her down, and she finally stuck around, to where she could see that lady."

Compared with his statement critiquing Trump's order, this seemed like a far more intimate, affecting way of discussing immigration. He was asked whether he had thought about the story in the aftermath of Trump's immigration order. If he had thought about Mama Kay.

"Yes," Manchin said.

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The next day, back in Charleston, fresh off a flight from Washington, Manchin sat shotgun in a big white SUV with signs on the sides saying it was his mobile office. Mara Boggs, his state director, gripped the steering wheel and sped south on Interstate 77, slicing through the brown-blue hills on the way to Beckley, where Manchin was scheduled to drop by a Veterans Affairs hospital before proceeding to a nearby funeral home to help his wife, Gayle, prepare for her mother's burial. It had been a long two weeks.

He was asked in the SUV about Trump's executive orders, their substance, the pace. "First of all," Manchin said, pushing back, again sounding almost more like a Republican, "Obama did a lot of executive orders." He said he was pleased the new president was "moving fast."

He was asked about Gorsuch. Some Democrats were clamoring to block Gorsuch the way Republicans had obstructed Obama's pick for the court. "It truly was an embarrassment the way Mitch McConnell treated a really accomplished jurist and a decent person in Merrick Garland," Manchin said. "But I don't know if two wrongs make a right."

And he was asked about his own seat in 2018. Was he siding with Trump in preparation for the fight he could see coming? The suggestion that he might be operating out of political calculation made him bristle. "What really pisses me off is all anybody thinks is I'm going to vote the way I vote or think the way I think because of getting elected," he said. "They don't understand. I don't give a shit about getting elected." If he loses, he gets to come home, he said. And if he wins, it's "meant to be."

In the SUV, there was silence for a spell.

Know this, though, Manchin added: "A Democrat that adheres to the Washington Democrat philosophy can't win," he said flatly. Not in West Virginia. Not in 2018. "I can tell you that."

He has been right so far. And in spite of its recent voting patterns, West Virginia still has more registered Democrats than Republicans, after all—but the national debate about what it means to be a Democrat and the direction of the party is happening now in Manchin's state through the prism of his current positioning and his upcoming election.

"If Joe Manchin is the answer, we're doomed," said Walt Auvil, an attorney in Parkersburg and a member of the state Democratic executive committee.

"There's no future in my mind for this 'Republican lite,'" said Chris Regan, an attorney in Wheeling considered an up-and-coming progressive in the state. "If there is going to be a Democratic resurgence in West Virginia and other states that have gone red, it's going to be as a party that articulates its views and takes the fight to Republicans, not me-too-ism."

"Your new West Virginia Democrat is going to be aligned with a Bernie Sanders type," said Shawn Fluharty, a left-leaning Democratic member of the state House of Delegates, "and not a Joe Manchin type."

That's crazy, said Mike Plante, a longtime Democratic strategist based in the state: "Asking Joe Manchin to vote like a progressive Democrat is like asking him to put the noose around his neck and kick the chair out from under his feet."

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Republicans see this intraparty sniping and smile. Conrad Lucas, the state GOP leader, thinks Manchin's practically beaten already, given West Virginia's political swerve. "I think in 2018," Lucas said, "he'll be defeated overwhelmingly." By? "Whoever our nominee is." Potential opponents include Patrick Morrissey, the state's first Republican attorney general since the 1930s; U.S. Representative David McKinley; and U.S. Representative Evan Jenkins, who flipped from Democrat to Republican in 2013 and told

Politico he is "very seriously considering" running for Manchin's seat in the Senate. Conservative groups are expected to hit Manchin with perhaps millions of dollars in ads. His endorsement of Clinton will be fodder. So might one of his three children, Heather Bresch, the CEO of drug company Mylan, tainted by the recent EpiPen price-hike controversy.

Manchin is unconcerned. "I think they'll talk about everything," he said.

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Back in Washington, in the ensuing days and weeks, in the midst of the chaos of the first month of the Trump presidency, Manchin made good on his pledge to go against DeVos and also voted against Tom Price, Trump's pick for secretary of Health and Human Services (who was confirmed). But Manchin voted for Jeff Sessions for attorney general and for Steven Mnuchin for Treasury secretary, two of the most contentious nominees. He was the only Democrat to vote for either of them. One evening, at an anti-DeVos rally in Washington, Manchin hugged liberal Massachusetts Senator Elizabeth Warren; three days later, at a luncheon at the White House, he hugged Trump and then sat right next to the president as cameras clicked and rolled; two days after that, he met for an hour-long, off-the-record conversation with reporters and editors from the ethno-nationalist, Trump-loving, formerly Steve Bannon-run Breitbart website. And then national security adviser Michael Flynn was ousted only 24 days into his new job, and a late-night bombshell broke the news that Trump aides had communicated with Russian intelligence officials throughout the presidential campaign.

The next morning, in the Manchin suite in Hart, the headlines of the newspapers on the coffee table in the lobby blared. "Capital Reels Amid Tumult." "White House in crisis mode." Manchin, who in December was assigned to the Senate Select Committee on Intelligence, sat at his desk. Had members of Trump's staff colluded with top Russian officials to influence the outcome of the most important election in America? Had Trump? "The doggone public needs to know," Manchin said.

Not even a full four weeks beforehand, at breakfast at the Hay-Adams, on the last day of Obama's presidency, Manchin had talked about the incoming president in optimistic tones that sounded an awful lot like relief. Now? "Wherever the intel takes us is where we'll go," he said, decidedly warier. But he stressed he wasn't "running from" Trump.

"I'm not prejudging," he said. "I'm not prejudging." And he wasn't hearing much from constituents, anyway, at least not yet.

"It's too early," Manchin said. "He's only been here a month. Democrats who don't like him still don't like him. He hasn't won any of them over. Those who are still, like myself, wanting to work with him, and wanting him to succeed, I think we're still in that position."

As soon as he figures out he's not the CEO of the United States, he's gonna be fine," Manchin said. Think he will? "I'm hopin', buddy," he said.

Manchin leaned back in his chair and watched Trump on the TV. "As soon as he figures out he's not the CEO of the United States, he's gonna be fine," he said.

Think he will?

"I'm hopin', buddy," he said.

A framed picture that had just been delivered sat outside his office. It showed Senate Democratic leaders—Sanders to Schumer's far left, Manchin to his far right. Schumer had written a note. "Dear Joe," it said. "Thanks for being part of the team!" The following week, Manchin would have a cantankerous conference call with political activists in West Virginia in which he called Sanders "not even a Democrat" and dared somebody to challenge him in a primary. "Vote me out!" he said. "I'm not changing!" And before Trump's late February speech to a joint session of Congress, he would be part of Trump's official escort to the front of the chamber; after the speech, he would give Trump another hug and laud his "presidential tone." Now, though, Manchin walked past the Democratic leadership picture on his way to a meeting with Tom Perez, the soon-to-be-elected Democratic National Committee chairman, to discuss the party's future. Bound for the offices of the Democratic Senatorial Campaign Committee, he stepped outside onto the sidewalk on Maryland Avenue and then bolted to a slim median. For a second, it looked like Manchin was going to make a break and run the rest of the way across. But he thought better of it, catching himself and retreating, opting instead to stay in the middle of the road as a cold wind whipped and traffic raced around him.

Michael Kruse is a senior staff writer for Politico.

Burgess Everett is a congressional reporter at Politico.

House Democrats Identify Vulnerable Incumbents For 2018 Cycle

By Cristina Marcos

The Hill, March 6, 2017

The House Democratic campaign arm on Monday announced the 19 members considered most vulnerable in the 2018 election cycle who will benefit from its incumbent protection program.

More members could be added or removed from the Democratic Congressional Campaign Committee's (DCCC) "Frontline Program," which provides candidates with extra fundraising and campaign infrastructure support.

Democrats need to win 24 seats to win back the House in 2018, which will mean they need to protect virtually all of their incumbents in addition to flipping GOP-held districts. It's a tall order after House Democrats flipped only nine seats in 2016, with a net gain of just six.

The list includes most of the 12 Democrats who represent districts won by President Trump in November. But four such lawmakers are notably absent: Reps. Tim Walz (Minn.), Ron Kind (Wis.), Matt Cartwright (Pa.) and Collin Peterson (Minn.).

Kind, Cartwright and Peterson are considered strong incumbents who generally haven't faced particularly tough general election challenges in recent years, despite representing districts won by Trump. Kind ran unopposed in last year's election.

Walz, meanwhile, is considering a run for Minnesota governor in 2018 after narrowly winning reelection to the House last year. He said last month that he expects to make a decision about a possible gubernatorial bid by April.

The other eight Democrats in Trump districts are on the DCCC's list: Reps. Rick Nolan (Minn.), Sean Patrick Maloney (N.Y.), Cheri Bustos (Ill.), Josh Gottheimer (N.J.), Tom O'Halleran (Ariz.), Jacky Rosen (Nev.), Carol Shea-Porter (N.H.) and Dave Loebsack (Iowa).

The rest are in districts won by Democrat Hillary Clinton but still considered competitive next year: Reps. Ami Bera (Calif.), Salud Carbajal (Calif.), Charlie Crist (Fla.), Elizabeth Esty (Conn.), Ruben Kihuen (Nev.), Ann McLane Kuster (N.H.), Stephanie Murphy (Fla.), Scott Peters (Calif.), Raul Ruiz (Calif.), Brad Schneider (Ill.) and Tom Suozzi (N.Y.).

"Each of these Democrats knows how to win tough races — proven by their success in a difficult national environment in 2016," DCCC Chairman Ben Ray Luján (D-N.M.) said in a statement. "Incumbent protection is a critical part of the DCCC's offensive strategy, and will allow us to maximize our gains in 2018."

The National Republican Congressional Committee (NRCC) released an initial list of 36 Democratic targets last month that includes most of the lawmakers in the DCCC's Frontline Program.

Democrats have indicated they're targeting 59 GOP seats, focusing on Republicans representing districts carried by Clinton or narrowly won by Trump. A total of 23 GOP lawmakers represent Clinton districts, nearly the number of seats Democrats need to win the House majority.

The NRCC so far has named 10 members, most of whom represent districts won by Clinton, to its incumbent protection program.

Democrats Identify Vulnerable Members For 2018

By Simone Pathé

Roll Call, March 6, 2017

The Democratic Congressional Campaign Committee on Monday is naming 19 members to the Frontline Program for its most vulnerable incumbents in 2018.

The initial Frontline roster, obtained first by Roll Call, is about half freshman members. Eight members won in districts President Donald Trump carried last fall. And all of them, save for one, are National Republican Congressional Committee initial targets.

Seven of the members on this year's list were also on the DCCC's initial 2016 Frontline list. Out of the 12 Frontline members on the 2016 list who sought re-election last fall only Nebraska Rep. Brad Ashford lost.

"Each of these Democrats knows how to win tough races — proven by their success in a difficult national environment in 2016," DCCC Chairman Ben Ray Luján said in a statement.

"The Frontline Program will help these members again build strong campaigns, maximize resources and take advantage of the energy from the grassroots, so that they can continue to fight on behalf of the hardworking people in their districts," Luján added.

Democrats need to gain 24 seats to win control of the House next year, which makes protecting their incumbents a high priority during a midterm year when turnout is typically less favorable for the party.

The NRCC named 10 members to its incumbent protection program last month.

Here are the 19 members on the Frontline roster, which is subject to change as the cycle develops:

California Rep. Ami Bera was one of just a handful of Republican targets last cycle. He won re-election by 2 points against a challenger who faced allegations of unwanted sexual advances. Hillary Clinton won the 7th District comfortably, but Bera's vulnerability will likely stem from his father's guilty plea for making illegal contributions to his campaigns.

California Rep. Salud Carbajal, a freshman, won by 7 points in a district Clinton carried by 20 points.

California Rep. Raul Ruiz won by 24 points in a district Clinton won by 9 points. President Barack Obama won this district, too, but by narrower margins in 2012 and 2008.

California Rep. Scott Peters also sits in a Clinton district, which he won by 13 points. Like his fellow California

representatives Bera and Ruiz, Peters was in the 2016 Frontline program.

