THE HOMELAND SECURITY *NEWS CLIPS*

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TO: THE SECRETARY AND SENIOR STAFF

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LEADING DHS NEWS

Federal Aid Approved For Arkansas County

Associated Press, April 30, 2014

LITTLE ROCK, Ark. (AP) – President Barack Obama has approved a major disaster declaration for an Arkansas county hit hardest by a tornado that killed 15 people.

Gov. Mike Beebe and the state's congressional delegation announced Tuesday that the Federal Emergency Management Agency designated Faulkner County a major disaster area. Beebe had requested the federal aid on Monday, and the delegation earlier Tuesday asked the White House and FEMA to quickly approve the help.

With the designation, Arkansans will be eligible to apply for individual assistance to cover the costs of temporary housing, home repairs, disaster unemployment assistance, Small Business Administration low interest loans, medical expenses and other needs. Faulkner County will also be eligible to apply for public assistance for emergency work and the repair or replacement of disaster-damaged facilities.

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Obama Declares Disaster After Tornadoes

By Justin Sink

The Hill, April 30, 2014

President Obama on Tuesday declared a state of disaster in Arkansas, freeing up federal funds to assist the recovery from the deadly tornadoes that killed at least two dozen people across six southern states.

"Assistance can include grants for temporary housing and home repairs, low-cost loans to cover uninsured property losses, and other programs to help individuals and business owners recover from the effects of the disaster," the White House said in a statement.

The federal government will offer assistance to individuals in Faulkner County, among the hardest hit in the storms, as well as local governments and nonprofit organizations helping to remove debris.

"Federal funding is also available on a cost-sharing basis for hazard mitigation measures statewide," the White House said in a statement.

Federal Emergency Management Agency (FEMA) Administrator Craig Fugate has been dispatched to the area to lead recovery operations.

At a press conference in the Philipines on Monday, Obama offered his "deepest condolences" and hailed the "heroic efforts" of first responders who rushed into the aftermath of the storm.

"I want everyone affected by this tragedy to know that FEMA and the federal government is on the ground and will help our fellow Americans in need, working with state and local officials, and I want everybody to know that your country will be there to help you recover and rebuild as long as it takes," Obama said.

According to Reuters, at least 30 people were killed and hundreds more were injured in the storms. Tens of thousands of customers remain without power.

Federal Aid Approved For Faulkner County

Associated Press, April 29, 2014

Congressional delegation comments on disaster declaration

U.S. Sen. Mark Pryor, D-Ark., said:

"Despite losing their homes, belongings, or even their loved ones, Arkansans impacted by these terrible storms aren't giving up. That's because Arkansans understand the importance of coming together and pitching in to get our state back on its feet. I appreciate Administrator Fugate for coming to our state and approving these funds so Arkansans can begin the rebuilding process. Once again, we're reminded of the importance of supporting disaster relief funding."

U.S. Sen. John Boozman, R-Ark., said:

"Mayflower and Vilonia residents deserve to have the resources they need to recover from this tragedy. I appreciate the quick response from FEMA. My office and I will continue to work with the agency, the governor's office and the delegation to make sure Arkansans get the assistance they need to rebuild."

U.S. Rep. Rick Crawford, R-Jonesboro, said:

"As the families in Faulkner County continue to recuperate from the tornado that struck their communities on Sunday night I am thankful that federal assistance can begin to find its way to those whose needs are greatest in the wake of this tragedy. I will continue to work with my colleagues in the Arkansas delegation as we work to address further needs of Arkansans in the days and weeks ahead."

U.S. Rep. Tim Griffin, R-Little Rock, said:

"Vilonia, Mayflower and other parts of Faulkner County need critical assistance after the damage and devastation caused by the storm. I am grateful for the decision to designate Faulkner County a major disaster area, which will provide needed resources to Arkansans in Vilonia and Mayflower. As we work to rebuild our communities, we continue to pray for the families affected, especially those who lost loved ones."

U.S. Rep. Steve Womack, R-Rogers, said:

"The devastation from Sunday's storms is unimaginable, and now, those impacted must begin to put their lives back together and rebuild their communities. As they do so, I'm grateful these Arkansans will be able to receive the assistance they desperately need."

U.S. Rep. Tom Cotton, R-Dardanelle, said:

"I applaud FEMA's swift action in this matter. The Arkansas delegation is united in a spirit of bipartisan cooperation, doing everything in our power to help the people of Central Arkansas recover from these storms. We will do all we can to cut through the red tape and make relief available as quickly as possible."

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Obama Issues Federal Disaster Declaration For Faulkner County

By Peter Urban

Stephens Media, April 30, 2014

WASHINGTON — Arkansas Gov. Mike Beebe's request for a major disaster declaration for Faulkner County was approved Tuesday by President Obama, according to a White House press release.

Residents and business owners in Faulkner County will be able to seek federal grants and low-interest loans as they recover and rebuild from the deadly weekend tornadoes that struck Central Arkansas.

Beebe requested the declaration on Monday. The Arkansas congressional delegation had also supported the designation in letters to Obama and FEMA Administrator Craig Fugate.

"As we see in many crises, Arkansans have come to the aid of their neighbors, family, and friends, but further assistance is needed," they wrote.

Fugate has named Timothy J. Scranton as the Federal Coordinating Officer for federal recovery operations in the affected area.

Faulkner County residents and businesses that sustained losses can begin applying for assistance at http://www.disasterassistance.gov/ or by calling 1-800-621-3362. The toll free number will operate between 7 a.m. and 11 p.m.

Assistance can include grants for temporary housing and home repairs, low-cost loans to cover uninsured property losses, and other programs to help individuals and business owners recover from the effects of the disaster.

Federal funding also is available to state and eligible local governments and certain private nonprofit organizations on a cost-sharing basis for debris removal and emergency work for damage from the severe storms, tornadoes, and flooding in Faulkner County.

Federal funding is also available on a cost-sharing basis for hazard mitigation measures statewide.

Damage surveys are continuing in other areas, and more counties and additional forms of assistance may be designated after the assessments are fully completed, according to FEMA.

The tornado that tore through Faulkner County appeared to be at least an EF 3 tornado, with winds between 136 mph and 165 mph. Friday was the third anniversary of a tornado that killed four people in Vilonia and leveled part of the town. That tornado was classified as an EF2.

FEMA Declares Faulkner County A 'Major Disaster Area;' President Obama Signs

KHBS-TV Fort Smith-Fayeteville (AR), April 30, 2014

President Obama signed the Arkansas disaster declaration from FEMA and ordered federal aid to supplement state and local recovery efforts.

U.S. Senators Mark Pryor and John Boozman, along with Congressmen Rick Crawford, Tim Griffin, Steve Womack, and Tom Cotton today announced that FEMA has designated Faulkner County a major disaster area to help Arkansans recover from losses caused by Sunday night's storms.

PHOTOS: Crews document tornado damage in central Arkansas and Oklahoma.

Under this designation, Arkansans will be eligible to apply for Individual Assistance to cover the costs of temporary housing, home repairs and replacement, housing construction, transportation, food commodities and coupons, crisis counseling, disaster unemployment assistance, legal services, Small Business Administration low interest loans, and medical, dental, and funeral expenses.

Faulkner County will also be eligible to apply for Public Assistance for emergency work and the repair or replacement of disaster-damaged facilities. All Arkansas counties will also be eligible to apply for assistance under the Hazard Mitigation Grant Program, which helps prevent or reduce long-term risks to life and property.

Beebe earlier Monday issued state disaster declarations for Faulkner, Pulaski and White counties. Federal Emergency Management Agency Administrator Craig Fugate visited both Mayflower and Vilonia Monday afternoon. On Tuesday, the Arkansas delegation sent a letter to FEMA and the President in support of Governor Beebe's request.

Former Secretary of State Hillary Rodham Clinton is offering her condolences to those who were killed, hurt or lost their homes when a tornado struck Arkansas.

The half-mile-wide tornado carved an 80-mile path of destruction through the Little Rock suburbs Sunday evening, killing at least 15 people, flattening rows of homes and demolishing a new school that hadn't had a chance to open.

President Obama Approves Major Disaster Declaration For Faulkner County

KTVE-TV El Dorado (AR), April 30, 2014

President Barack Obama today approved a Major Disaster Declaration for Faulkner County, less than 24 hours after Governor Mike Beebe made his request to Federal Emergency Management Agency officials.

Faulkner County – President Barack Obama today approved a Major Disaster Declaration for Faulkner County, less than 24 hours after Governor Mike Beebe made his request to Federal Emergency Management Agency officials. This will allow tornado victims in Mayflower, Vilonia, and other areas of Faulkner County to apply for individual assistance as they recover from the storm.

Affected residents can call FEMA at 1-800-621-3362 to begin the application process. Eligible communities will also receive public assistance to help cover response costs and to rebuild infrastructure.

Additional federal declarations may be requested as damage assessments take place. Governor Beebe will tour damaged areas in Western Pulaski County Tuesday afternoon starting between 12:30 and 1:00, beginning at the intersection of Kanis Road and Ferndale Cutoff Road.

The Arkansas Department of Emergency Management is working with FEMA to set up Disaster Response Centers in Faulkner County. They will release details about those centers when they are established.