Illinois Rep. Cheri Bustos, another 2016 Frontline member, won re-election by 21 points last fall. But Trump narrowly carried her district, and it represents the kind of rural seat Republicans would like to pick off.

Florida Rep. Charlie Crist, a freshman, only won by 4 points in a seat redistricted in Democrats' favor. The former Republican governor has earned some negative press in his first few months and has already emerged as a favorite target of the NRCC.

Florida Rep. Stephanie Murphy won her first term by 3 points last fall, defeating long-time Republican John Mica, who was caught unprepared to run a serious re-election campaign. She'll likely be vulnerable against a different Republican.

Connecticut Rep. Elizabeth Esty won a third term by 16 points last fall, but Clinton won less than 50 percent of the vote here.

New Jersey Rep. Josh Gottheimer was one of Democrats' success stories last fall, when he knocked off long-term GOP Rep. Scott Garrett after he ran afoul of national Republicans. But Gottheimer could have a tougher race in this Trump district against a Republican who's not Garrett.

Nevada Rep. Ruben Kihuen, another freshman, and Clinton both won the 4th District by low single digits.

Nevada Rep. Jacky Rosen will likely have the tougher race of the two Silver State freshmen. She and Trump both narrowly won the 3rd District.

New Hampshire Rep. Carol Shea-Porter is in her fourth non-consecutive term representing this swing district, which Trump carried in November.

New Hampshire Rep. Ann McLane Kuster, who chairs the Frontline program, was also on the incumbent-protection program in 2016, when she won by about 4 points. She represents the more Democratic of the two Granite State districts.

Iowa Rep. Dave Loebsack won a fifth term by 7 points last fall, but Trump carried his 2nd District by 4 points.

New York Rep. Tom Suozzi's Long Island district was a GOP target in 2016, but the Democrat won the open seat by 6 points. Clinton also won here, but with less than 55 percent of the vote.

New York Rep. Sean Patrick Maloney won re-election by 11 points but sits in a Trump district.

Minnesota Rep. Rick Nolan, who's considering a gubernatorial bid in 2018, was one of Republicans' top targets in 2016. He won by less than a point, while Trump carried the 8th District by 16 points.

Arizona Rep. Tom O'Halleran, a freshman, represents a district that Trump — and Mitt Romney and John McCain before him — won. The former GOP state lawmaker won by 7 points last fall but that was against a scandal-plagued Republican who lost national support.

Illinois Rep. Brad Schneider returned to Congress this year after defeating former GOP Rep. Robert J. Dold. His 10th District routinely flips parties in the midterms, but this is the one seat of the 19 that the NRCC has not included in its initial target list. Spotted on the House floor last month, Dold told Roll Call he hadn't talked to the committee yet about running again.

Republicans have identified 36 targets for 2018, a third of which are in Trump districts. But several of those members are absent from the initial Frontline roster.

Trump carried Minnesota Rep. Collin C. Peterson's 7th District by more than 30 points, which led Peterson to have a closer-than-expected re-election against an underfunded challenger. The same was true for fellow Democratic-Farmer-Labor Rep. Tim Walz, who won re-election by less than one point. Both seats could be strong pick-up opportunities for Republicans if open. But Inside Elections with Nathan L. Gonzales currently rates them both Lean Democrat.

Republicans also have their sights set on Pennsylvania Rep. Matt Cartwright, whose 17th District Trump won by 10 points. Inside Elections rates his seat Democrat Favored. Trump more narrowly won Wisconsin Rep. Ron Kind's district. His seat is also rated Democrat Favored but could present a stronger opening for Republicans if Kind runs for governor.

David Samson, A Christie Ally, Sentenced To Home Confinement

By Patrick McGeehan

New York Times, March 6, 2017

David Samson, a former attorney general of New Jersey and longtime friend of Gov. Chris Christie, avoided prison time during his sentencing on Monday for pressuring executives of United Airlines into operating a weekly flight to South Carolina for his personal convenience. Instead, he was ordered to serve one year of home confinement.

Mr. Samson, 77, pleaded guilty to bribery in July, admitting that he had used his power as chairman of the Port Authority of New York and New Jersey to coerce United into running the route even though it was not profitable. He had threatened to block the construction of a hangar that United needed at Newark Liberty International Airport if the airline did not provide the service. The route ended in Columbia, near one of Mr. Samson's homes.

Mr. Samson is the fourth one-time ally of Mr. Christie to be convicted or to plead guilty to charges that arose from investigations into the closing of access lanes to the George Washington Bridge in 2013.

Another of Mr. Christie's appointees to the Port Authority, Bill Baroni, and one of the governor's aides, Bridget

Anne Kelly, were convicted last year for their roles in the lane closings. They are scheduled to be sentenced later this month. Mr. Baroni's top deputy at the agency, David Wildstein, pleaded guilty to running the scheme.

Judge Jose L. Linares of United States District Court in Newark also ordered Mr. Samson to serve four years of probation and pay a $100,000 fine. Mr. Samson's lawyers had argued that he should be given probation and ordered to perform community service because he was in such poor physical and mental shape.

But federal prosecutors countered that Mr. Samson was "the highest-ranking appointed public official who has been convicted in this district in many years" and should be sent to prison. In a memorandum to the court last week, they wrote that Judge Linares had the chance to send the message "that violating the public trust is unacceptable and must be met with stiff penalties."

Mr. Christie, in a statement, said, "This is a sad day for David and his family and friends. The court has ruled and this chapter is now behind us. David will now pay the price for his bad judgment."

The sentencing was a long fall for Mr. Samson after many years of wielding influence in New Jersey. A founding partner of one of the state's most powerful law firms, he had served as attorney general under former Gov. Jim McGreevey, a Democrat, and as a mentor to Mr. Christie, a Republican.

Mr. Christie appointed him in 2010 to be chairman of the Port Authority, which operates the three major airports in the New York metropolitan area, as well as the bridges and tunnels that link New Jersey and New York City. He resigned from that position in 2014. Three days later, United stopped operating the flights between Newark and Columbia, S.C.

Supreme Court Won't Decide Transgender Bathroom Case

By Richard Wolf

USA Today, March 6, 2017

WASHINGTON – The Supreme Court will not decide the hot-button issue of transgender bathroom rights after all.

The justices on Monday sent the case of Gavin Grimm, a 17-year-old Virginia high school senior, back to a federal appeals court because the Trump administration withdrew guidance to schools that had instructed them to grant transgender students' bathroom preferences. The case had been scheduled for oral argument later this month.

By rescinding the Obama administration's policy, the Departments of Justice and Education eliminated the basis for the appeals court's earlier decision in Grimm's favor. While the Supreme Court could have decided the case on other grounds, it decided instead to give the U.S. Court of Appeals for the 4th Circuit another chance.

Lawyers for Grimm and the Gloucester County School Board had urged the court to decide the case despite the sudden change in the federal government's position on the issue. But the justices likely reasoned that they could deadlock 4-4 on the case while federal appeals court Judge Neil Gorsuch's nomination to the ninth seat is pending, rendering their decision moot.

The lawyers had said the high court still could decide whether a 1972 prohibition against sex discrimination in education requires that students can use sex-separated facilities based on their gender identity.

"The school board believes the better course is for the court to proceed with argument and a decision on the merits, after receiving the current views of the United States," Kyle Duncan, the board's lawyer, wrote. Delaying action, he said, could lead to "enormous litigation costs as well as needless and divisive political controversy."

Joshua Block, the American Civil Liberties Union lawyer representing Grimm, had said the court should hear the case without delay. "Delaying resolution would provide no benefit to the court and would needlessly prolong harm to transgender students across the country awaiting this court's decision," he wrote.

Missing from both letters was Gorsuch's pending nomination. With hearings slated to begin March 20, the Senate could confirm the 49-year-old judge in time to hear April's oral arguments, and certainly those lined up for the 2017 term beginning in October.

Supreme Court Sends Virginia Transgender Case Back To Lower Court

By Robert Barnes

Washington Post, March 6, 2017

The Supreme Court on Monday vacated a lower court's ruling in favor of a Virginia transgender student after the Trump administration withdrew the federal government's guidance to public schools about the controversial bathroom policy.

The justices were scheduled to hear the case later this month. But after the federal government's position changed, the court said the U.S. Court of Appeals for the 4th Circuit should reconsider the dispute between the Gloucester County school board and 17-year-old Gavin Grimm.

The 4th Circuit had relied on the federal government's guidance that school should let transgender students use the bathroom that corresponds with the student's gender identity.

The Trump administration withdrew that guidance, which was issued by the Obama administration.

Both the school board and Grimm's attorneys had asked the Supreme Court to let the case proceed, saying it presented a reading of the civil rights law Title IX that the court ultimately will have to settle.

Grimm, whose birth gender was female, has become a celebrated figure in the transgender-rights community because of his lawsuit, with profiles in national media. His case was thought to be an important milestone on the issue.

While the Obama administration said anti-discrimination laws required allowing transgender students to use the bathroom of their choice, the Trump administration said it needs more time to study the issue and put forward its own view of the law.

The delay in Supreme Court consideration of the issue most likely means that it will do so with a full nine-member court. Trump has nominated Judge Neil Gorsuch to fill the seat left empty for more than a year after the death of Justice Antonin Scalia.

Grimm began attending Gloucester High School as a boy during his sophomore year. He has changed his name and has a birth certificate identifying him as a boy.

The case is Gloucester County School Board v. G. G.

Transgender Bathroom Showdown Canceled By U.S. Supreme Court

By Greg Stohr

Bloomberg Politics, March 6, 2017

The U.S. Supreme Court canceled a scheduled showdown over the bathroom rights of transgender students in public schools, sending the case back to a lower court after the Trump administration changed a pivotal federal policy.

The justices were planning to hear arguments March 28 in the case of Gavin Grimm, a transgender Virginia high school student seeking access to school restrooms that align with his gender identity.

A federal appeals court had said the school district was probably violating U.S. civil rights law by reserving the boys' bathrooms for "biological" males. The appellate court based its decision on an Obama administration letter that, until the new administration revoked it in February, interpreted federal law as protecting the bathroom rights of transgender students.

The new Supreme Court order throws out the appeals court ruling. The lower court will now reassess the case by directly considering what's required by Title IX, the 1972 law that bars discrimination in schools.

It briefly appeared that the earlier appeals court ruling would give Gavin access to the boys' bathroom for his final year at Gloucester High School in eastern Virginia. The Supreme Court, however, put the appeals court decision on hold before the school year began.

Gavin, who was born with female genitals, has become the face of the transgender-rights movement because of his suit against the Gloucester County School Board.

The move gives President Donald Trump's administration more time to formulate its approach toward transgender students and potentially shape the case's outcome. Although Trump's Education Department rescinded President Barack Obama's interpretation of Title IX, the new administration hasn't put forward its own view of what the law requires.Judge Gorsuch

Both Gavin's lawyer and the school board urged the Supreme Court to go ahead and decide the case, though the board suggested postponing arguments until the new administration had a chance to weigh in. The board's approach might have delayed the case long enough for the Senate to confirm Judge Neil Gorsuch to fill the vacancy on the shorthanded court.

Gloucester County officials argued that the lower court ruling upended a decades-old understanding that schools could have separate restrooms based on physiological gender.

Gavin, now 17, came out as transgender to his parents during his freshman year and has been attending school as a male since he was a sophomore. He's legally changed his name, amended his birth certificate to identify him as male, and developed facial hair and a deep voice as a result of hormone therapy. He says he always uses boys' or men's restrooms elsewhere.

The school let Gavin use the boys' restroom for several weeks in 2014 before the board intervened and voted to change the policy. Since then, Gavin has generally used the nurse's restroom, though the school has since installed three single-user bathrooms. His case involves only bathrooms, not locker rooms.

The case is Gloucester School Board v. G.G., 16-273.

Supreme Court Won't Hear Major Case On Transgender Rights

By Adam Liptak

New York Times, March 6, 2017

WASHINGTON — The Supreme Court announced on Monday that it would not hear a major case on transgender rights after all, acting after the Trump administration changed the federal government's position on whether public schools must allow transgender youths to use bathrooms that match their gender identities.

In a one-sentence order, the Supreme Court vacated an appeals court decision in favor of a Virginia transgender boy, Gavin Grimm, and sent the case back for further consideration in light of the new guidance from the administration.