Alabama Seeks FEMA Emergency Declaration

Associated Press, April 30, 2014

MONTGOMERY, Ala. (AP) – Gov. Robert Bentley says Alabama is seeking an emergency declaration from the Federal Emergency Management Agency after severe weather killed three people and caused damage in 19 counties.

At a news conference Tuesday in Montgomery, Bentley said two deaths occurred in Limestone County and one in Tuscaloosa County. He said the counties suffering the worst damage included Limestone, Jefferson, Walker and Tuscaloosa. Shelters to help storm victims are open in Limestone and Jefferson counties.

He noted that 65 community safe rooms built with federal funds after the deadly tornadoes in 2011 were used Monday night to keep people safe.

Bentley says he and his security team sought safety in the basement of the Governor's Mansion early Tuesday morning when a possible tornado passed over downtown Montgomery.

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Bentley Seeks Federal Emergency Declaration

Montgomery (AL) Advertiser, April 29, 2014

Alabama Gov. Robert Bentley said he is seeking a federal declaration of a state of emergency in the state and urges residents to be prepared for a second line of storms approaching Tuesday afternoon.

The storms that moved through the area late Monday and early Tuesday caused "widespread, significant damage" and led to three confirmed deaths, Bentley said.

Two of the deaths were in Limestone County, and one was in Tuscaloosa County.

Bentley declared a state of emergency for the entire state Monday evening. The federal declaration would clear the way for funds and other help from the Federal Emergency Management Agency.

Montgomery weather forecast and radar

There are 200 state personnel working on the response to the storms, and the National Guard is mobilizing as well, Bentley said.

Grant money that the state received after the devastating 2011 storms have helped fund 400 community safe rooms, and there also are about 4,000 individual safe rooms throughout the state, Bentley said.

Residents should contact their local Emergency Management Agency for the closest available safe room, state EMA Director Art Faulkner said.

Bentley urged people who want to donate money for storm relief to give to the Governor's Emergency Relief Fund, which helps pay for the safe rooms.

Gov. Robert Bentley Says State Will Apply For FEMA Aid, Advises Residents To Brace For Round Two

By Mike Cason

Alabama Live, April 30, 2014

MONTGOMERY, Alabama --- Gov. Robert Bentley said today he was preparing to apply for federal assistance to recover from the storms that pounded the state Monday and the ones expected today.

At a news conference in Montgomery, Bentley said he would apply for an emergency declaration from the Federal Emergency Management Agency. He said that would allow for federal aid for debris removal and other needs.

"It also allows FEMA to provide supplementary assistance for required emergency measures to save lives and protect property and public health and safety in the affected Alabama counties," Bentley said. "This also allows FEMA to identify, mobilize and to provide at its discretion, equipment and resources necessary to alleviate the impacts of the emergency."

The governor said 19 Alabama counties suffered damage in Monday's storms, which caused three confirmed fatalities, two in Limestone County and one in Tuscaloosa County.

Bentley said he believes the state was better prepared than for the April 27, 2011 storms, a larger onslaught of tornadoes that caused more than 250 deaths in the state. He said there were 65 community safe rooms in place. He said funding has been provided for a total of 400 community shelters and said 4,000 individual safe rooms have been built since 2011.

The governor urged residents to check with local emergency management officials to see where shelters were available and to have a plan in place for tonight.

Bentley said briefings with the National Weather Service have indicated that today's bad weather could hit further south than Monday's, but that a rise in humidity could raise dangers statewide. Overall, he said residents should expect another night similar to Monday and should monitor media reports and official warnings.

"It's a matter of being prepared and knowing where you're going to go and listening," Bentley said.

Emergency Management Agency Director Art Faulkner urged residents to be cautious about fallen power lines.

"Anytime that you are in the vicinity of a downed power line, you need to treat that power line as if it was still energized and stay away from it and contact the appropriate officials to take care of it," Faulkner said.

Bentley said he did not know if he would monitor the storms tonight from the Emergency Agency's headquarters in Clanton, as he did last night. He said he returned to his Montgomery home very late last night only to be immediately sent to the basement by a tornado warning.

Bentley said he planned to visit damaged areas on Wednesday, and would decide where to go after tonight's storms pass.

The governor encouraged people to consider giving to charities that help in disasters and to consider the governor's emergency relief fund, which he said helps pay for community safe rooms. The website is www.servealabama.gov.

He also urged people to check on their neighbors.

"That's more important than any organization or any governor out there, a neighbor helping a neighbor," Bentley said. "So we need to look after each other."

'We Lost Everything' – TimesDaily: News

By Briana Harris And Ronnie Thomas

Florence (AL) Times Daily, April 30, 2014

The cleanup effort began Tuesday after a wave of tornadoes ravaged parts of northern and central Alabama, destroying homes and businesses in its path.

Limestone County Schools remain closed today.

The Alabama Emergency Management Agency confirmed three deaths: two in Limestone County, and a University of Alabama student in Tuscaloosa.

The University of Alabama confirmed a member of its swim team, John Servati, 21, of Tupelo, Miss., died Monday night when storms swept through Tuscaloosa. Servati was taking shelter in the basement of a home on 22nd Avenue when a retaining wall collapsed on him. The accident happened at about 10:30 p.m. when the city was under a tornado warning. He was pronounced dead at a local hospital.

Joey Williams, owner of Spry-Williams Funeral Home in Florence, confirmed the deaths of Dorothy Jean Hollis, 60, and her son, Carlton Earl Hollis, 34, from the tornado that swept through Billy Barb Trailer Park at 10272 U.S. 72 W. in the Coxey community. Williams said arrangements will be announced later. Seventeen others were injured in Limestone County.

National Weather Service meteorologist Dave Nadler said a high-end EF2 or low-end EF3 tornado swept through western Limestone County on Monday, staying on the ground for about seven miles in the Coxey area. Nadler estimated the tornado's wind speed reached 140 mph. NWS meteorologist Chelly Amin said winds in the Decatur area reached about 54 mph.

Meteorologist crews spent Tuesday conducting surveys to determine how many tornadoes touched down and their categories, Amin said. More data about the tornadoes will be available this week.

In Cullman County, one poultry house was damaged and another destroyed, killing 22,000 birds. In Jefferson County, "numerous" homes were damaged, a church was badly damaged and a fire hall was destroyed.

Gov. Robert Bentley issued a State of Emergency statewide Monday night. About 20 National Guard members assisted the Department of Public Safety with traffic control, state EMA spokesman Brian Corbett said.

Bentley on Tuesday afternoon said the state would apply for an emergency declaration from the Federal Emergency Management Agency. If approved, the declaration would mean federal resources, including money, for cleanup efforts.

Bentley said there was "significant and widespread damage," including in Jefferson, Walker, Tuscaloosa and Lee counties. There was damage in 23 counties.

Utility companies were scrambling late Monday and early Tuesday, as thousands of north Alabama residents were left without power.

Gary Scroggins, general manager of Athens Utilities, said workers Tuesday had cut those without power in half, from about 16,000 to about 8,000.

"We have crews working around the clock, and we're making progress," he said. "But it will be a couple more days before we have all 8,000 back on. We have extensive damages we have to repair first, and there are some places we can't even get into because trees are blocking the roads."

Scroggins said the outages are in the Coxey area, north and south of U.S. 72 West, including around Shaw Road and Clements High.

"We have places where we have 15 poles down on 72, between Athens and Clements High, and we still have about 30 poles down on the main line that services that area," Scroggins said. "Then we've got poles down north and south along 72."

Scroggins said outside crews from surrounding areas are coming to help, including Decatur, Florence, Scottsboro, Huntsville and Tullahoma, Tenn.

"We also have some crews from the Benton County Electric Systems in Tennessee," he said.

About 1,000 Joe Wheeler Electric Membership Corp. customers were without power Monday night, but by 2:35 a.m. Tuesday, power was restored to all customers, spokeswoman Mandy Phillips said.

The area with the most outages was northern Lawrence County, around Town Creek.

The American Red Cross is assisting residents. Red Cross volunteers opened three shelters overnight Monday, including one at Central Church of Christ in Athens that housed 21 people.

Red Cross mobile feeding units were dispatched Tuesday morning to affected neighborhoods in Limestone, DeKalb, Etowah, Jefferson and Tuscaloosa counties to provide breakfast and water. Damage breakdown: Limestone County

Deaths: Two — Dorothy Jean Hollis, 60, and Carlton Earl Hollis, 34

Injured: 17

Tornadoes: 1 confirmed; a high-end EF2 or low-end EF3 with winds reaching about 140 mph

Utility outages: About 8,000 without power Tuesday

Debris removal: Limestone County Emergency Management Agency said residents are responsible for removing debris caused by storms. The EMA asks residents not to put debris on the county right-of-way. Residents are advised not to block fire hydrants, drainage ditches or mailboxes.

Other EMA instructions: Building materials that have to be moved with machines or by a contractor should not be moved to county right-of-way. Large trees, vegetative debris such as shrubs or tree limbs should be separated and disposed of by homeowner. Items such as appliances and household hazardous waste such as paints, bleach, pesticides and harsh cleaners should be separated and disposed of by homeowner.

Storm Front Falters In Evening; Cleanup Continues After Monday Tornado

By David Palmer

Cullman (AL) Times, April 30, 2014

The threat of another day of violent storms faded into a rainy night as efforts continued to restore power and clean up debris from Monday night's tornado.

Emergency personnel are continuing efforts to clean up debris and assess damage across Cullman County. Areas of northeast Cullman County suffered the greatest damage but serious injuries were not reported. Deputies reported a tornado on the ground along County Road 747 Monday night. Numerous homes and buildings were damaged and trees were toppled throughout the area.

"I definitely think this was a tornado or tornadoes. You can see a lot of jagged lines in the path and where it zig-zagged in places and then lifted," said Phyllis Little, director of

Cullman County Emergency Management Agency. “In places you can see where trees were just shredded or twisted.”

By Tuesday evening most of the main roads were clear and power had been restored for many homes.

Tuesday morning, the Cullman County Commission declared a state of emergency ,which allows the local government to have quicker access to resources and assistance through Alabama Emergency Management Agency (EMA) and Federal Emergency Management Agency (FEMA) .

The Cullman County District and Circuit Court system closed at 12:30 p.m. Tuesday due to the threat of severe weather.

A political forum scheduled Tuesday at 5 p.m. for candidates seeking the sheriff’s office was also rescheduled to Monday, May 12, at 5 p.m..

Despite the fears of super cells, the weather was generally hot during the day and breezy and rainy as the night fell.

Little said more information about the Monday storm may be available today as Alabama State Troopers provide photos and video of the storm path from a flyover. She also said county Revenue Commissioner Barry Willingham and a staff member mapped the path of the storm and will provide that information today. Willingham and members of his staff also assisted in gathering information for damage assessments.

“At this point we can only speculate the strength of the storm and whether there was one larger tornado or a few smaller ones that may have merged together. We do know the system entered at the southwest side of the county and traveled a good distance and came down and skipped a few times before leaving the area,” Little said.

While EMA officials continue to evaluate the storm, Little has asked that anyone who suspects damage to property from the storm to contact her office or email her at plittle@cullmanema.org. The phone number for Little or EMA assistant director Kelly Allen is 256-739-5410.

The two-day outbreak of twisters and other violent weather that pulverized homes from the Midwest to the Deep South has killed at least 35 people. Here are some stories from people in Arkansas, Mississippi and Alabama who made it through the frightening chaos.

In one hard-hit community, Mars Hill, about 12 miles southwest of Louisville, Miss., a mix of poultry farms, mobile homes, single-family homes, and open fields dot the landscape. William Quinn, 25, was removing valuables from his flattened mobile home that overlooked the Pine Ridge Farm.

Quinn recalled seeing the tornado approach on Monday and running with his fiancee more than 100 yards to his boss’ house, also located near the farm. Quinn, his fianci, his boss, and his boss’ daughter all hid under the house as the tornado blew over.

“The tornado was here. We could see it. It was kind of a grayish purple,” he said. Everyone survived though the boss’ house suffered heavy damage.

Quinn’s mobile home was nothing but rubble.

When the TVs switched back from tornado warnings to regular programming, Darrell Haney thought his community outside Fayetteville, Tenn., was out of the woods. Then, live weather reports cut back in, warning of a possible tornado as little as a minute away from his home.

Haney quickly retrieved two grandchildren and huddled in an interior bathroom with his wife, daughter and son-in-law. Almost immediately, he said, a tree crashed into a front room where one of the children had been sleeping. Then the roof was lifted off of the master bedroom.

“You know, the house is being torn apart around you, and we’re just crying out, ‘God protect us,’” Haney said Tuesday. “Because at that point you’re totally hopeless and helpless.”

Surveying the damage, the pastor and a school bus driver tried to put positive light on the destruction that included his nearby church and the school bus.

“Everything’s gone,” he said. “But the main thing is everyone’s OK, the lives are taken care of.”

Along back roads of East Mississippi, the town of Noxapater, estimated pop. 470, has a 16-member volunteer fire department led by 74-year-old D. J. Reed.

Reed wore a well-used baseball cap and neon yellow vest with “Noxapater Fire” written on it Tuesday as he and other volunteer firefighters remained watchful for any more storms. He and others had spent hours clearing fallen trees from roads and helping with rescue and recovery efforts.

“I’m going to tell you what — it’s just plain disastrous,” Reed said, a cigarette dangling from his mouth.

After the tornado pounced on Tupelo, Miss., one gas station looked as if it had been stepped on by a giant. Francis Gonzalez owns a convenience store and Mexican restaurant attached to that station. Gonzalez, her three children and two employees ducked for cover in the store’s cooler shortly after a cellphone blared a tornado warning.

In the nick of time. Within seconds, the wind picked up and glass shattered. The roof over the gas pumps was reduced to aluminum shards. A nearby SUV had its windows blown out. The storefront window had a large hole in it. Debris lay everywhere.

“It took us by surprise,” Gonzalez said in Spanish. Stunned by the destruction all around, she added: “My Lord, how can all this happen in just one second?”

Tornado Rescue And Recovery In Full Swing, Even As More Storms Loom (+video)

Emergency response, both public and private, is robust in tornado-stricken parts of the US. But the need to keep wary watch for more twisters and severe storms is complicating rescuers' efforts.

By Patrik Jonsson, Staff Writer

Christian Science Monitor, April 30, 2014

The sheer breadth of damage from two days of tornado strikes in the Southeast, plus the continued threat of thunderstorms and more tornadoes, is complicating rescue and recovery operations, even as drinking water, aid, and manpower begin to pour into devastated communities.

Search and rescue efforts are "going full bore now" in 20 Mississippi counties, including hard-hit Winston County, near Louisville, says Greg Flynn, spokesman for the Mississippi Emergency Management Agency (MEMA).

But weather forecasters expect this same area of the country to be pummeled by more storms after lunchtime Tuesday and into the evening, so "we're very concerned with so many things already damaged and weakened, we really need for folks to remain weather-aware," he adds.

The sprawling and deadly storm front that threatened mayhem across nearly a third of the US on Monday continues to be a force Tuesday, requiring thousands of tragedy-struck Americans clearing rubble from their communities to stay on high alert.

On Sunday and Monday, nearly 100 tornadoes hit in six states, killing at least 30 people in Oklahoma, Arkansas, Mississippi, and Alabama. Hundreds of others were hurt as powerful winds ripped apart trailer parks and gas stations. Images from the devastation poured onto Internet social networks such as Twitter, and a video went viral of a Tupelo, Miss., weatherman ordering TV station employees into the basement as a tornado bore down.

As the National Weather Service had predicted, the storm system shaped into the worst of a season that until now has been remarkable for the lack of death and injury.

The hardest-hit states have launched broad and dramatic search and rescue efforts. The Arkansas National Guard has 59 personnel, 24 Humvees, and a Blackhawk helicopter scanning Franklin County after local officials pleaded for help. (Tragically, one off-duty National Guardsman lost his life in the storm, and the Pentagon is reporting that National Guard family members have also been injured.)

"These are Arkansans helping Arkansans, like they always do – neighbor helping neighbor in a time of need," said Arkansas Gov. Mike Beebe.

Mississippi Gov. Phil Bryant on Tuesday called up 50 more National Guardsmen, making a total of 100 working the storm-struck area, all of whom are primarily combing the Tupelo and Louisville areas. Mississippi state emergency officials bused in a mobile emergency room to replace a damaged hospital in Louisville. The mobile emergency room was busy treating injuries, says Mr. Flynn.

In Alabama, the National Weather Service prepared Tuesday to deploy several storm assessment teams across the northern part of the state. Early reports suggest that the NWS did a good job of predicting tornado red zones and getting warnings issued, which probably saved lives.

"Almost everything we issued a tornado warning on last night had damage, if that gives you any kind of idea," Shelly Amin, a meteorologist in the Huntsville office, told the Huntsville Times.

Meanwhile, teams from large relief groups such as the American Red Cross were joined by smaller teams of volunteers marching into storm-struck areas. Convoy of Hope, a Missouri nonprofit group, is marshaling volunteers and donations to transport food and water to hard-hit spots in neighboring Arkansas.

"First thing folks need in a situation like this is food and water," Convoy of Hope's Jeff Nene tells Arkansas Matters. "So we'll get food and water into that area as quickly as we can. Follow that up with cleaning supplies, possibly debris removal teams."

Concerned about the safety and welfare of children in storm-struck communities, Save the Children has dispatched a response team, which arrived in Mississippi on Tuesday. The nonprofit group's staff is assessing how children in shelters are doing, and making sure care is available in what the group calls "child-focused disaster response."

Georgia Gov. Nathan Deal declared emergencies even before the storms arrived in the state Tuesday morning, clearing the way for federal recovery dollars to be made available if tornados stray into the state. Eighty-nine counties are under heavy storm watches Tuesday.

"Your country will be there to help you recover and rebuild as long as it takes," President Obama said Monday.

The US government is on high alert as incident managers from the Federal Emergency Management Agency (FEMA) began arriving in state capitals on Tuesday to calibrate the federal response, which will focus more on long-term rebuilding. Those incident managers, however, have the ability to get needed resources to the front lines, if required.

On Sunday, Arkansas' Faulkner County was crushed by a suspected tornado that struck the towns of Vilonia and Mayflower, killing at least 15 people, including two children. One person died in a twister that slugged Quapaw, Okla., and as many as 20 businesses were destroyed in Baxter Springs, Kan., as part of the same localized outbreak.