The Supreme Court had agreed in October to hear the case, and the justices were scheduled to hear arguments this month. The case would have been the court's first encounter with transgender rights, and it would probably have been one of the biggest decisions of a fairly sleepy term.

Proponents of transgender rights said they were disappointed that the court had not taken the chance to decide a pressing national issue.

"Thousands of transgender students across the country will have to wait even longer for a final decision from our nation's highest court affirming their basic rights," said Sarah Warbelow, the legal director of the Human Rights Campaign.

Kerri Kupec, a lawyer with Alliance Defending Freedom, a conservative Christian group, welcomed Monday's development.

"The first duty of school districts is to protect the bodily privacy rights of all of the students who attend their schools and to respect the rights of parents who understandably don't want their children exposed in intimate changing areas like locker rooms and showers," she said.

There are other cases on transgender rights in lower courts, including a challenge to a North Carolina law that, in government buildings, requires transgender people to use bathrooms that correspond with the gender listed on their birth certificates. The law has drawn protests, boycotts and lawsuits.

The question in the Virginia case was whether Mr. Grimm could use the boys' bathroom in his high school. The Obama administration said yes, relying on its interpretation of a federal regulation under a 1972 law, Title IX, that bans discrimination "on the basis of sex" in schools that receive federal money.

The Department of Education said in 2015 that schools "generally must treat transgender students consistent with their gender identity." Last year, the department went further, saying that schools could lose federal money if they discriminated against transgender students. The Trump administration withdrew that guidance last month.

Mr. Grimm attends Gloucester High School in southeastern Virginia. For a time, school administrators allowed him to use the boys' bathroom, but the local school board later adopted a policy that required students to use the bathrooms and locker rooms for their "corresponding biological genders." The board added that "students with gender identity issues" would be allowed to use private bathrooms.

The American Civil Liberties Union, which represents Mr. Grimm, told the justices that requiring Mr. Grimm to use a private bathroom had been humiliating and had, quoting him, "turned him into 'a public spectacle' before the entire community, 'like a walking freak show.'"

After Mr. Grimm challenged the school board's bathroom policy in court in 2015, a divided panel of the United States Court of Appeals for the Fourth Circuit, in Richmond, Va., ruled the policy unlawful. A trial judge then ordered school officials to let Mr. Grimm use the boys' bathroom.

A 1975 regulation adopted under Title IX allowed schools to provide "separate toilet, locker rooms and shower facilities on the basis of sex." The Fourth Circuit said that the rule was ambiguous and that the Education Department's interpretation of it was entitled to "controlling weight."

Both sides had hoped the Supreme Court would decide the case, Gloucester County School Board v. G.G., No. 16-273, even after the Trump administration withdrew its guidance on the meaning of the regulation.

In a letter to the justices last week, Joshua A. Block, a lawyer with the A.C.L.U., said the administration's change in position did not render the case moot, as the basic question of what Title IX meant remained. "The underlying principle that discrimination against transgender individuals is a form of discrimination on the basis of sex has been widely accepted in the lower courts for years," he wrote.

"Delaying resolution would provide no benefit to the court and would needlessly prolong harm to transgender students across the country awaiting this court's decision," Mr. Block wrote.

In a second letter, S. Kyle Duncan, a lawyer for the school board, agreed that the case should proceed, though he suggested a brief delay to allow the Trump administration to weigh in.

A ruling on the meaning of Title IX, Mr. Duncan wrote, "will save the parties — as well as public and private parties involved in similar disputes throughout the nation — enormous litigation costs as well as needless and divisive political controversy."

The Supreme Court rejected those requests, apparently preferring to wait for a cleaner presentation of the issues in a different case.

Supreme Court Won't Say If Trans Teen Can Pick Bathroom

By Mark Sherman

Associated Press, March 6, 2017

WASHINGTON (AP) – The Supreme Court is leaving the issue of transgender rights in schools to lower courts for now after backing out of a high-profile case Monday of a Virginia high school student who sued to be able to use the boys' bathroom.

The court's order in the case of teenager Gavin Grimm means that attention now will turn to lower courts around the country that are grappling with rights of transgender students to use school bathrooms that correspond to their chosen gender, not the one assigned at birth.

The appeals court in Richmond, Virginia, and other appellate panels handling similar cases around the country will have the first chance to decide whether federal anti-discrimination law or the Constitution protects transgender students' rights.

Monday's action by a court that has been short-handed for more than a year comes after the Trump administration pulled back federal guidance advising schools to let students use the bathroom of their chosen gender, not the one assigned at birth.

The justices rejected a call from both sides to decide the issue in a case that was dramatically altered by the election of President Donald Trump.

Grimm's case had been scheduled for argument in late March. Instead, a lower court in Virginia will be tasked with evaluating the federal law known as Title IX and the extent to which it applies to transgender students. Lawsuits involving transgender students are making their way through the courts in at least five other states: Illinois, North Carolina, Ohio, Pennsylvania and Wisconsin.

For Grimm, the order means that he probably will graduate with the issue unresolved. Now, his wish to use the boys' bathroom is blocked by a policy of the Gloucester County school board. Although he won a court order allowing him to use the boys' bathroom at Gloucester High School, the Supreme Court put it on hold last August, before the school year began.

Talking to reporters by telephone Monday, Grimm said the situation has added stress to the usual senior year worries of applying to college because the "school board has sent this direct message ... that there is something about you that deserves to be segregated from the rest of the student body."

The court case has drawn attention from all over the world. Apple, IBM and Microsoft were among the 53 companies that signed onto a brief filed last week urging the court to rule in his favor.

In Gloucester, a small, conservative Tidewater town, the issue has divided residents and fellow students.

Fellow senior Shaelyn McNeil said Grimm should be free to make changes, but she thinks his lawsuit has "gone a little too far."

Shelbi Stackler, a graduate of Gloucester High School, said Grimm should be allowed to use the boys' bathroom because "he doesn't want to feel different. He just wants to feel like a normal boy."

Joshua Block, the American Civil Liberties Union attorney who represents Grimm, said he remains persuaded that courts ultimately will side with transgender students.

But, Block said, "This is disappointing for trans kids across the country and for Gavin, who are now going to be held in limbo for another year or two. But Title IX means the same thing today as it meant yesterday. Lower courts already have held that it protects trans kids."

In a statement relayed by school board lawyer Kyle Duncan, the board said it "looks forward to explaining why its commonsense restroom and locker room policy is legal under the Constitution and federal law."

The high court action follows the administration's recent decision to withdraw a directive issued during Barack Obama's presidency that said which bathroom to use should be based on students' gender identity.

The administration action triggered legal wrangling that ended with Monday's order. In essence, the federal appeals court in Richmond, Virginia, had relied on the Obama administration's interpretation of Title IX to side with Grimm. The appeals court accepted the administration's reading of the law without deciding for itself what the law and a related regulation on same-sex bathrooms and locker rooms mean.

No appeals court has yet undertaken that more independent analysis, and the Supreme Court typically is reluctant to do so without at least one appellate opinion to review, and usually more than one.

Another possible explanation for Monday's order is that the court might want more of a societal consensus to develop before it issues a ruling in favor of transgender rights, said John Neiman, an Alabama lawyer who served as a law clerk to Justice Anthony Kennedy.

"What happened today feels a lot like 2013, when the court used a procedural ruling to temporarily duck the same-sex marriage issue," Neiman said.

By 2015, same-sex marriage was back before the court and Kennedy's opinion gave same-sex couples the right to marry nationwide.

The court's reluctance to take on transgender rights now may have been underscored by the high court vacancy caused by the death of Justice Antonin Scalia nearly 13 months ago and the refusal of Senate Republicans to consider Obama's nomination of Judge Merrick Garland to fill the seat. Eleven days after taking office, Trump nominated Judge Neil Gorsuch for the court.

Senate Republicans, who hold a slim majority, have scheduled hearings on Gorsuch's nominations to begin on March 20 and hope to vote to confirm him by the second week in April.

The justices did not comment on the case beyond their one-sentence order returning it to the 4th U.S. Circuit Court of Appeals.

Associated Press writers Ben Finley in Norfolk, Virginia, and Sarah Rankin in Richmond, Virginia, contributed to this report.

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U.S. High Court Action Leaves Transgender Students In Legal Limbo

By Lawrence Hurley

Reuters, March 6, 2017

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Supreme Court Tells Lower Court To Reconsider Transgender Bathroom Case In Light Of Trump Position

Previous court decision deferred to Obama administration's interpretation of antidiscrimination law

By Jess Bravin

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Gavin Grimm Will Graduate Without Justice

Washington Post, March 6, 2017

IT WAS always sad that a simple request by Virginia transgender student Gavin Grimm to use a bathroom matching his gender identity ended up on the docket of the nation's highest court. After all, as Mr. Grimm once so eloquently wrote, this was a matter of common sense that should have been resolved "quietly and privately." But even sadder than the prejudice and ignorance that turned this into a federal case is the fact that Mr. Grimm will graduate from high school still waiting for the justice that he and other transgender people need to protect them.

The Supreme Court had been set to hear arguments March 28 in Mr. Grimm's case against the Gloucester County School Board. Monday, in a one-sentence order, the court announced it would not hear the case but instead was sending it back to the U.S. Court of Appeals for the 4th Circuit in Richmond. The order comes on the heels of the Trump administration's decision to change the federal government's position by rescinding school guidance protecting transgender students.

In withdrawing the directive issued during the Obama administration advising schools to allow students to use the bathroom of their gender identity and not biological birth, Education and Justice department officials said they needed to "further and more completely consider the legal issues involved." Never mind, as was spelled out in an amicus brief filed by former members of the Obama administration, that there was painstaking review and analysis over several years before the conclusion was reached that federal anti-discrimination laws apply to transgender students.

Never mind, either, the real-life experiences of schools and states that followed the guidance: Allowing students to use bathrooms aligned with their gender identity has not caused problems . Mr. Grimm in fact was first permitted to use the boys' bathroom at his high school and did so for almost two months without incident until adults made political hay of the issue and a cowardly school board abandoned common sense. Forcing transgender students to use facilities based on the sex listed on their birth certificates subjects them to teasing, bullying and worse.

Lawyers for Mr. Grimm are disappointed in the Supreme Court's decision, but they don't view it as a final defeat; they plan to press the case in the appeals court. Hopefully the process will not lose sight of the real people whose lives are at stake and who, as one transgender man wrote in a brief supporting Mr. Grimm, "just want to live in peace as who we are."

Yelp Starts Tracking Gender-Neutral Bathrooms For Transgender Users

By Niraj Chokshi

New York Times, March 6, 2017

Yelp, the crowdsourced website that offers reviews of everything from restaurants to stores to churches, is adding a new way to filter its results: by the availability of gender-neutral bathrooms.

The new feature was announced on Friday, just one week after it was proposed, and represents Yelp's latest foray into the fight for transgender rights. On Thursday, the company joined dozens of others, including Amazon, Gap, Intel and Yahoo, in signing on to a Supreme Court brief on behalf of Gavin Grimm, a transgender boy seeking the right to use school bathrooms that correspond to his gender identity.

"This isn't the first time that we've spoken out about social issues, but this is the first time that we have married doing something on our platform around the social justice support of the L.G.B.T.Q. community," said Rachel Williams, who leads the company's diversity and inclusion efforts.

The gender-neutral bathroom filter is aimed at helping people who are transgender, who often report facing challenges in finding safe and suitable bathrooms to use.

In its 2015 National School Climate Survey, the Gay, Lesbian & Straight Education Network, an advocacy group, interviewed about 1,600 transgender students and reported that 70 percent had reported avoiding school bathrooms because they felt unsafe or uncomfortable.

For now, Yelp is inviting users and business owners to identify establishments that offer locking, single-stall bathrooms that are available to individuals of any gender, with plans in the coming weeks to let users filter results based on that data, once enough is collected.

The idea was first proposed by the mother of an employee. The employee then passed it along to the company on Feb. 24, days after President Trump rescinded Obama-era protections that had allowed transgender

students to use bathrooms corresponding to their gender identity.

Motivated in part by that decision, Yelp's product team prioritized the feature, piecing it together in four to five days, with the announcement coming just one week after the idea was proposed, Ms. Williams said.

"This administration is moving pretty fast and so this happened, the Gavin Grimm case came up, and we wanted to capture the moment," she said.

Yelp settled on the "gender-neutral" label — instead of alternatives such as "all-gender" or "gender-inclusive" — after consulting with the Human Rights Campaign, which advocates for gay rights, and others, she said.

With its platform, the company may ultimately be able to assemble the largest directory of transgender-friendly bathrooms, but it is not the first to try.

Refuge Restrooms, an open-source directory, claims to have thousands of such entries. Another listing, Safe Bathrooms Club, was introduced last March in response to a North Carolina law passed that month that required transgender people to use the bathrooms and locker rooms that corresponded to the gender on their birth certificate.

That directory was created by Emily Waggoner and her male transgender partner River Luck, who are North Carolina natives who now live in Boston. Inspired by a series of photos of transgender-friendly businesses shared by a friend online, the pair decided to create Safe Bathrooms Club.

"We saw this via Instagram and thought 'Wouldn't it be cool to see those businesses on a map?'" said Ms. Waggoner, a user interface and user experience designer.

The directory addresses a problem Mr. Luck faced most acutely during his transition over the last several years. With his gender identity at times ambiguous as he underwent hormone therapy, he found himself thrust into what felt like uncomfortable and dangerous situations.

"On several occasions, we would have to leave where we were because it wasn't safe for me to use the bathroom there, and that was terrifying," he said.

While Yelp's effort may overlap with theirs, Mr. Luck and Ms. Waggoner said they don't feel threatened. "The more ways that people can find a safe bathroom, the better," Ms. Waggoner said.

Racial Bias In The Jury Room Can Violate A Defendant's Right To A Fair Trial, Supreme Court Says

By Robert Barnes

Washington Post, March 6, 2017

Accusations that a juror made racially biased statements about a defendant may require judges to break through the usual secrecy that surrounds jury deliberations, the Supreme Court ruled Monday.

"A constitutional rule that racial bias in the justice system must be addressed — including, in some instances, after the verdict has been entered — is necessary to prevent a systemic loss of confidence in jury verdicts," Justice Anthony M. Kennedy wrote in a 5-to-3 decision.

"The Nation must continue to make strides to overcome race-based discrimination," wrote Kennedy, who sided with the court's four liberal members. "The progress that has already been made underlies the Court's insistence that blatant racial prejudice is antithetical to the functioning of the jury system."

The court's decision came in the case of Coloradan Miguel Angel Peña Rodriguez, who found out after his 2007 conviction that a juror said he thought that Peña Rodriguez was guilty of sexual assault because he was Mexican and that "Mexican men take whatever they want."

The premise that jury deliberations should be confidential is older than the Constitution, and Kennedy noted that in other cases, the court has declined to probe behind the jury room door.

But charges of racial and ethnic animus provide a limited exception to the rule, he wrote, necessary "to ensure that our legal system remains capable of coming ever closer to the promise of equal treatment under the law that is so central to a functioning democracy."

Kennedy was joined by Justices Ruth Bader Ginsburg, Stephen G. Breyer, Sonia Sotomayor and Elena Kagan.

Chief Justice John G. Roberts Jr. and Justices Clarence Thomas and Samuel A. Alito Jr. dissented. They said even comments as objectionable as those in the Peña Rodriguez case did not justify such a change.

Alito wrote that "with the admirable intention of providing justice for one criminal defendant," the court "rules that respecting the privacy of the jury room, as our legal system has done for centuries, violates the Constitution."

Peña Rodriguez was challenging federal rules and those employed in Colorado and elsewhere that forbid challenging statements made during jury deliberations.

He was convicted of groping two teenage girls in a bathroom at a Colorado racetrack where he worked. He denied it and said it was a case of mistaken identity. The jury acquitted him of a felony charge and convicted him of misdemeanors. He was sentenced to probation and required to register as a sex offender.

After the verdict, two jurors told defense attorneys that another juror, identified in court papers as H.C., had made the comments about Mexicans and said that as a former law enforcement officer, he had seen numerous similar cases.

He said that "nine times out of 10 Mexican men were guilty of being aggressive toward women and young girls" in his experience, the jurors said, adding that H.C. called the defendant "an illegal." (Peña Rodriguez was a legal resident, his lawyers said.)

Peña Rodriguez's lawyers wanted the judge to investigate the comments to decide whether they had deprived their client of a fair trial. But the judge said he was barred from conducting such a review, and his decision was upheld by a 4-to-3 vote of the Colorado Supreme Court.

Colorado Solicitor General Frederick R. Yarger told the justices during oral arguments that the alleged comments from the juror were "no doubt reprehensible." But he added that the "citizen jury system requires safeguards to ensure full and fair debate in the jury room and prevent harassment and tampering after verdicts are handed down."

Kennedy conceded that the Supreme Court has ruled previously — when there were allegations of jurors abusing drugs or alcohol or having a pro-defendant bias — that the confidentiality of the jury process was too important to allow a judge's investigation.

"The same cannot be said about racial bias, a familiar and recurring evil that, if left unaddressed, would risk systemic injury to the administration of justice," Kennedy wrote. (The parties in the case and the justices agreed that the ethnic bias in the Peña Rodriguez case was the same as racial bias.)

Kennedy said there must be a "clear statement" that indicates a juror "relied on racial stereotypes or animus to convict a criminal defendant" before the judge could consider a defendant's claim. He said it has not been shown to occur very often in states that already allow such inquiry.

But Alito said the court's constitutional finding was a "startling development" that would only expand in the future. "At a minimum, cases involving bias based on any suspect classification — such as national origin or religion — would merit equal treatment," Alito wrote. "So, I think, would bias based on sex . . . or the exercise of the First Amendment right to freedom of expression or association."

Alito said that the court's decision "seeks to remedy a flaw in the jury trial system, but as this Court said some years ago, it is questionable whether our system of trial by jury can endure this attempt to perfect it."

The case is Peña Rodriguez v. Colorado.

Jury Secrecy Doesn't Apply If Bias Taints Deliberations, Justices Rule

By Adam Liptak

New York Times, March 6, 2017

WASHINGTON — The Supreme Court ruled on Monday that courts must make an exception to the usual rule that jury deliberations are secret when evidence emerges that those discussions were marred by racial or ethnic bias.

"Racial bias implicates unique historical, constitutional and institutional concerns," Justice Anthony M. Kennedy wrote for the majority in the 5-to-3 decision.

The case arose from statements made during jury deliberations in a 2010 sexual assault trial. "I think he did it because he's Mexican, and Mexican men take whatever they want," a juror said of the defendant, according to sworn statements from other jurors submitted by defense lawyers after the trial was over.

The juror, identified in court papers as H.C., was a former law enforcement officer. After the trial was over, two other jurors submitted sworn statements describing what he had said during deliberations.

"He said that where he used to patrol, nine times out of 10 Mexican men were guilty of being aggressive toward women and young girls," one juror recalled.

Those statements, Justice Kennedy wrote, warranted an investigation by the trial judge into deliberations that are ordinarily secret. Justices Ruth Bader Ginsburg, Stephen G. Breyer, Sonia Sotomayor and Elena Kagan joined the majority opinion.

In dissent, Justice Samuel A. Alito Jr., joined by Chief Justice John G. Roberts Jr. and Justice Clarence Thomas, wrote that the majority opinion was a well intentioned but ill-considered intrusion into jurors' privacy. "This is a startling development," Justice Alito wrote, "and although the court tries to limit the degree of intrusion, it is doubtful that there are principled grounds for preventing the expansion of today's holding."

Justice Kennedy wrote that the usual tools to root out biased jurors — questioning during jury selection and reports from jurors before they render a verdict — are less effective when race is at issue. Pointed questions about racism may exacerbate tensions, he wrote. And jurors may be reluctant, he added, to accuse one another of insensitivity.

"Not every offhand comment indicating racial bias or hostility will justify" an investigation into jurors' deliberations, Justice Kennedy wrote. "For the inquiry to proceed, there must be a showing that one or more jurors made statements exhibiting overt racial bias that cast serious doubt on the fairness and impartiality of the jury's deliberations and resulting verdict."

In dissent, Justice Alito countered that it would be difficult to limit the sweep of the court's ruling. He added that the court's constitutional analysis was flawed.

"The real thrust of the majority opinion is that the Constitution is less tolerant of racial bias than other forms of juror misconduct, but it is hard to square this argument with the nature of the Sixth Amendment right on which petitioner's argument and the court's holding are based," Justice Alito wrote.

"What the Sixth Amendment protects is the right to an 'impartial jury,'" he wrote. "Nothing in the text or history of the amendment or in the inherent nature of the jury trial right suggests that the extent of the protection provided by the

amendment depends on the nature of a jury's partiality or bias."

In earlier cases, the Supreme Court has said that even egregious misconduct in the jury room cannot be used to challenge a conviction if it would require jurors to testify about what was said there. Until Monday, though, the court had never squarely confronted whether racial or ethnic prejudice requires an exception to the general rule.

In 1987, in Tanner v. United States, the Supreme Court let stand convictions in a mail fraud case in Florida even though the jury had treated the trial as "one big party" fueled by "rampant drug and alcohol abuse," as one juror described it. During recesses, jurors drank pitchers of beer and liters of wine, and they used marijuana and cocaine.

Afterward, in the courtroom, some jurors slept. One was "in a sort of giggly mood."

Justice Sandra Day O'Connor, writing for the majority, said there were good reasons to ignore "irresponsible or improper juror behavior" if it was based on jurors' accounts of what had gone on in the jury room.

After-the-fact challenges based on jurors' testimony, she wrote, would make it less likely that jurors would speak candidly during deliberations. Allowing such challenges would encourage lawyers to harass former jurors, she said, and undermine the finality of verdicts.

In 2014, in Warger v. Shauers, the Supreme Court unanimously ruled that jurors may not testify about what went on during deliberations, even to expose dishonesty during jury selection.

But Justice Sonia Sotomayor, writing for the court, suggested that cases involving racial bias might require a different result.

"There may be cases of juror bias so extreme that, almost by definition, the jury trial right has been abridged," she wrote. "If and when such a case arises, the court can consider whether the usual safeguards are or are not sufficient to protect the integrity of the process."

Monday's decision addressed the question the court had deferred in 2014.

Miguel Angel Peña Rodriguez, who maintains that he is innocent, was convicted of harassing and trying to grope two teenage sisters in a racetrack bathroom. A defense witness testified that Mr. Peña Rodriguez was elsewhere at the time of the assault.

H.C., the juror said to have made the biased statements, was not persuaded by that testimony, according to a fellow juror. "He said he did not think the alibi witness was credible because, among other things, he was 'an illegal,'" the fellow juror said.

The jury deadlocked on the most serious charge, a felony, but convicted Mr. Peña Rodriguez of three misdemeanors. He was sentenced to two years' probation.

In Monday's decision in Peña Rodriguez v. Colorado, No. 15-606, Justice Kennedy said the justice system must root out racial bias.

"The progress that has already been made," he wrote, "underlies the court's insistence that blatant racial prejudice is antithetical to the functioning of the jury system and must be confronted in egregious cases."

Justice Alito responded that the majority's motives were admirable but misguided, citing the 1987 decision.

"The court's decision is well-intentioned," he wrote. "It seeks to remedy a flaw in the jury trial system, but as this court said some years ago, it is questionable whether our system of trial by jury can endure this attempt to perfect it."

Supreme Court Says Jury Secrecy Not Guaranteed If Racial Bias Exists

Case involved Colorado juror who made biased statements about Mexican defendant

By Jess Bravin

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Big Airlines Hire Big Lobbyists In Push To Upend Nation's Air Traffic Control System

By Curtis Tate And Alex Daugherty

McClatchy, March 6, 2017

Big airlines spent more than $16 million to lobby Congress and federal agencies last year.

The city of Wichita spent $80,000 and its allies spent some more, but their combined firepower was nowhere near that of the airlines.

The airlines' lineup included three former U.S. senators, one of them a former Republican leader. Wichita's mayor joined other city officials across the country and wrote Congress a letter.