Rescue personnel estimated the Baxter Springs tornado to be about three blocks wide as it mowed through the central business district in the town of 4,200.

Parts of Mississippi took the brunt of the storm on Monday, with at least eight casualties in and around Tupelo.

Mississippi Gov. Phil Bryant said the twisters inflicted "severe damage" around Louisville.

Meanwhile, local rescue workers and National Guardsmen descended on debris-filled areas to search for survivors. In Mississippi, rescue workers are relying on locals to come up with lists of the missing – using what Flynn at MEMA calls "small town social networks."

Monday night, thousands across the region were hunkered down in basements or out looking for tornado-scattered belongings. Electrical power in many areas is piecemeal, given the large numbers of trees that are down. Some who had power took to social media to document damage and record their emotions and pleas.

"Mass damage to the town, pray/send help in coming days," read a storm tweet from Matt Coker, an Arkansas resident who witnessed the Mayflower tornado.

Immigration Bill Hinges On New Obama Attitude, Boehner Says

By Ashley Parker And Jonathan Weisman

New York Times, April 30, 2014

A week after mocking his Republican troops over their resistance to an immigration bill, Speaker John A. Boehner returned to Capitol Hill on Tuesday with a different message: Any movement on an overhaul will depend on a new White House attitude toward Republicans in Congress.

But Republicans and Democrats, both publicly and privately, suggested that a narrow window for an immigration bill could open early in the summer — after most of the midterm Republican primaries — if Congress and President Obama build cooperative good will on smaller bills in the coming weeks.

Meeting with House Republicans behind closed doors on Tuesday, Mr. Boehner defended statements he made in his Ohio district last week, when he called members of his conference babies who were whining at the difficulty of moving forward on immigration legislation. The speaker told his members on Tuesday that he was simply kidding around, but he admitted that perhaps he had gone "a little too far."

"You all know me," he told reporters after the meeting. "You tease the ones you love."

But then Mr. Boehner quickly shifted the blame to the president, saying that Mr. Obama had lost the trust of House Republicans through repeated changes to his signature health care law, as well as through his promise to use executive actions to circumvent Congress whenever possible.

"The biggest impediment we have in moving immigration reform is that the American people don't trust the president to enforce or implement the law that we may or may not pass," Mr. Boehner said.

Mr. Boehner's allies said most Republicans took the ribbing in stride. But, they acknowledged, the House's hard-core conservatives — many of them the most ardent opponents of any immigration bill — could still use the statements against the speaker.

"I don't have a problem with what he did," said Representative Devin Nunes, Republican of California and a supporter of an immigration overhaul. "I know him. He was talking to his constituents. I do that all the time. "But you have a group here that wants to create a spectacle, who are only interested in their own self-aggrandizement to get on talk radio."

House conservatives showed no sign of budging on their position that Mr. Obama's executive actions, especially his changes to the Affordable Care Act, had made him an untrustworthy partner in the politically delicate task of changing immigration laws.

"The president has proven he's not willing to enforce the laws on the books in a fair and equal way, and that's really poisoned the waters on a lot of issues — and immigration is clearly one of them," said Representative Steve Scalise, Republican of Louisiana and the chairman of the influential and conservative Republican Study Committee.

But there are glimmers of bipartisanship that could ease tension. Senators are combing through legislation passed by the House to see if there are bills they could accept as-is, or could change slightly before passage. Bipartisan manufacturing and energy-efficiency bills are on the Senate docket.

A Republican leadership aide pointed to several smaller issues — among them, a streamlining of federal job training programs and future trade deals — in which the president might be able to work with House Republicans to find common ground.

Jeh Johnson, the secretary of Homeland Security, is expected to offer recommendations in the coming weeks to ease the administration's deportation policy. Republicans warn that any such action by the president could undermine the chances of an immigration compromise with the Republican-controlled House.

House Republicans also say that advocacy organizations pressing for executive action are not helping their cause. Mr. Nunes said that mass protests, hunger strikes and sit-ins in congressional offices were backfiring.

On Tuesday, more than 250 evangelical Christian pastors who support an immigration overhaul fanned out across Capitol Hill, meeting mainly with Republican lawmakers to urge a vote before the end of the year. "It's time to bring biblical teaching to our leaders in Washington, D.C., and ask for immigration reform this year," said the Rev. Bryant Wright, the senior pastor of Johnson Ferry Baptist Church in Marietta, Ga., and a former president of the Southern Baptist Convention.

An increasing number of House Republicans seem eager to push through an immigration overhaul this year,

even if they cannot quite articulate a clear path forward. Last week, Representative Peter T. King, Republican of New York, sent a letter to Mr. Boehner urging him to "pass meaningful immigration reform legislation." And during the Easter break, two Republicans from Illinois — Representative Adam Kinzinger and Representative Aaron Schock — released videos supporting some form of legal status for the 11 million unauthorized immigrants in the country.

But the window to strike a compromise, members of both parties say, is dwindling.

"It's got to be this year," said Representative Mario Diaz-Balart, Republican of Florida, who has been outspoken in his support of an immigration overhaul. "If it doesn't happen this year, it doesn't happen for, I think, a few years."

Boehner: Immigration Depends On Obama's Actions

By Stephen Dinan

Washington Times, April 30, 2014

House Speaker John A. Boehner said Tuesday that getting a big immigration deal remains on hold until President Obama takes some steps to prove he will enforce any law Congress passes — once again tamping down on expectations his chamber will get a bill done this year.

Mr. Boehner cast the prospects for tackling immigration as tentative, saying he's exploring "if there's a way forward" among his fellow Republicans — but said the president's decision to make unilateral changes to Obamacare "raises more angst."

"The biggest impediment we have in moving immigration reform is the American people don't trust the president to enforce or implement the law that we may or may not pass," Mr. Boehner told reporters.

He also defended his comments to a rotary club meeting last week when he appeared to be mocking his fellow Republicans for their reluctance to move on the immigration issue.

"There was no mocking," the Ohio Republican said, though he added, "you tease the ones you love."

Congress is returning from a two-week vacation that saw a number of signs that immigration may return to the House agenda later this year.

Last week, Mr. Boehner said too many of his members refuse to take a vote on immigration because they want "the path of least resistance." That seemed to contrast with his other statements blaming Mr. Obama for the skittishness.

For his part, Mr. Obama faces a dilemma. Under pressure from immigrant-rights advocates, he has asked his Homeland Security secretary to see if there are ways to halt deportations for even more illegal immigrants living and working in the U.S.

But that move would play into House GOP fears that the president wouldn't enforce any new immigration restrictions that would be included in a broad immigration bill.

John Boehner Clarifies Immigration Joke

By Seung Min Kim

Politico, April 29, 2014

Speaker John Boehner clarified his recent jabs at the reticence of House Republicans to take up an immigration overhaul this year, while giving no signals that reform bills were coming to the floor anytime soon.

Several lawmakers who attended the closed-door party meeting at Republican National Committee headquarters Tuesday said that Boehner explained his comments back home in southwestern Ohio last week, where he theatrically mimicked House Republicans' reaction to doing immigration reform in remarks that went viral.

"There's no mocking. You all know me. You know, you tease the ones you love, all right?" Boehner told reporters following the meeting. "But some people misunderstood what I had to say."

The Ohio Republican reiterated an old line that the party has used as a reason they couldn't move forward on an immigration overhaul this year: "I wanted to make sure the members understood the biggest impediment we have to moving immigration reform is that the America people don't trust the president to enforce or implement the law that we may or may not pass."

When asked whether there will be a vote on immigration reform, Boehner responded: "We continue to work with our members. We all know we have a broken immigration system. We're going to continue to work with our members and have discussions to see if there's a way forward."

A handful of House Republicans interviewed after the private party meeting Tuesday seemed to hold little grudge against Boehner for his remarks, and there was minimal opposition to Boehner raised during the meeting, lawmakers said.

Rep. John Fleming (R-La.) said Boehner outlined several key points during the meeting: That House Republicans will not go to conference negotiations with a sweeping bill passed by the Senate last June; there is no "secret conspiracy" to do comprehensive immigration reform; President Barack Obama needs to prove to lawmakers that he will abide by existing laws; and the House may pass laws written in a way that Obama couldn't "flout."

"He was really just, I think, trying to get ahead of any criticism that he may get from," Fleming said of Boehner. "Because I do think some members were offended by that, and I think he was trying to put it in proportion in saying that it was not as serious as maybe it seemed to be."

"Look, people say all kinds of things," said Rep. Jim Jordan (R-Ohio) when asked for his reaction to Boehner's remarks. "No big deal."

Boehner: There's No Immigration Plan 'Conspiracy'

By Matt Fuller And Daniel Newhauser

Roll Call, April 29, 2014

In a closed-door meeting with the GOP conference on Tuesday, House Speaker John A. Boehner downplayed his mocking of fellow Republicans last week and said there is no "conspiracy" to spring an immigration overhaul later this summer.

The meeting came as many of the more conservative members of the GOP caucus are still fuming over the critical comments Boehner made at a Rotary Club meeting in his district.

Afterward, Boehner reiterated his support for an immigration overhaul, but he said it's up to President Barack Obama to prove the administration will enforce immigration laws, a position echoed by other GOP lawmakers.

"It is what it is," fellow Ohio Republican Jim Jordan said. "I think the conference position is pretty clear that we don't feel like we can deal with this White House to operate in any kind of good faith."