Yet Wichita and its friends aren't down and out. This little guy/big guy fight is classic Washington power politics, as the two sides spar over a proposal from the big airlines and their trade groups to remove air traffic control from the Federal Aviation Administration, where it's been for decades.

Small cities and general aviation manufacturing hubs oppose the effort to transfer that responsibility to a private corporation governed largely by the industry.

The airlines are eager to change the system because they'll have more control over the nation's airspace. The Wichitas of America fear they'll end up paying higher costs in fees for takeoffs and landings – and have less control over a system dominated by major airlines.

"There's hundreds of communities that feel the same way we do," said Victor White, the director of Wichita's Dwight D. Eisenhower Airport.

Wichita, the nation's leading manufacturer of small airplanes, is the largest city whose mayor signed a letter to congressional leaders opposing the plans to change who oversees U.S. airspace.

"On behalf of the tens of thousands of communities around the country, we are concerned about the very real and dire ramifications of eliminating congressional oversight of this public air transportation infrastructure," said the letter, dated Monday and signed by Wichita's Republican mayor, Jeff Longwell, and 117 other mayors nationwide.

Wichita and some of its aviation manufacturers have lobbyists in Washington, but they're up against well-paid and well-connected former members of Congress and their staffs. Among the Washington heavyweights pulling for the big airlines: former Senate Republican leader Trent Lott of Mississippi and former Sens. John Breaux, D-La., and Christopher "Kit" Bond, R-Mo.

The commercial carriers that serve Wichita – including American, United and Southwest – paid Washington firms a combined $10 million for lobbying last year to push, in part, for the change in air traffic control. Southwest paid $120,000 to Kit Bond Strategies, the former senator's firm.

Airlines for America, an industry trade association, spent another $6.4 million on lobbying last year, according to the Center for Responsive Politics, a nonpartisan Washington watchdog group. It paid $350,000 to Squire Patton Boggs, where Lott and Breaux are senior counsel.

Vaughn Jennings, a spokesman for the group, said "modernizing our nation's ATC infrastructure in the sky is every bit as critical to our economy as roads, rail and bridges — thus we are urging Congress to deliver the world-class ATC system that the traveling and shipping public deserves."

The city of Wichita, by contrast, paid one lobbyist at the Washington firm of Alcalde & Fay $80,000 to do all its advocacy work last year, including opposition to the plan to place air traffic control in the airline industry's hands. It did get help from some other interests.

The system is already safe and efficient, White said.

"The users are saying it's not broken," he said. "Let's not throw it out."

The big airlines want to upend the air traffic control system to speed up implementation of NextGen, a long-stalled project to replace 1950s ground-based radar technology with GPS systems capable of moving more planes more closely together through the sky.

The FAA estimates that it will cost the federal government and the airline industry $35.8 billion to complete the system by 2030. The airlines think their plan can make it happen faster.

At an aviation conference last week in Washington hosted by the U.S. Chamber of Commerce, current and former airline executives talked up a bill sponsored by Rep. Bill Shuster, R-Pa., the chairman of the House Transportation and Infrastructure Committee, to change who controls the skies.

"It's sort of like having a gravel highway when you need a highway," United CEO Oscar Munoz said of the air traffic control system. "You just talk with Boeing and you talk with Airbus, they are building Ferraris. You could never drive a Ferrari on a gravel road."

Bob Crandall, former CEO of American Airlines, said other countries, including Canada, had removed control of their airspace from the government with satisfactory results.

"This concept has been adopted by more than 50 other countries in one form or another," he said. "No country that has made the change has ever sought to change back."

But to Selena Shilad, the executive director of the Alliance for Aviation Across America, an advocacy group for general aviation and local airports, improving air traffic control technology is a shared goal that can be accomplished without changing who runs it.

"There's a lot of ideas on modernization," she said. "We have concerns about the conflation of modernization with privatization."

Shilad and White reject the comparisons with Canada and other countries.

"The amount of air traffic that uses their system is minuscule," White said.

"We're so much larger and more diverse," Shilad said.

Shilad's group, which does not employ a lobbying firm, has some notable allies that do, including Textron, a leading manufacturer of general aviation and business aircraft that employs thousands of workers in Wichita. Delta Air Lines is the notable among major air carriers in opposing the privatization proposal.

Kansas Republican Sen. Jerry Moran and Sen. Bill Nelson, a Florida Democrat, are members of the Senate Commerce Committee, which has jurisdiction over aviation policy, and are vocal opponents of the Shuster bill.

While the measure never got a floor vote in the House of Representatives or the Senate, it's likely to resurface. Congress must reauthorize the FAA by Sept. 30.

"It's far from over," White said.

About 88 percent of the airports that are eligible for federal improvement funds do not have scheduled air service. Though Wichita does have commercial service, its economy depends heavily on general aviation.

"There's a real concern here, particularly among small and midsize communities," Shilad said. "We're thrilled that Wichita joined."

Inquiry Opens Into How 30,000 Marines Shared Illicit Images Of Female Peers

By Dave Philipps

New York Times, March 6, 2017

FOIA CBP 001308

Some photographs show female Marines posing topless in their dress uniform slacks, or with their camouflage blouses open, in pictures they thought would forever be secret. Others show private moments swiped from their personal social media sites.

In one photograph, surreptitiously taken in February, a female corporal from Camp Lejeune, in North Carolina, is shown bent over from behind. The image, once posted online, was flooded with derogatory comments, including suggestions that she should be raped.

Now the Defense Department has opened a criminal investigation and the Marine Corps is facing its latest unwanted controversy after it was revealed over the weekend that a secret online Facebook group of active-duty and veteran Marines shared thousands of naked and private photos of Marine Corps women.

The invitation-only group, called Marines United and made up of more than 30,000 active-duty Marines and veterans, built online dossiers on Marine women without their knowledge or consent, listing dozens of women's names, ranks, social media handles and where they are stationed.

The Marine Corps quickly condemned the all-male group, saying in a statement on Sunday that Marines United's conduct "destroys morale, erodes trust and degrades the individual." The Naval Criminal Investigation service has opened an investigation, and the Marine Corps said that any Marine who "directly participates in, encourages, or condones" illicit activity could face court-martial. The Marine Corps declined to say how many Marines were being investigated.

The news of the group's existence was first reported by a veteran's news organization, The War Horse, on Saturday.

One of the victims of the group was Marisa Woytek, a Marine Lance corporal serving at Camp Pendleton, who had photos taken from her Instagram account and posted to the group. She was alerted by friends and sent a screen shot.

"They were nothing scandalous, just me saying good morning," said Corporal Woytek in an interview. "But the comments went just as far toward sexual assault and rape and degrading as your imagination can go."

"I love the Marine Corps," she added. "But after seeing that, I wouldn't re-enlist."

Several Marines said the Marines United postings are an evolution of a retaliatory practice called "make her famous." Marines would share nude photographs of girlfriends or spouses they believed were cheating through text messages to a broad swath of people, encouraging them to forward the photos.

Jason Elsdon, a Marine in his early 40s, who said he was a member of Marines United and said he played no role in posting, organizing or disseminating the photographs, argued that people were overreacting. "It was just nudes," he said, "I scrolled past it." He added: "I don't feel that it's right, but I don't feel that people should be utterly surprised that it is happening. There are other groups, and many are civilians, that are the same way."

He defended the larger mission of the group and the web page, which is a grab bag of military news and humor, saying it provided needed support. He cited instances in which servicemen were contemplating suicide and the page would "light up" with people who wanted to help.

Though all military branches face problems with integrating women, the Marine Corps has perhaps the toughest challenge. Not only does it have the smallest proportion of women of all the services — 7 percent, compared with 14 percent in the Army — it also has the highest rate of sexual assault reports. Reforms also continually collide with a culture of ground-pounding infantry fighters that despite the efforts of some in the leadership, embraces a tradition of brawling, hard-drinking and sexual exploits.

"As Marines, we revel in all of it," one online poster said in a debate on Reddit about the group, posted months before its existence was publicly revealed. "As a whole, Marines are a rough and tumble group of war dogs with a taste for the carnal things in life."

But many Marines have pushed back against the idea that crude behavior is intrinsic to their identity.

"That is absolute nonsense," said Maj. Clark Carpenter, a Marine Corps spokesman. "A true warrior carries himself with a sense of decency and compassion, but is always ready for the fight," he said. "Those who hide in the dark corners of the internet with a shield of anonymity and purport to be warriors are nothing of the sort — they are nothing more than cowards."

Still, the Marine Corps leadership has never fully rid the Corps of its rough ethos, and in recent years it has been hit with a number of scandals when this mentality broke into the open, including allegations that commanders retaliated against women who reported sexual assaults and recent reports that drill instructors hazed recruits, especially Muslims.

The Marine Corps is also the military branch that has put up the stiffest resistance to opening combat jobs to women, with several high-ranking Marines saying the move could hurt combat effectiveness. A small group of women joined combat units in January.

Women in the Marine Corps say the culture has been hostile to them for years.

"When I was in Iraq, I always carried a can of black spray paint to cover up what was written about me in the port-a-johns," said Kate Hendricks Thomas, a Marine veteran who is now a professor of behavioral health at Charleston Southern University. "I tried to laugh it off, but the harassment is so pervasive that it can have a real effect."

FOIA CBP 001309

Marines United collected thousands of photos that appeared to be a mix of private photos shared by former partners and images taken from personal accounts. Some were photos of women clothed, and others in various states of undress, in civilian and military clothing, and often accompanied by a blizzard of lewd comments.

In September, a Marine veteran named John Albert was invited to join the site, and, disgusted by what he found, alerted Facebook.

"I have tons of friends who got killed in Afghanistan and have died since they came home. These types of actions dishonor their names and the entire Marine Corps," Mr. Albert said in an interview.

Facebook took down the page temporarily for violating a ban on nudity after the complaint, Mr. Albert said, but the group apparently got around restrictions on nudity by shifting photos to a shared Google file.

Then on Saturday, a Marine veteran named Thomas Brennan, who served in Iraq and Afghanistan, where he was wounded by a rocket-propelled grenade, and later founded the nonprofit news site The War Horse, wrote about the group.

Marine Corps officials, alerted to the site by Mr. Brennan, contacted Google and had the files removed.

Since publishing the story, Mr. Brennan said he and his family had received death threats from members of the group. He charged that one member was offering "500 bucks for nudes" of Mr. Brennan's wife and said he was "cooperating with multiple law enforcement agencies" regarding threats to him and his family.

"I'm no angel, I have deployed just like these Marines. I've sat around a fire in Afghanistan and shared that dark, dark Marine humor. In ways that humor has healing properties. But this is different. It has gone too far," he said. "We are hurting other Marines."

The Army Could Let Soldiers Grow Beards. No, Seriously.

By Meghann Myers

Army Times, March 5, 2017

The old adage is true: Ask (and ask and ask and ask) and you shall receive.

The Army is in the midst of a study to determine whether it can safely allow soldiers to wear beards, multiple officials have confirmed to Army Times.

Soldiers have been discussing the idea behind closed doors and in open forums for years, but the push to research the possibilities and make a decision really picked up earlier this year, according to the Army G-1 uniform policy sergeant major.

"It's more driven from the religious accommodations group," said Sgt. Maj. Anthony Moore, referring to a working group that made the recommendations that informed the Army's authorization of beards for Sikh men in uniform.

"Soldiers would ask here and there, but it's gained traction since the Army directive for religious accommodations," he said in a Feb. 28 phone interview.

When the working group convened last year to talk beards and turbans, officials expanded the conversation to include hijabs and dreadlocks, Sergeant Major of the Army Dan Dailey told Army Times earlier this year. Those accommodations were all later authorized in a new directive.

"They said, okay, if we're going to do religious accommodations, we have to be inclusive," Dailey said in a January interview.

That discussion led to the idea of allowing beards in general.

"I'm not opposed to having a beard," Dailey said. "I've socialized this with several people, including [Army Chief of Staff Gen. Mark Milley] — how do we do that to maintain standards? I think that we have to continue that study."

Once the study is complete, the results will be discussed by Dailey's senior enlisted counsel and briefed to the chief of staff of the Army.

If leadership decides to go forward, an update to AR 670-1 would eventually have to be signed off by the secretary of the Army.

"Authorizing the wear of beards in the Army, in addition to approved religious accommodations policy, is a topic that soldiers have inquired about recently across the force," Dailey said March 2 in a follow-up statement. "As of now, there are no plans to change the policy. Army leaders and researchers are currently reviewing the wear of beards by soldiers in the Army. Any potential change in policy will be made with careful consideration to the professionalism, standards, discipline, readiness and safety of all of our soldiers."

Why, or why not?

Dailey likened the popularity of beards to tattoos, jokingly calling it "a trending phenomenon."

Tattoos, along with women's hairstyles, have been at the center of major uniform shifts in the past few years, largely based on demand from soldiers themselves.

Beards, the next frontier, have been banned in all but a few corners of the military since the dawn of chemical warfare and issued gas masks during World War I.

For most of the 20th century, clean-shaven faces were preferred in the civilian world as well, so it wasn't much of an issue.

When facial hair made a comeback in the 1970s, then-Chief of Naval Operations Adm. Elmo Zumwalt changed the Navy's regulations to reflect the times.

The other services held fast, however. In fact, the Army went in the opposite direction, doing away with its facial hair exemption for Sikh soldiers in 1984, the same year the Navy re-banned beards.

That was that until the Global War on Terror, when leadership discovered that special operations forces could blend in better with the local population while deployed to Iraq and Afghanistan if they sported full beards.

But as that image of the terrorist-crushing operator took hold in a big way, popular culture in the civilian world once again also embraced a full face of hair.

The Army earlier this year approved religious accommodations for Sikh soldiers to maintain their beards and turbans. Here, a coalition service member maintains security during a patrol with Afghan National Army Special Forces.

Photo Credit: Sgt. Pete Thibodeau/Marine Corps

Both Dailey and his predecessor routinely fielded questions at town hall meetings about bringing back the beard, but there was always a catch — the gas mask.

"A lot of it has been driven by the fact that the mask has been shown, through tests, not to seal properly with facial hair," Moore said. "Right now they're still running more tests to see how much facial hair an individual can have before the mask gets impeded for safety."

The other piece is tradition, or, specifically, the iconic image of the clean-shaven American service member.

"I'm not against beards, but I do have what I believe should be the perception of the American people of the United States Army soldier," Dailey said. "I believe we should represent, in their eyes, what they think their soldiers should represent."

That feeling is shared among a lot of old-school soldiers.

"Younger soldiers may see no problem with beards. More traditional soldiers like myself may have issues with them," Moore said. "I'm sure that will play some part in it, but that won't be the overwhelming factor."

The research

The Army has studied beards and gas masks more than once in recent years, but the test last fall for the religious accommodations working group came to the same conclusion as its predecessors.

"Our findings were that the articles of faith degraded the negative pressure respirators," said Lamar Garrett, field element chief at the Army Research Laboratory. "When the mask is designed, it's designed to fit the individual without any obstruction."

Back in October, ARL gathered up 90 men and women — mostly civilians, with a few airmen — and divided them into five groups for testing.

One group wore personal protective gear with their hair in regs, while another did a wear test with a beard, with long hair tied up in an under-turban, with a hijab, and with hair that had more than two inches of bulk when measured from the scalp.

The tests included wearing the standard issue M50 Joint Service General Purpose Mask and the Army Combat Helmet, as well as the top from the Joint Service Lightweight Integrated Suit Technology kit.

They also tested out the Level A protection equipment worn by chemical, biological, radiological, nuclear and explosives soldiers. In the end, no one with a beard could get a good seal, Garrett said.

"The baseline folks passed," he said. "Everyone else degraded in some form or another."

But the religious accommodations group still pushed through with the Sikh beard exemption, with the caveat that soldiers will have to be clean shaven if they want to serve in a CBRNE unit.

"If we really wanted to do some serious analysis, we could look at what was the degradation of an individual with a beard that's an inch-and-a-half, two inches, etc.," Garrett said.

Now, that research has moved on to the Natick Soldier Research Development & Engineering Center, where a team is testing beards and religious headgear as well.

"We are investigating the feasibility of wearing the Advanced Combat Helmet with beards, along with hijabs, bulk hair, and turbans, in the context of religious accommodation," said Shalli Sherman, who manages Integrated Protection Test Methods at NSRDEC.

The team is currently testing the helmet's fit to determine whether its inner padding needs to be altered for a good fit, then test that new configuration for performance under impact.

"The helmet fit assessment is nearly complete, and the blunt/ballistic testing is set to begin within the next few weeks and expected to run through June," Sherman said.

There's also a possibility that the Army could field new masks that work better with some facial hair.

A mask like that is currently issued to Army special operators, Moore said, but its high cost isn't feasible for issuing to conventional troops.

"The assistant secretary of the Army (acquisition, logistics and technology) will conduct additional testing of existing equipment to determine whether any product alternative exists and provide a plan to acquire protective masks for bearded individuals," Army spokesman Wayne Hall told Army Times.

What if

In his travels, Dailey said, he's asked members of scruffier militaries how they reconcile gas masks and beards.

The top enlisted soldier in Norway had a bit of a hack.

"I said, 'so what do you do?' He said, 'I have to be able to seal my mask. So if you look at my beard, it's all shaved under here,'" Dailey said, explaining that the soldier kept his beard closely shaven to his jawline to leave enough bare skin for the mask to cling to.

He asked the same question of an Israeli soldier.

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"He said, 'I'm required to shave it when I go into combat,' " Dailey recalled.

If leadership approves of the wear-test results, the next steps would be to determine length, bulk and shape of facial hair, along with — for example — whether it would need to be shaved on deployment.

"That's a probability," Moore said. "While they're doing the test, they're also looking at some of those options. If you decided to allow beards, could we have people shave them if we needed to? All that's under review right now."

No decisions are imminent, he added, but beards are on a list of soldier requests the uniform office is considering right now, along with nail polish and earrings in the Army Combat Uniform.

"There's a large desire for soldiers now to want to grow beards," Dailey said. "And we're not avoiding the conversation. I think we're going to get to it."

Army Explores Changing Rules To Allow Beards: 'There's A Large Desire'

By Douglas Ernst

Washington Times, March 6, 2017

The U.S. Army is conducting tests to see if regulations can be safely changed to grant soldiers a specific wish: beards.

Modern troops are not fond of the clean-shaven look traditionally associated with Army life, but as of now the only personnel that have them were granted religious exceptions or part of elite forces who must blend in with local populations. Multiple officials have confirmed that ongoing tests surrounding various gas masks and helmets may change the equation.

Army Sgt. Maj. Dan Dailey and Army G-1 uniform policy Sgt. Maj. Anthony Moore recently spoke with Army Times about troops' regular requests to allow beards.

"There's a large desire for soldiers now to want to grow beards," Sgt. Maj. Dailey said, the newspaper reported Sunday. "And we're not avoiding the conversation. I think we're going to get to it."

"Soldiers would ask here and there, but it's gained traction since the Army directive for religious accommodations," Sgt. Maj. Moore said during a Feb. 28 phone interview.

The biggest obstacle appears to be figuring out how long beards can grow before they become a liability during nuclear, biological or chemical attacks. A test conducted in October by the Army Research Laboratory did not fare well for those sporting beards.

"The baseline folks [without beards] passed. Everyone else degraded in some form or another," Lamar Garrett, field element chief with ARL, told the newspaper. "If we really wanted to do some serious analysis, we could look at what was the degradation of an individual with a beard that's an inch-and-a-half, two inches, etc."

Further testing at the Natick Soldier Research Development & Engineering Center in Massachusetts are expected to conclude in late June.

Sgt. Major of the Army Dan Dailey noted that troops in countries such as Norway strategically shave to allow for a proper seal of their gas masks, while other nations require personnel to shave beards on deployment.

"As of now, there are no plans to change the policy," Sgt. Major Dailey said. "Army leaders and researchers are currently reviewing the wear of beards by soldiers in the Army. Any potential change in policy will be made with careful consideration to the professionalism, standards, discipline, readiness and safety of all of our soldiers."

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On 'Day Without Women,' Two Districts Cancel School

By Matthew Haag

New York Times, March 6, 2017

School districts in Virginia and North Carolina are telling students to stay home on Wednesday, on a nationwide day of protest called "A Day Without Women," because so many staff members do not plan to show up for work.

In Alexandria Public Schools in Northern Virginia, more than 300 staff members have asked for the day off, prompting district officials to take the extraordinary step of canceling class. In a note on its website, the superintendent said its 18 schools would not have enough teachers on Wednesday.

"This is not a decision that was made lightly," the superintendent, Alvin L. Crawley, said, adding that "it is not based on a political stance or position."

In the Chapel Hill-Carrboro City Schools in North Carolina, a "significant" number of teachers have said they will skip work on Wednesday, the district said. The roughly 12,300 students are to stay home, and the day will be an optional teacher workday.

"It is my determination that we will not have enough staff to safely run our school district," the interim superintendent, Jim Causby, said in a letter on the district's website.

Both school districts cited the observance of International Women's Day as the reason for the staffing shortages. Nationwide, more than three-quarters of all teachers are women, according to the National Center for Educational Statistics.

The leaders of the Women's March on Washington, which drew more than a million demonstrators the day after the inauguration of President Trump, have encouraged women to strike on Wednesday to highlight their economic

importance and power. The movement, which grew out of concerns about Mr. Trump and has spawned protests around the world, has emerged as a vocal champion of women's rights.

The protest on Wednesday comes a few weeks after another protest, "Day Without Immigrants," had a similar effect on businesses. Immigrant workers displayed their contribution to the labor force by staying home, forcing businesses to close. Students in some schools districts also stayed home and others walked out during class.

Virginia School District To Close For 'A Day Without A Woman'

By Moriah Balingit

Washington Post, March 6, 2017

A Northern Virginia school system is canceling classes for all students Wednesday after numerous teachers requested the day off to join a national day of protest called "A Day Without a Woman," in which organizers urge female workers to stay home.

School officials in Alexandria announced Monday that about 300 staff members were seeking to take Wednesday off, too many to be able to open schools. The officials attributed the high number of requests to the demonstration, which was organized in conjunction with International Women's Day and intended to show the importance of women in the labor force. The majority of the 300 are teachers, officials said, comprising a sizeable share of the 1,400 teachers in the school workforce. The system has about 15,000 students.

"This is not a decision that was made lightly. We have been closely monitoring requests for leave on March 8, including communicating with school leaders and our education association," Alexandria Superintendent Alvin L. Crawley said in a statement on the school system's website. "The decision is based solely on our ability to provide sufficient staff to cover all our classrooms, and the impact of high staff absenteeism on student safety and delivery of instruction. It is not based on a political stance or position."

More than three-quarters of public school teachers were women in the 2011-2012 school year, according to the National Center for Education Statistics. The National Education Association and the American Federation for Teachers, which represent school teachers across the country, were both partners for the Women's March, which drew more than 1 million into the streets around the country and the world for demonstrations on the day after President Trump took office.

But most school systems in the Washington region appear to be largely unaffected by the upcoming protest. Officials in Maryland, the District and Northern Virginia — except for Alexandria – said they had not received a deluge of requests for days off and planned to open normally. At least one school system elsewhere — Chapel Hill-Carrboro City Schools in North Carolina — announced last week that it would close because teachers there wanted to join the protest.

In some school systems, officials were urging teachers and principals to come to school Wednesday.

"While some may plan to attend this week's walk out on International Women's Day, all students and staff are expected to be in school throughout the day so that teaching and learning can continue. We respect the right to self-expression and peaceful protest in support of gender equality," John Davis, chief of schools for D.C. Public Schools, wrote in a note to principals Monday morning.

Parents in Alexandria were left scrambling to find childcare, and some teachers worried about how low-income families would manage. Nearly 60 percent of the city's students qualify for free or reduced-price meals. The system said it would open six schools so that children who rely on school meals would still be able to eat.

"We're actually probably causing a lot of working women to scramble for childcare and some of them are minimum wage workers," said one teacher, who declined to be named because she did not have permission to speak to a reporter.

Tracy Kennedy, an independent consultant whose son is the fourth grade at Lyles-Crouch Traditional Academy in Alexandria, said the decision to cancel classes would mean she could lose nearly a full day's pay because she bills by the hour and gets no paid time off. She said she is disappointed the school system permitted teachers to take the day off, though officials said they had little choice in the matter.