Boehner defended his Rotary Club outburst from last week.

"There was no mocking," Boehner told reporters following the weekly meeting. "Listen: You all know me. You tease the ones you love. But some people misunderstood what I had to say. And I wanted to make sure that members understood that the biggest impediment we have in moving immigration reform forward is [the president]."

That's a return to familiar GOP rhetoric on immigration. But, according to Boehner, when he stood before a Rotary Club in Middletown, Ohio, the lack of action on immigration isn't the president's fault; it's the Republicans'.

"Here's the attitude: 'Ohhhh, don't make me do this. Ohhhh, this is too hard,' " Boehner said in a whiny voice.

Kansas Republican Tim Huelskamp, one of the most ardent Boehner critics from the right, said the speaker's positions "seem to change pretty regularly."

"We're not certain what he wants to do day by day," Huelskamp said. "One day he says he's for comprehensive immigration reform, he wants to keep Obamacare, the next day, the next moment, two months later, it's a different story."

Huelskamp seemed openly offended by Boehner's comments. According to Huelskamp, Boehner told the conference when he became speaker "that he'd never say anything to embarrass us."

"Mocking us," Huelskamp said, "really hurts his cause."

Indiana Republican Marlin Stutzman agreed that Boehner's comments didn't help his standing within the conference.

"So when things like this happen, maybe it was jokingly, you got to take all these things, especially an issue like this which is very sensitive, very seriously," Stutzman said.

Of course, Stutzman was more than ready to give Boehner the benefit of the doubt, noting that the speaker was "probably joking around a little bit," as he is wont to do. "But I think he shouldn't have let it be perceived that Republicans are stopping immigration," Stutzman said. "And he should have said what he did today that, you know, the president has to be at the table as well."

One member characterized Boehner's comments as backpedaling, but not an apology.

"He didn't really apologize," said Rep. Paul Broun, R-Ga. "He just said that he wasn't referring to members of the Republican Conference. He went on to say that he'd like to see immigration reform. As far as I'm concerned, it's amnesty-over-my-dead-body."

Broun, who is running for Senate and won't have a say over Boehner's fate as speaker in the 114th Congress, said the Ohio Republican "was just being typical John Boehner."

"He is who he is," Broun said. "And the members of the new Congress will have to decide who they want to be the new speaker."

As border security hard-liners pushed back against the resurgent talk of an immigration deal, a group of evangelical leaders descended on the Capitol to lobby members — mostly Republians — to take action.

Brought together by the Evangelical Immigration Table, which describes itself as "a broad coalition of evangelical organizations and leaders advocating for immigration reform consistent with biblical values," the pastors hope to deliver a message that appeals to members of Congress on the far-right end of the political spectrum who might be inclined not to support any legislation that smacks of "amnesty."

"I'm here today because in 2011, the Southern Baptist Convention overwhelmingly approved a resolution on immigration reform. The leadership of the convention was concerned that so many conservative Christians were having their views shaped by talk radio and other news outlets, and we wanted them to come to a position shaped by Biblical teaching," said Bryan Wright, senior pastor at the Johnson Ferry Baptist Church in Marietta, Ga., and president of the Southern Baptist Convention from 2010 to 2012, in a statement. "Now it's time to bring these Biblical teachings to our leaders in Washington, D.C., and ask for immigration reform this year."

Dana Rohrabacher, R-Calif., who has been a firm "no" on immigration reform, said he enjoyed meeting face-to-face with the advocates who happened to hail from his district — but they didn't change his mind on the issue.

"My response to them was, No. 1, a policy of legalizing the people who are here, the sort of easy way out, would in the long run put 40 million new people into our country, which would change the nature of our country, and that would be a bad thing, not to mention breaking the bank, etc.," Rohrabacher said.

Boehner: Obama, Not GOP House, To Blame For Stalled Immigration Reform Talks

By Wesley Lowery

Washington Post, April 30, 2014

House Speaker John A. Boehner (R-Ohio) reiterated Tuesday that he believes that the major impediment to moving forward with comprehensive immigration reform is a distrust of President Obama, and not an unwillingness of the members of his caucus to take up the legislation.

Boehner and other House GOP leaders have said that they believe immigration reform should be passed this year, but several other prominent conservatives have said that passing immigration reform prior to the 2014 midterm elections would hurt Republicans' chances of winning the House.

During the recent congressional recess, a video of Boehner seemingly mocked House Republicans for their unwillingness to get an immigration deal done.

"'Ohh, don't make me do this, ohh this is too hard," Boehner says in the remarks, mimicking the whining he hears from members of his caucus.

Boehner reassured members of the GOP House caucus during a closed-door meeting Tuesday morning that he was not mocking them and that he believes Obama is the reason immigration reform has not moved forward.

"There was no mocking," Boehner told reporters this morning. "You tease the ones you love. ... But some people misunderstood what I had to say. So I wanted to make sure the members understood the biggest impediment we have in moving immigration reform is that the American people don't trust the president to enforce or implement the law that we may or may not pass."

Rep. John Boehner Makes Amends For GOP Immigration Gibes

'You tease the Ones You Love, But Some People Misunderstood,' House Speaker Says

By Kristina Peterson

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Evangelicals Target House Republicans On Immigration Overhaul (Video)

By Emma Dumain

Roll Call, April 30, 2014

Speaker John A. Boehner, R-Ohio, reiterated Tuesday morning that he'd still like to see the House pass an immigration overhaul by the end of the year; on Tuesday afternoon, over 250 faith leaders set out to make sure that was indeed the case.

The group of evangelical pastors descended on Capitol Hill throughout the day to meet with more than 100 rank-and-file House lawmakers, most of them Republican, to make the case for acting on a rewrite of the nation's immigration code before the clock runs out on the 113th Congress.

Brought together by the Evangelical Immigration Table, which describes itself as "a broad coalition of evangelical organizations and leaders advocating for immigration reform consistent with biblical values," the pastors hope to deliver a message that appeals to members of Congress on the far-right end of the political spectrum who might be inclined not to support any legislation that smacks of "amnesty."

(Bill Clark/CQ Roll Call File Photo)

"I'm here today because in 2011, the Southern Baptist Convention overwhelmingly approved a resolution on immigration reform. The leadership of the convention was concerned that so many conservative Christians were having their views shaped by talk radio and other news outlets, and we wanted them to come to a position shaped by Biblical teaching," said Bryan Wright, senior pastor at the Johnson Ferry Baptist Church in Marietta, Ga., and president of the Southern Baptist Convention from 2010 to 2012, in a statement. "Now it's time to bring these Biblical teachings to our leaders in Washington, D.C., and ask for immigration reform this year."

Participants kept a tally of some of their congressional office visits under the Twitter hashtag #Pray4Reform. A cursory run-through of those tweets show that pastors enjoyed audiences with representatives from the offices of Reps. Rob Woodall, R-Ga; Austin Scott, R-Ga.; Joe Wilson, R-S.C.; Dave Reichert, R-Wash.; and Dana Rohrabacher, R-Calif. They also report meeting with Boehner aides.

According to an ongoing Roll Call survey of where members stand on GOP leadership's principles for an immigration rewrite, Boehner was the only one of these visited lawmakers who stands fully behind moving forward on immigration; Reichert was the only one of these visited lawmakers who has signaled a willingness to entertain the matter. Woodall declined to comment, and Scott and Wilson never responded to Roll Call's requests for comment on their positions.

Rohrabacher has put himself in the firm "no" category on the issue, and he said that while he enjoyed meeting face-to-face on Tuesday afternoon with the immigration advocates who happened to hail from his district, his mind was ultimately unchanged.

"My response to them was, No. 1, a policy of legalizing the people who are here, the sort of easy way out, would in the long run put 40 million new people into our country, which would change the nature of our country, and that would be a bad thing, not to mention breaking the bank, etc.," Rohrabacher said.

"Also, my response was that Christian love is not furthered by advocacy of government policy but instead by individual action and commitment," he continued. "Individual commitment is not individual commitment to changing a government policy, it is to come out and help specific people and people who are in need, and if [the pastors] really wanted to help people who are here illegally or in bad situations they, they want to pay for their health insurance and everything, then I would be saying how wonderful that is. But if they are advocating that the government do that, then it will break our bank and destroy our country."

One More Time, Evangelicals Head To Hill On Immigration Reform

By Adelle M. Bank

Religion News Service, April 30, 2014

WASHINGTON — Trying yet again with new voices, more than 250 evangelical pastors came to Capitol Hill on Tuesday (April 29) to push for immigration reform.

"I didn't want people to think this was only a Hispanic issue," said Eugene Cho, pastor of Quest Church in Seattle, at a news conference before meeting with dozens of mostly Republican members of Congress. "This is impacting a lot of people, including Asian-Americans."

Cho, who is of Korean descent, was among the new faces demonstrating support for immigration reform across racial and ethnic groups and denominations. He pointed out that one out of five Korean-Americans are undocumented.

The Evangelical Immigration Table hosted the conference and worship service before the Hill visits. Among those participating were plenty of returning pastors, too.

"People say, 'Why are you here again?'" said the Rev. Gabriel Salguero, president of the National Latino Evangelical Coalition. "I say, well, we're going to be here until it happens, if we have to come 15 or 20 times. It's our job. ... These are our brothers and our sisters, our children, our neighbors."