"We have shown our teachers that they can basically rip the rug out from underneath our educational system and that its permissible," Kennedy said. The protesters "are trying to support women," she said, "but women are the ones who are suffering."

Other parents, while mindful of the struggles some would have in finding childcare, were supportive of the teachers who decided to take the day off. Julia Sylla, who works at an international education nonprofit, said she was still working out childcare for her daughter Madeline, a kindergartner at Cora Kelly School for Math, Science and Technology. She said it was inconvenient but the cause was worthwhile.

"My husband and I both work full time so we are scrambling, but I feel like they have a right to stand up for equal pay and for equal treatment overall just as much as any other citizen," Sylla said.

The protest, assembled by the organizers of the Women's March on Washington, is intended to draw attention to the role women play in the labor force and to press for equal pay and family leave policies.

It follows last month's "Day Without Immigrants," when many restaurants, stores and businesses shuttered in solidarity with immigrants who took the day off work to join protests against Trump's restrictive policies on immigration.

Emma Brown and Donna St. George contributed to this story.

Rapper Gives $1 Million To Chicago Schools, Blasts Governor

By Sophia Tareen

Associated Press, March 6, 2017

CHICAGO (AP) – Chance the Rapper's unusual intervention into Chicago Public Schools' funding crisis took an even more curious turn Monday when the Grammy-winner presented a $1 million check to city schools and urged Gov. Bruce Rauner to use his executive powers to help the nation's third-largest district.

The Republican governor, a former venture capitalist, responded by noting his own philanthropy and floating Chicago school funding ideas that would face tough odds in the Democratic-controlled Legislature. Illinois has gone two years without a budget, the longest such stalemate of any state in nearly a century.

The back-and-forth came after a meeting Friday between Rauner and the artist – whose real name is Chancelor Bennett – that left the rapper visibly agitated. Chance asked for the meeting after he won three Grammys last month, including best new artist, and Rauner tweeted congratulations.

The Chicago native stopped at an elementary school near where he grew up to announce the donation to a schools' foundation, calling himself a "public school kid." He also accused Rauner of failing to present solutions without "caveats or ultimatums."

"This isn't about politics. This isn't about posturing. This is about taking care of the kids," he said. "Everybody and their mama knows what's going on in Chicago. We're about to enhance the conversation on supporting and funding the education of the kids in Chicago."

At the heart of rapper's beef with Rauner is $215 million in teacher pension relief for Chicago schools that he vetoed last year. Rauner said a broader pension overhaul was needed, part of his push for pro-business and long-term reforms. However, the school district of roughly 400,000 students had factored the money into its roughly $5.4 billion budget and had to make mid-year cuts. The district has also proposed ending the school year early to save money.

Rauner, who called the meeting a "good exchange of views," circulated plans before Chance's public appearance for ways to recover the $215 million; both require state legislation. One option calls for using up most of Chicago's special taxing district funds, set aside for capital projects, for a one-time infusion. The other would attach the funding to broader pension reform.

Chicago officials rejected both, saying Illinois' school funding formula is fundamentally unfair to the largely minority and poor school district. CPS has sued the state over the calculation and argues the district is further penalized since it's the only one in Illinois where local taxpayers, not the state, help pay teacher pension costs.

Chance also dismissed the plans, saying he wasn't a politician.

"It's not my job to propose any policy or be behind anything but the kids," he said.

Rauner's office issued a statement detailing his history of giving: roughly $7 million over 20 years to organizations benefitting Chicago students.

"While the Rauners are passionate donors to our schools, individual contributions will never be enough to address the financial challenges facing CPS," the statement said. "It would be helpful if CPS officials came to Springfield and joined in serious good faith discussions about the long-term stability of all of our schools."

Rauner has blamed Chicago's fiscal woes on years of financial mismanagement and argues that Chicago receives hundreds of millions in block grants other schools don't.

Meanwhile, Chance deemed his donation – from the concert ticket proceeds – a "call to action" and asked other artists and corporations to follow suit.

The rapper has family ties to prominent Democrats. His father worked in former President Barack Obama's Cabinet and for Chicago Mayor Rahm Emanuel. Chance has been civically engaged before, leading a march to the polls in November and serving on the board of Chicago's DuSable Museum of African American History.

Follow Sophia Tareen on Twitter at https://twitter.com/sophiatareen.

This story has been corrected to reflect that Chicago Public Schools is the nation's third-largest district, not second-largest.

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Chance The Rapper Writes $1 Million Check To CPS As A 'Call To Action'

By Juan Perez Jr. And Monique Garcia

Chicago Tribune, March 6, 2017

Hours after Gov. Bruce Rauner offered two options to provide $215 million to Chicago Public Schools, Chance the Rapper cut the district a $1 million check that the Grammy-winning musician described as a "call to action" for the city's business and philanthropic community.

Chance was critical of the Republican governor's efforts to fix the city's schools during a news conference in West Chatham on the South Side, not far from the musician's old neighborhood.

"Gov. Rauner still won't commit to give Chicago's kids a chance without caveats or ultimatums," Chance told students and reporters at Westcott Elementary School. "Gov. Rauner, do your job."

Chance's comments quickly spread among his millions of social media followers and brought a dash of celebrity to a long-running fight over education funding. But they did little to resolve differences between politicians and school officials over how to dig the district out of a budget hole that could bring an early end to the school year for some 400,000 students.

The rapper had promised via Twitter to present a plan for CPS. But at an afternoon news conference, Chance said it wasn't his job to propose policy and instead promoted a fundraising campaign while urging Rauner to act.

"Gov. Rauner can use his executive power to give Chicago's children the resources they need to fulfill their God-given right to learn," the artist said.

The $1 million donation, which Chance presented in a novelty-sized check, will come from ticket sales from an upcoming tour and will go to CPS' fundraising arm. The musician also announced a series of $10,000 donations to 10 individual city schools.

After Chance the Rapper met with Gov. Bruce Rauner, the rapper donated $1 million March 6, 2017, to support arts programming for Chicago Public Schools.

Getting CPS the $215 million it had banked on to help balance this year's budget will be more complicated. The two proposals pitched by Rauner's office Monday require action from lawmakers, but the governor has spent nearly two years deadlocked with Democrats who control the General Assembly.

One option includes passing legislation that would allow Mayor Rahm Emanuel to tap into the city's tax increment financing funds. The other once again ties the money to a larger overhaul of the state's pension retirement program.

Both proposals were rejected by city and CPS officials.

Rauner's office did not respond to specific criticisms from the hip-hop star, instead noting the governor and wife Diana have long supported CPS with donations of $7 million through either personal contributions or the Rauner Family Foundation in the last few decades. But it's not possible to dig CPS out of its financial hole through that kind of philanthropy, Rauner's office said.

"While the Rauners are passionate donors to our schools, individual contributions will never be enough to address the financial challenges facing CPS," said Rauner spokeswoman Eleni Demertzis. "It would be helpful if CPS officials came to Springfield and joined in serious, good-faith discussions about the long-term stability of all of our schools."

CPS officials have quietly welcomed Chance's recent use of his celebrity and a savvy social media strategy to highlight the district's financial plight. Born Chancelor Bennett, the musician has a history of criticizing government and speaking out against politicians including Emanuel. Chance's father has worked for Emanuel at City Hall.

The artist's comments on Monday at times resembled talking points used by Emanuel and school officials in their long-running battle with Rauner. The governor in December vetoed legislation that would've sent the district $215 million to ease its enormous pension burden.

"Gov. Rauner broke his promise to Chicago's children a few months ago as a result of an admitted emotional reaction, when he vetoed the $215 million in funding that Chicago schools were counting on to close out the school year," Chance said. "Our kids should not be held hostage because of political positioning."

Chance and Rauner met in Chicago on Friday to discuss CPS funding, a session the musician on Monday described as "unsuccessful."

The options presented by Rauner on Monday were both a response to public pressure from Chance and an opportunity to place the onus on CPS' financial ills elsewhere.

The TIF district idea mimics proposals promoted by the Chicago Teachers Union and makes coming up with the money the problem of state lawmakers, Emanuel and potentially aldermen. The pension idea, if executed, would get Rauner a long-sought item from his legislative and economic wish list while requiring Democrats who control the General Assembly to go against union allies who oppose the changes to the retirement system.

Michael Mahoney, Rauner's deputy chief of staff for policy and legislative affairs, wrote in a memo that "given the extraordinary mismanagement of both the city and CPS budgets, legislation could be enacted to authorize a one-time mayoral transfer of $215 million from Chicago TIF funds to CPS."

Mahoney said the city should revise its policy and allow TIF districts to collect dollars for education funding, saying the idea "represents a compromise that both attracts business investment and supports public schools."

Alternatively, the administration wants to tie broader statewide pension changes to the $215 million pension pick-up for CPS.

The school district, which has sued the state over its education funding system, quickly rejected the governor's plan.

"Yet again, Gov. Rauner is perpetuating a racially discriminatory state funding system and his so-called plan actually demands that Chicago students do more to get the same funding that every other student in the state of Illinois is entitled to receive — a gross disparity that has no place in 2017," CPS spokeswoman Emily Bittner said in a statement.

Mayoral spokesman Adam Collins characterized Rauner's latest proposals as "no solution at all."

"His plan to fix the fact that Chicago taxpayers pay twice for teacher pensions is to have them pay three times instead," Collins said in a statement. "It's past time for the governor to step up, as Chicago's taxpayers already have, and end the state's separate and unequal funding for Chicago students."

Emanuel was in New York on Monday making an announcement about participants in this year's Chicago Architecture Biennial.

Monday's pension plan from the governor is one he first pushed last year, but ultimately vetoed after Democratic Senate President John Cullerton publicly suggested there had never been a deal linking the $215 million in CPS aid to pension reform.

Rauner later acknowledged he was "a little emotional" when he vetoed the legislation not long after Cullerton made his comments. CPS moved to cut costs after the veto, furloughing employees and freezing school budgets.

Last week, the district announced it may make cuts to summer school and shorten the school year by about three weeks — for a savings of about $96 million — if the state or the courts don't intervene.

While Senate lawmakers are already weighing the pension changes, they are tied to a larger effort to pass sweeping legislation to end the state's unprecedented budget impasse. Those efforts hit a roadblock last week amid lagging support from Republicans, which Cullerton blamed on interference from Rauner.

Rauner's office now says the pension changes should be considered separately from the broader budget deal, a move that could be seen as him acknowledging those efforts won't go anywhere.

Schools waiting for an outcome include Westcott, the site of the musician's news conference and a highly rated campus in the West Chatham neighborhood that educates students who are almost exclusively black and poor. In addition to the $1 million donation, Chance presented a $10,000 check to Westcott.

"This isn't about politics, this isn't about posturing. This is about taking care of the kids. Everybody and their momma knows about what's going on in Chicago, it's constantly talked about. But we're about to enhance the conversation," the rapper said.

Westcott, with roughly 400 students, was set to lose $96,840 in funding this year, part of a $46 million budget freeze that hit hundreds of buildings but landed hard on schools with mostly poor and minority students.

CPS reversed course last month and refunded some $15 million of the frozen funds. Westcott now stands to lose about $75,000, according to the district.

Westcott's principal, Monique Dockery, said that cut means the school will have to drop a variety of after-school programs, math and reading tutoring as well as professional development.

"I don't have a lot of nickel and dime kind of people working," Dockery told reporters. "They love the children. That's first and foremost within Westcott, you have to love the children here in order to do the work that we do."

Chicago Tribune's John Byrne contributed.

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Illinois Is Prepared—for Zombies

By Gerald Skoning

Wall Street Journal, March 6, 2017

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

White Supremacists Step Up Recruiting On Campus, Report Says

By Tamara Best

New York Times, March 6, 2017

At Vanderbilt University in Nashville, a printer, suspected to have been hacked, spurted out anti-Semitic fliers in January.

At the Central Michigan University in Mount Pleasant, Mich., an Adolf Hitler-themed Valentine's Day card, unauthorized by the school's College Republicans, made its way into a bag at one of the group's meetings in February.

And at the University of Southern California in Los Angeles, a vendor was discovered to be selling items with swastika symbols before being asked to leave.

The three incidents are among more than 100 since the school year started in September that the Anti-Defamation League lists in a new report tracking efforts by white supremacists to recruit students on college campuses.

Most of the incidents — 65 of them — have occurred since January, the report found.

Jonathan A. Greenblatt, the chief executive of the Anti-Defamation League, said in a telephone interview on Monday that hate groups have increased their presence at schools through visits, rallies, speeches and alt-right online spaces. However,the seemingly antiquated approach of distributing fliers, often touting messages of white supremacy, has been a focus for increasing their physical presence on campuses.

"Fliers allow them to not only recruit but get public attention," Mr. Greenblatt said, adding, "it's not only part of

the way they can identify sympathizers but terrorize marginalized communities.

"Social media allows them to go to very targeted audiences in specific ways. Fliers starting to show up saying that any one of these organizations is here and present will not only raise eyebrows but I think really heighten concerns among organizations of students and that's what they want."

The fliers have been a common tactic for hate groups, one that allows them to spread their message without requiring a large amount of resources or energy and that allows for a level of anonymity.

According to the report, racist, anti-Semitic and anti-Muslim fliers have been spotted in 32 states at 66 campuses since September. The list included a speaking engagement in December by the white nationalist leader Richard Spencer. The appearance, at Texas A&M University in College Station, ended in violent protests.

The report identified several groups, including Identity Evropa, American Vanguard and American Renaissance, that have made concerted efforts to distribute their fliers on campuses. Identity Evropa and American Vanguard were both founded in 2016, it said.

Mr. Greenblatt said the groups were emboldened by a sort of middle-of-the-road acceptance in recent months.

"In a political environment where white supremacists have felt more welcome than any time in recent memory, we saw them move from their margins to the mainstream," Mr. Greenblatt said. "We saw their language and images really penetrate the political process and to a large degree the public conversation," he said adding, "so what we see is people like Richard Spencer and other organizations try to exploit this newfound idea of legitimacy to grow their ranks."

Is Trump's 'Made In America' Push Healthy For Your Wallet?

Bloomberg News, March 6, 2017

Jenny and Lindsey explore what Trump's campaign to revive domestic manufacturing means at the mall. Some companies, including Knot Standard, the custom suit-maker that dressed the younger male Trumps for the inauguration, say the U.S. doesn't have the technological infrastructure or employee knowhow to get the job done. Others, such as hoodie-maker American Giant, say that's baloney. Either way, after a decade of plummeting prices, shoppers may need to prepare themselves to spend more on the clothes they've been coveting.

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GM To Lay Off 1,100 At Michigan Plant, Move Acadia

By Alexander Alusheff

USA Today, March 6, 2017

LANSING, Mich. — General Motors Co. will lay off as many as 1,100 workers at its Lansing Delta Township Assembly plant when it phases out production of the first generation GMC Acadia in May.

Lansing Delta Township Assembly plant will lose its third shift and about a third of its workers as the automaker shifts production of the next generation of the SUV to Spring Hill, Tenn., Erin Davis, GM's Lansing spokeswoman, said in a statement.

The Michigan workers were given a 60-day notice of the layoffs Monday. The plant employs roughly 3,000 hourly workers and 250 salaried workers.

The plant also manufactures two crossover SUVs, the Chevrolet Traverse and Buick Enclave, which AutoTrader.com describes as "twins under the skin" even though their exteriors are vastly different and the Enclave is marketed with upscale styling and materials. GM (GM) chose the Lansing-area plant to make the new generation Traverse this year.

Davis' statement also confirmed that the new generation Buick Enclave will be made at the plant as well.

"The new Buick Enclave and Chevrolet Traverse enter the market at a time when crossovers have become the most vibrant, dynamic and fast-growing models of the industry," Davis said in the statement.

In early February, GM announced it would build the 2018 Holden Acadia, the Australian version of the GMC Acadia, at its Spring Hill plant about 40 miles south of Nashville and quit making cars in Australia this year. The Spring Hill plant also operates under a United Auto Workers union contract.

That plant opened in 1990 to manufacture Saturns but made the Chevrolet Traverse for a year in 2009 when the crossover debuted. Traverse production was shifted to the Lansing Delta Township Assembly plant for the 2010 model year.

Bill Reed, president of UAW Local 602, which represents the hourly workers at the Michigan plant, said the layoffs were expected.

"This was a major vehicle change," he said. "It was kind of expected this was going to happen. I believe it's going to be for a short time."

Reed said the union has been advocating for a third product to replace the Acadia. Analysts predict that the plant could make a Cadillac crossover.

"I know (GM) wants to utilize the plant at full capacity," he said. GM has invested $583 million in the Lansing Delta Township plant since 2014 to prepare for new vehicle production.

Alex Hernandez is a UAW member who works first shift at the plant as a global customer auditor.

"Of course I'm upset about losing third shift. These young people need their jobs," said Hernandez, who has worked for GM for 35 years. "The younger guys are concerned. Nobody wants to go down to two shifts. We want as many vehicles as we can get in that place."

GM stock briefly spiked before the New York Stock Exchange's open to $38.42 but has trended lower so far Monday, opening at $37.98 and falling 2.2% to $37.39 at mid-day.

GM sold 116,701 Traverses last year, a 2.7% decrease from 2015. The Enclave sold 52,028 units last year, a 16% decrease from 2015.

In January, GM cut the third shift at Lansing Grand River Assembly as car sales declined and the popularity of trucks and SUVs increased. Initially, up to as many as 832 people could have been laid off at the plant. Davis said the final number was 500.

GM is investing $211 million at the Lansing Grand River plant for new tooling and equipment as well as a 32,000-square-foot expansion of its body shop. The investment is for a future product that has yet to be announced.

Contributing: Lizzy Alfs, The Tennessean. Follow Alexander Alusheff on Twitter: @alexalusheff

GM To Cut Third Shift At Lansing Delta Township

By Ian Thibodeau And Melissa Burden

Detroit News, March 6, 2017

General Motors Co. said Monday it will cut the third shift at its Lansing Delta Township assembly plant, effective May 12.

Monday's move follows two other shift reductions in recent months at GM assembly plants in Michigan, bringing the total workers affected by the changes to some 3,200 hourly and salaried employees. A number of those workers will be laid off, while others may have been transferred to other plants.

The shift reduction will affect about 1,100 hourly and salaried employees at the plant, GM spokeswoman Erin Davis said. GM expects the number who will be laid off will be less than that figure after it places eligible workers into open positions at other plants. A WARN notice filed with the Michigan Workforce Development Agency put that number at up to 1,171.

The plant will employ 2,368, including 2,137 hourly workers represented by UAW Local 602, following the shift reduction.

The decision comes as GM plans in May to stop building the old-generation GMC Acadia, called the Acadia Limited, at the Lansing plant. GM moved production of the new-generation GMC Acadia to its Spring Hill Assembly Plant in Tennessee.

"The Buick Enclave and Chevrolet Traverse will continue to be built at Lansing Delta Township as part of GM's $583 million in investments in the facility since 2014," GM said in a statement. "All-new versions of both models will be built at LDT this year."

In November, GM announced it would cut the third shifts in January at its Lansing Grand River plant and its Lordstown car plant in northeastern Ohio to help meet falling customer demand for small cars. It also will ax the second shift at its Detroit-Hamtramck Assembly Plant this month, cutting some 1,300 jobs. Those layoffs are slated to begin this week.

Congressman Tim Walberg, R-Tipton, in a statement issued Monday, said he is disappointed by GM's decision to eliminate the shift at Lansing Delta Township.

"This is a very difficult day for many of the workers and their families," he said. "I have visited the GM Delta Township Plant on numerous occasions, and the dedicated and hardworking men and women who work there represent the best of what Michigan has to offer. The auto industry is critical to our state's economy, and I will continue fighting for more jobs and opportunity for the workers who form the backbone of Michigan manufacturing."

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Why GM Could Not Make Money In Europe

By Thomas Heath

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With General Motors Co.'s decision to abandon the European car market by selling its Opel brand, chief executive Mary Barra is making good on her vow to refashion the 109-year-old goliath's sell-everywhere-to-everyone ethic into one driven by share price.

"They want to change the culture, get out of a money-losing business . . . and send a message they they really want to focus on places they think that on the long-term-basis, they can generate a return," said Matthew Stover, an analyst with Susquehanna Financial Group.

The largest U.S. car company by sales said Monday that it had agreed to sell its Opel and Vauxhall brands to Peugeot in a $2.3 billion deal, exiting a European market that has not produced a profit in nearly 20 years. PSA, the maker of Peugeot and Citroën cars, is 14 percent owned by the French government.

"It's very smart," said former GM vice chairman Bob Lutz in an email. "GM gets rid of a perennial loser."

GM's exit from Western Europe to concentrate elsewhere doesn't come without risk, including giving up market share and expertise. GM sold 1.2 million cars in Europe last year. And Germany, where Opel is headquartered, is considered the industry's birthplace and a primary source for engineering and design innovation.

"The risk is that they will need that volume in Europe to absorb investment costs for vehicles they also sell around the world," Stover said. "The Cruze here in North America shares a common platform with products in Europe." Another risk: They are leaving one of the world's biggest markets.

Barr is under pressure to improve the stock price, which was trading at more than $37 a share on Monday, below the $40 when she took over in January 2014. It has jagged above $30 for most of her tenure, but hasn't climbed back to $40.

"By immediately improving General Motors' overall business profile, the transaction will enable us to increase our returns to shareholders," GM President Dan Ammann said at a news conference early Monday in Paris, according to Automotive News.

The U.S. auto manufacturer said it would take a $4 billion charge on the Opel sale, which also frees up cash that it will use to help buy back its shares and invest in new initiatives. The company said it plans to buy back $4 billion of its stock this year.

The company is also spending money on a line of electric cars including the Chevrolet Bolt as well as investments like its $500 million interest in the popular Lyft ride-sharing service.

Analysts called the sale a welcome course correction for GM, whose 2009 federal bailout was justified on the grounds that the car manufacturer's bankruptcy could help drag the United States into a second Great Depression.

Once referred to as a health-care company on wheels because of its enormous pension and health care obligations, GM has since reconstituted itself into a profitable business built around strong North American and China sales.

"We are disrupting ourselves, so we're not trying to preserve a model of yesterday," Barra told Business Insider in November 2016.

"The history behind GM has always been slow to respond to anything," said analyst Bill Selesky of Argus Research. "Mary Barra is saying we are going to be more proactive."

The company had revenue of $166 billion last year on record sales of 9.97 million vehicles. China sales topped the list with 3.87 million units sold, while North American sales were 3.6 million. The company has $27 billion in unfunded pension obligations and nearly $80 billion in debt.

"GM is doing phenomenally well," said Ivan Feinseth, chief investment officer at Tigress Financial Partners. Feinseth has a "strong buy" rating on the company. "They have the best lineup of cars in the history of the company."

GM has owned Opel, headquartered near Frankfurt and widely seen as a German brand, since 1929.

If the deal goes through later this year, GM will have all but rolled out of Europe, where rival Ford Motor Company has thrived. GM sells Chevrolet Corvette sports cars in Europe, but has been unable to establish a beachhead with its Chevrolet brand.

"Ford enjoys a huge and wildly profitable commercial vehicle business in Europe," said Lutz, one-time chief executive of Ford of Europe. "GM has never been able to penetrate that market. They missed the boat on that over 30 years ago. It would require several billions" to match Ford.

European drivers prefer diesel motors over conventional gasoline-powered vehicles. They also do not share Americans' love for pickup trucks and SUVs — the strongest anchors of GM's lineup.

GM had justified its Opel investment over many years of losses on the grounds that it provided engineering that could be used to develop small cars in other markets — a line of business it thought had great growth potential. But with gas plentiful and cheap, sport-utility vehicles and pickup trucks — not small cars — driving much of GM's North American sales.

Amman echoed that at the Monday news conference, saying the European auto market had changed so dramatically that only one in five Opels could be sold in other regions.

Lutz said GM kept Opel for so long on the expectation that the company was ready to turn around.

"The next 'five-year business plan' always showed a great hockey stick with profits just around the corner," Lutz said in an email.