Bryant Wright, senior pastor of a predominantly white and upper-middle-class church in the Atlanta suburb of Marietta, said he showed up for the first time because of his frustration over the lack of progress.

"There's just a greater sense of urgency that the time is now for the Congress to act," said Wright, the immediate past president of the Southern Baptist Convention, which passed a resolution on immigration reform in 2011, calling for a legal pathway and not amnesty.

"We felt like too many of the conservative evangelical Christians were allowing their views on immigration to be shaped more by talk radio and other news outlets rather than by the Scriptures."

Some leaders expressed hope that private comments from House GOP leaders could mean there is progress ahead on an issue that has stalled since the Senate passed a comprehensive immigration reform bill in June.

In the past couple of months, religious leaders have met with House Speaker John Boehner's staff and President Obama and Homeland Security Secretary Jeh Johnson. Faith leaders also recently met with members of Congress in their home districts.

John Perkins, a civil rights activist and co-founder of the Christian Community Development Association, noted that many evangelicals were silent during the civil rights movement but have now spoken up for immigration reform.

"We haven't always been there," he said. "We have a possibility to redeem ourselves for the cause of the gospel."

Paige Patterson, president of Southwestern Baptist Theological Seminary in Texas and another former SBC president, said he's hopeful that the meetings will move Congress as they hear from more people who want to see reform achieved.

"I believe that in the end you're going to have the overwhelming support of most of the Republicans in the Congress," he said.

Why Christian Leaders Put Aside Differences To Push Immigration Reform

Over 250 evangelical leaders arrive on Capitol Hill Tuesday to urge Congress to pass immigration reform. Churches have been conspicuous in their support of immigration reform.

By Lourdes Medrano, Correspondent

Christian Science Monitor, April 30, 2014

Two weeks ago, the Rev. Luis Cortés stood outside the White House after he and other faith leaders came to town to talk about immigration reform.

Tuesday morning, the same scene will play out on Capitol Hill, as over 250 evangelical pastors from 25 states meet with their members of Congress to urge them to take action on immigration reform.

With House Republicans safe in their seats and Senate Republicans in line to make gains this fall, the chances for any movement on immigration reform before the midterm elections looks dim. But religious leaders around the country don't appear willing to take "no" for an answer.

Though various denominations often don't see eye to eye on contentious social matters such as same-sex marriage and abortion, legislation to overhaul the nation's

immigration system has overwhelmingly drawn them together.

"It is the first and only political issue in this country where we all agree," Mr. Cortés told reporters on April 15.

Support from the pulpit for America's undocumented immigrants is hardly new. The sanctuary movement of the 1980s put pressure on politicians to take in immigrants fleeing the civil wars of Central America. Some say the movement played a role in the Reagan administration's decision to push for the Immigration Reform and Control Act of 1986, which granted legal status to some 3 million people.

Today, immigrants are becoming increasingly integral members of shrinking American churches, and that has given the push for immigration reform a different kind of urgency.

"Immigrants are really changing the face of the religious landscape in the United States," says the Rev. Wesley Granberg-Michaelson, general secretary emeritus of the Reformed Church in America.

Data from the 2010 census show that of the 43 million people in America people born outside the country, 74 percent identified as Christian. In addition, more than two-thirds of the country's 52 million Latinos are Catholic, according to the Pew Research Center.

Amid a decline in US Christianity, a church in Columbus, Ohio, boasts 9,000 members, 28 percent of whom are immigrants and refugees from 104 nations, notes Granberg-Michaelson in his recently released book, "From Times Square to Timbuktu: The Post-Christian West Meets the Non-Western Church."

Those changing demographics are not lost on leaders.

"There are cynics that will tell you in many cases some of the groups that are speaking out now on immigration reform are competing for new members of their flock," says John Carlson, associate professor of religious studies at Arizona State University in Tempe.

That may be partly true, he says, but within multiple denominations "you've got all sort of theological and ethical traditions and foundational concepts that are concerned with the stranger in one's midst."

While religious groups long have advocated for immigrants, the immigration debate has given focus to their efforts. Leaders have formed coalitions with other immigration reform supporters, gone on hunger strikes, waved protest signs, and, more recently, held services along a stretch of the US-Mexico border fence in Arizona.

At that April 1 outdoor mass next to the border fence between Nogales, Ariz., and Nogales, Mexico, Cardinal Sean O'Malley of the Boston Archdiocese and a delegation of bishops called attention to people who have died trying to cross the border.

Religious leaders often describe the deaths, which most often happen in harsh desert terrain during the scorching summer months, as a humanitarian crisis that has resulted from a flawed immigration system.

"We know the border is lined with unmarked graves," Cardinal O'Malley said. "They call them illegal aliens. We are here to say they are not forgotten. They are our neighbors. Our brothers. Our sisters."

In 2010, Catholic leaders banded together with Lutheran, Methodist, Jewish, Episcopal, Presbyterian, and other leaders to urge Arizona Gov. Jan Brewer to veto the controversial "papers, please" law intended to curb illegal immigration. The bill became law.

Religious communities that pay no attention to immigrant worshippers and their families will continue to shrink, says Granberg-Michaelson.

"The future of the church in America is not going to be tied to aging white Anglo folks who have been faithful in the past," he adds.

With more immigrants a fixture in congregations, "they are no longer just statistics," he adds. "These are people whose stories get known, people whose faith and commitment to family is real and compelling, and families get separated by deportation and end up in all these terrible and tragic circumstances."

Some 2 million immigrants who lacked legal status, including many from families that include US citizens, have been deported under the Obama administration. Faith leaders repeatedly have urged the president to curtail deportations and use his executive powers to revise immigration laws.

Obama has yet to acquiesce. But the Associated Press has reported that he is considering such a move.

Editor's note: The original version of this article misstated the number of attendees. Over 250 members of the clergy attended the meeting.

IMMIGRATION AND CUSTOMS ENFORCEMENT

Can You Trust Obama To Police Immigration? Report: Yes You Can

NBC News, April 30, 2014

House Speaker John Boehner said Tuesday that moving ahead on immigration reform depends on the President showing he's enforcing the law, which authors of an enforcement analysis said he has done.

In his first news conference since Congress returned from a two-week break, Boehner said the biggest impediment on immigration reform is that Obama has "got to show the American people and the Congress he can implement the law the way it may be passed."

As Boehner made the statement, the Migration Policy Institute unveiled an analysis concluding Obama has built on enforcement policies of previous administrations and accelerated them, while trying to focus on border security and deportations of criminals.

"The record is pretty clear that the law is being enforced, that enforcement has increased in scope and intensity, increased steadily in the last 10 years or so, including for sure in the last five years," said Marc Rosenblum, a deputy director at the institute and one of the report's authors.

In addition, some 250 evangelical pastors from 25 states also seemed reluctant to wait for more evidence on Obama's trustworthiness. On Tuesday they were in Washington, D.C. visiting more than 100 members of Congress, mostly Republicans, and pushing for movement on immigration reform.

"We've seen married couples separated, mothers taken away from their children and fathers deported because of the broken immigration system. We need reform and we need it now," said Rich Nathan, a senior pastor at Vineyard Columbus in Columbus, Ohio.

The analysis released by the non-partisan Migration Policy Institute, which supports immigration reform, found immigration enforcement has toughened in the U.S. since Congress passed a 1996 law to do so. As a result, the number of people formally removed from the U.S. has increased from 70,000 in 1996 to 420,000 in 2012 with steadily increasing enforcement over the years.

Immigration hawks have criticized Obama's record because of a drop in the number of immigrants apprehended in the interior of the U.S. This is a departure from the Bush administration, which conducted raids on businesses and homes far from the border.

Some have also opposed Obama's decision to extend relief from deportation to young immigrants who are in the country illegally.

But the analysis found this administration has continued the enforcement so that now:

_ An increasing share of people are deported through formal removals (preventing them from returning legally on a visa and if they try to re-enter illegally, they face prison time.)

_ An increasing share of people are formally removed through the Department of Homeland Security and not a judicial process.

_ An increasing share of people apprehended at the border face charges.

But the administration also has:

_ Put in place prosecutorial discretion policies aimed at focusing enforcement on criminals.

"If you are looking to critique the administration, you can find certain people are not crossing ICE's radar and not being deported and that's because the administration is focusing efforts mostly at the border," said Rosenbaum, who served on Obama's transition team on immigration.

David Aguilar, former National Border Patrol Chief in the Bush administration, called the institute's report tremendous. He said the there was opposition in Border Patrol ranks to using prosecutorial discretion when immigration officials urged it in 2000. "But progressively we recognized ... there was an understanding prosecutorial discretion had a place within the overall system," Aguilar said.

He said prosecutorial discretion is a piece of enforcement, but cautioned that its use be "tight" on the border.

"Ninety-nine percent of the individuals we apprehend within that 100-mile zone (from the borders) are either immediate crossers or in-transit crossers that ... are moving towards the interior of the country," he said.

Doris Meissner, who headed the now-defunct Immigration and Naturalization Service under former President Bill Clinton, said there are "no easy wins" for Obama as he tries to respond to immigration activists who have protested his deportation record. Obama directed Homeland Security Secretary Jeh Johnson to review immigration enforcement policies.

One way may be in tweaking the definitions of a criminal conviction, which now includes a range of crimes from very serious to minor offenses, such as minor traffic violations. But removing immigration crimes from the deportation priority list would be tougher because it would send a signal that once past the border enforcement, there is no accountability for entering illegally.

"I don't think that's probably the set of signals that people that are responsible for enforcement want to send," Meissner said.

Report Finds Deportations Focus On Criminal Records

By Julia Preston

New York Times, April 30, 2014

WASHINGTON — A program of cooperation between federal immigration authorities and state and local police departments has been effective at focusing deportations on immigrants with a criminal record, according to a report published Tuesday by the Migration Policy Institute, a nonpartisan research organization here.

The report found that at least 75 percent of immigrants deported by the Obama administration in the last five years through the program, known as Secure Communities, had been convicted of crimes. The report did not include information on the severity of the crimes that led to deportation, but they included both misdemeanors and felonies.

While the report found "greater flexibility" with deportations in the interior of the country, it described a "near zero-tolerance system" at the borders, particularly with Mexico, where the administration has focused most of its efforts. At the border, the authorities are bringing charges against many more of those crossing illegally and applying fast-track procedures to expel them, with limited due process or screening to establish their histories.

As a result, there are "sharply different enforcement pictures" within the country and at the Southwest border, the institute found. Within the country, administration officials said, agents have been using prosecutorial discretion to focus on deporting illegal immigrants with a criminal record, among other priorities.

"What's new is the way in which the administration has been very explicit in establishing where the priorities will be applied in the interior," Doris Meissner, an author of the study, said in an interview. "There have been real impacts."

President Obama has asked Homeland Security Secretary Jeh Johnson to review enforcement policy to make deportations more "humane." The report suggests that if Mr. Johnson looks primarily at deportations from the interior of the country he may have limited room to maneuver, as those deportations have already been significantly reduced.

The report helps to explain an outcry from immigrant advocates, who have accused the president of separating families of hard-working immigrants who pose no risk. Most immigrants deported in recent years — including a growing number of those stopped when trying to cross the border illegally — had lived for years in the United States, with jobs and families here.

"Even focused enforcement has a substantial impact on U.S.-citizen and immigrant families and communities because many unauthorized immigrants are deeply rooted in the United States," the report says. Also, a fast-increasing share of the crimes that led to deportations, the report found, were victimless offenses related to immigration — mainly illegal crossing or evading a prior deportation order — and not directly to the public safety of American communities.

The report also provides fuel for Republicans, who have accused the president of gutting interior enforcement and allowing the Secure Communities program to bypass too many immigrants who are here illegally.

The 66-page report was written by Marc R. Rosenblum, a researcher at the Migration Policy Institute who worked with Senator Edward M. Kennedy of Massachusetts, a Democrat, and Ms. Meissner, who led the immigration agency under President Bill Clinton. The institute also includes James W. Ziglar, who was commissioner of the agency under President George W. Bush. The report, which is based on analyses of government statistics, does not make policy recommendations.

Mr. Obama has deported about two million foreigners, a record for an American president. But official figures for 2013 showed a major shift toward border enforcement: Nearly two-thirds of about 368,000 deportations that year by Immigration and Customs Enforcement, the primary enforcement agency, were of immigrants caught by border agents as they were trying to enter illegally.

Under the Secure Communities program, which the Bush administration started in 2008, fingerprints of anyone arrested by the local or state police are checked against immigration databases. Immigration agents decide whether to detain foreigners flagged in the checks. Mr. Obama expanded enforcement to cover the entire nation, and a large share of deportations from within the country now start with checks under the program.

According to the institute's report, an average of 75 percent of people deported through Secure Communities from 2009 to 2011 had a criminal record. By 2013, 88 percent of immigrants deported under the program had a criminal record.

Of a total of 530,019 foreigners flagged in 2013, including many who were in the country illegally, 85 percent were not deported, generally because they did not have a criminal record, the report found.

The system has been harder on migrants who try to cross the border illegally or come back after they left or were deported. Before the Obama administration, most of those migrants, usually Mexicans, were expelled without formal charges. By 2012, the report found, 76 percent of deportations of migrants caught crossing illegally were based on formal charges for immigration or criminal violations.

At the same time, far fewer immigrants, particularly at the border, have opportunities to challenge their deportations. In 2012, 75 percent of deportations were through fast-track proceedings, without any screening by immigration officers or hearings by judges.

Deportations from the Southwest border have been part of an aggressive security strategy the administration has firmly defended, which has contributed to a steep decline in illegal crossings. But the Homeland Security secretary, Mr. Johnson, under pressure from immigrant advocates, is reviewing interior enforcement policies.

Ms. Meissner said the report showed that changes in priorities could significantly influence how agents conduct deportations in the country. But it suggests that policy tweaks would not greatly reduce those deportations, since the numbers have already declined.

Even lower numbers of those deportations may not abate the outcry from advocates, because they affect "unauthorized immigrants who are settled into established communities" and create "a broad atmosphere of fear and vulnerability," the report says.

Report: "Nonjudicial" Deportations, Criminal Charges Up Since...

By Jeremy Redmon

Atlanta Journal-Constitution, April 30, 2014

The number of people who have been charged with immigration-related criminal offenses and deported without going before a judge has steadily increased since Congress passed stringent immigration enforcement legislation in 1996, according to a new report released Tuesday.

In all, more than 4.5 million people have been deported since the passage of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, says the report by the Migration Policy Institute, a Washington-based think tank that evaluates migration policies. The pace for formal deportations rose from about 70,000 in 1996 to a record 419,000 in 2012.

Some of the report's other findings:

Formal deportations have risen sharply since 1996. They accounted for 65 percent of all expulsions in 2012, up from an average of 3 percent between fiscal 1970 and fiscal 1996. Meanwhile, the number of cases in which people have been allowed to voluntarily leave the U.S. has plummeted, falling from 82 percent of all removals in fiscal 2005 to 21 percent in fiscal 2012.

Nearly as many people were formally deported during the first five years of the Obama administration — more than 1.9 million — as during all eight years of the George W. Bush administration at 2 million.

Immigration enforcement officers rather than judges are increasingly making more deportation decisions. Such "nonjudicial" deportations — called "expedited removal" or "reinstatement of removal" — accounted for 75 percent of all deportations in fiscal 2012, the highest proportion ever. In contrast, analogous deportations accounted for 3 percent of deportations in fiscal 1996.

The proportion of those apprehended at the southwest border who have been charged with immigration-related criminal offenses rose from 1 percent in fiscal 1997 to 22 percent in the fiscal year ending in September.

"The deportation dilemma is this: How does the government carry out its enforcement responsibilities and mandates while also shielding U.S. citizen and immigrant families and communities from the inevitable damage that a robust enforcement system inflicts?" said the report's co-author, Doris Meissner, director of the institute's U.S. immigration policy program and a former commissioner of the U.S. Immigration and Naturalization Service.

Report On Deportations Shows Strict Enforcement At U.S. Border

Removals in Interior Are Selective

By Laura Meckler

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

The Deportation Dilemma: Reconciling Tough And Humane Enforcement

MPI, April 30, 2014

The United States has deported a record number of unauthorized immigrants and other removable noncitizens in recent years. More than 4.5 million noncitizens have been removed since Congress passed sweeping legislation in 1996 to toughen the nation's immigration enforcement system. The pace of formal removals has quickened tremendously, rising from about 70,000 in 1996 to 419,000 in 2012.

This report analyzes the current pipelines for removal and key trends in border and interior apprehensions, deportations and criminal prosecutions. With the Department of Homeland Security (DHS) in the midst of a review of its deportation policies to see if they can be conducted "more humanely," the report also examines the policy levers the Obama administration has to influence deportation policies, practices and results.

Using Department of Homeland Security and Immigration and Naturalization Service data, the authors identify striking trends in the deportation system since 1996:

A fundamental shift from a deportation system focused on informal returns (voluntary return and departure) to one focused on formal removals, which have more severe consequences for those who are repatriated.

Major expansion in the use of nonjudicial removal procedures such as expedited removal and reinstatement of removal, in which immigration enforcement officers rather than immigration judges make deportation decisions.

Escalating criminalization, with a rising proportion of those apprehended at the Southwest border charged with immigration-related criminal offenses.

The report explains that three factors have been the key drivers of major changes in deportation outcomes during the last two decades: new laws that expand the grounds for removal and speed the removals process; sizeable and sustained increases in immigration enforcement personnel, infrastructure, and technology; and operational and policy decisions by three successive administrations to shape enforcement outcomes. The report describes the actual state of U.S. immigration enforcement: Who is being deported and where and how are they being apprehended? It also explores how the current administration is carrying out its enforcement mandates.

The Obama administration inherited—and expanded upon—unprecedented capacity to identify, apprehend, and deport unauthorized immigrants. Nearly as many people were formally deported during the first five years of the current

administration (over 1.9 million) as during the entire eight years of the prior administration (2.0 million).

What is new is that the Obama administration also has implemented prosecutorial discretion policies to focus enforcement efforts, even as the overall scope of enforcement has grown. These policies provide guidelines for exercising discretion not to deport certain people in cases that are outside established priority categories.

Overall, enforcement at the border and within the United States show sharply different pictures. At the border, there is a near zero-tolerance system, where unauthorized immigrants are increasingly subject to formal removal and criminal charges. Within the country, there is greater flexibility, with priorities and resources focused on a smaller share of the population subject to removal. Such differences are consistent with the different goals and circumstances confronting border and interior enforcement. But the impacts of these differing systems have begun to converge, raising increasingly complex questions and choices for policymakers and the public.

The research presented here highlights the deportation dilemma: that more humane enforcement is fundamentally in tension with stricter immigration control; and that a more robust enforcement system inevitably inflicts damage on established families and communities.

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Frustrated Activists Taking White House Protests To Homeland Security Chief's Home Over Deportations

BuzzFeed, April 30, 2014

Month-long protests in front of the White House by DREAMers and activists whose families have been personally affected by record deportations are set to end in front of a different house — the personal home of Homeland Security Secretary Jeh Johnson.

Ten to 15 activists plan to set up a candlelight vigil early Wednesday morning outside the home of Johnson, who President Obama tasked earlier this year with a review of current enforcement policies, BuzzFeed has learned.

"We want to go very peacefully and bring pictures of those who are still detained," immigration activist Erika Andiola said. "We don't want a lot of people, we also understand he has children and a wife."

Andiola is frustrated that there has been very little movement in two of the cases her organization has been advocating for since the protests and hunger strikes began.

One is the case of Ardany Rosales, a man with two U.S. citizen children, who is in detention after he was arrested on a traffic violation. Rosales is in the same place he was when the activists began their actions in early April.

Things have gone differently for hunger striker and young activist Cynthia Diaz, who will see her mother, Maria del Rosario Rodriguez, for the first time in three years Saturday.

Diaz, an 18-year-old freshman at the University of Arizona, was 15 when she heard her father screaming because ICE agents came to their home and arrested her mother.

Her mother returned to the United States in March as part of a group of 150 immigrants and was detained. Diaz went to Washington, D.C., to be a part of protests and hunger strikes for her mother's release. After six days of not eating, Diaz posted in a Facebook status on April 14 that she was crying and felt hopeless because she had ended her hunger strike and because "tomorrow my mom will call me to probably tell me she failed her credible fear interview" — a last shot at staying in the United States.

The next day, however, officials determined there was strong evidence that Diaz's mother could not go back to Mexico.

"Because she passed the interview, that means she's a good person," Diaz told BuzzFeed. "ICE had the option to release her or detain her."

Diaz found out her mother would be let out on bond Monday, for $7,500. Her father borrowed money from family and friends and made the payment Tuesday morning.

An official told the Diaz that her mother will be released by Wednesday and driven to California, where Diaz, who is in

the middle of studying for finals, will see her mother again on Saturday.

Andiola said these stories don't need to play out this way and she hopes to be able to personally speak with Johnson, who has spoken with protesters outside his home before.

"We want him to come out and to understand why we're doing this," Andiola said. "We want him to hear from the people who are affected, we don't need intermediaries, we want to speak with him directly."

And, like Reps. Luis Gutierrez and Raul Grijalva, who met and prayed with activists at the protests in front of the White House, Andiola has the same request of the homeland security secretary.

"We want Johnson to come out and pray with us."

Deportation Unlikely For Typical Undocumented Immigrant

Epoch Times, April 30, 2014

WASHINGTON—As Congress dithers on passing comprehensive immigration reform, immigration and enforcement and border control are changing dramatically, according to experts who follow the deportation numbers and trends. Persons deported ("removed" is the official term) are much more likely to be caught and handled at the border, while an unauthorized immigrant caught in the interior, without a criminal record, is today almost certain not to be deported.

The border is also more secure. Before its peak in 2001, 770,000 annually crossed a porous Mexican border to the United States. The net migration today is zero. Of course, the poor U.S. economy and relatively good economy in Mexico also have something to do with the decision to immigrate.

The Obama administration has moved to a high-priority system of deportations. According to the FY 2013 ICE (Immigration and Customs Enforcement) report, most of those deported in 2013 were people caught at the border attempting to enter the country or were convicted criminals.

But the advocates of comprehensive immigration reform are in denial of the positive changes, from their perspective. Likewise, Republican Congress members who oppose any kind of immigration reform are in denial of the improved border security. Both sides seem unaware of the new facts on the ground.

"The issue what is really happening with border immigration enforcement is really the single most important topic in the debate on comprehensive immigration reform in Washington right now," said Simon Rosenberg, founder and president of NDN, a think-tank and advocacy organization.

Rosenberg was host to a panel discussion of immigration experts across the political spectrum, who discussed the ICE data and the Obama Administration's enforcement record using the latest data. He declared that the president "deserves far more credit" than he's getting for improvements in immigration enforcement by concentrating it at the border and targeting convicted criminals.

Tamar Jacoby, President and CEO of ImmigrationWorks USA, disagreed with the plaudits that Rosenberg bestowed on the president's handling of immigration enforcement. She said that the president "is taking the line, 'the law doesn't matter, I am going to do what I want to do.' The president calls it the pen and the phone; Republicans call it overreach and the imperial presidency. And it's not just immigration."

Jacoby said Obama doesn't appear trustworthy to them. Fixing immigration requires Congress to pass legislation and "Obama can't do it alone." Trends

Marc Rosenblum, Deputy Director of the US Immigration Policy Program at the Migration Policy Institute, said the deportation system has changed in the past decades from one where it was mostly an informal process to a formal process.

Before 1995, 95 percent of the time the undocumented person was put on a bus or a plane and sent back home. Last year, two-thirds of those deported went through a formal process, which has more long-term consequences for the individual, such as being made ineligible for a visit for at least five years. Later, if he is apprehended in the country, the person could be subject to criminal charges.

"This is a big change," said Rosenblum. While the number of deportations is down, the number of formal removals is way up.

Of these formal removals, before 1995, nearly all those apprehended (97 percent) went before a judge, who would exercise discretion. Now, with DHS handling the formal removals, only 25 percent of individuals go before a judge. Non-judicial review is the norm now.

A third trend is that many more unauthorized immigrants, "who are apprehended at the border are being charged with immigration-related criminal offenses."

In the past, crossing the border was very rarely prosecuted. In 1997, about one percent faced criminal charges. Last year, the number was 25 percent, said Rosenblum. The ICE data shows that border removals increased from 134,451 in FY2008 to 235,093 in FY 2013.

Jacoby welcomed the change from informal to formal treatment of violators of the border crossing. A person caught the first time, after being fingerprinted and sent back, will think much more seriously about trying again, she said.

Thus, two immigration enforcement systems are in place now: for the border and the interior of the United States. If you're caught at the border, authorities are tough on the undocumented. On the other hand, if the undocumented is found in the interior, the individual is not likely to face serious

consequences. Of the 368,644 removals in 2013, only 2.8 percent or 10,336 individuals were deported, who were not convicted criminals, repeat immigration violators, immigration fugitives, or border removals.

A NDN backgrounder using ICE data, stated that 59 percent of unauthorized immigrants deported had a criminal conviction (up from 35 percent in 2009), and about two-thirds were removed at the border. Apprehensions 'Down Dramatically

'The greater security at the border and more willingness to apply criminal charges has had a profound deterrent effect on people considering crossing the border illegally, according to Edward Alden, from the Council of Foreign Relations. The numbers of people caught crossing the border over the years can serve as a proxy for the relative number of illegal entrants.

In 2000, 1.6 million persons were apprehended on the southwest border, a record high. The lowest number caught since 1971 was 327,000 in 2011. That is "down dramatically," Adler said, and "suggests that the border is under far more control than in a decade."

The small number of entries has allowed the border patrol to get a lot tougher on who they do arrest. "The problem for the administration with the apprehensions number is that the number has started to tic back up in the last couple of years." The economy has gotten stronger is probably one reason. The number now is a little more than 400,000, most of whom are coming from Central America.

"It makes it harder for the administration to tell the story of consistent progress it wants to tell," Alden said.

The controversy concerning immigration reforms stems in part from the lack of good measures for immigration enforcement, Adler said.

"The administration has done a poor job in gathering and explaining the evidence that can demonstrate the progress it has made." Drop in Deportations

After 2011, the administration began to apply more aggressively a "policy of prosecutorial discretion," wrote Julia Preston, who covers immigration for the New York Times. The aim is to have fewer deportations of illegal immigrants who had no criminal record. Last year, with 187,678 deportation cases, DHS had nearly 50,000 fewer than in 2011.

Judges have become more lenient with undocumented immigrants. About one-third of them were allowed to stay in 2013. In 2009, only one-fifth were allowed to stay.

Since 2009, new deportation cases in the immigration courts have been steadily declining. There's been "a 43 percent drop in the number of deportations through the courts in the last five years," Preston wrote, based on Justice Department data.

These court-ordered deportations are only a portion of the total deportations, but they did contribute to a decline in the overall deportations last year. Future Prospects

Rosenberg said that the opposition to the president's policies from the pro-immigrant community is making it more difficult for the president to negotiate with the Republican leadership in getting a comprehensive immigration bill passed this year.

While he faults Republicans too, the main purpose of the panel discussion was to clear up the mischaracterization of Obama, as "Deporter-in-Chief," which he says is hampering the prospects for a comprehensive immigration bill this year.

Down The Deportation Rabbit Hole

By Marielena Hincapié

Huffington Post, April 30, 2014

The Migration Policy Institute released today another report that attempted to dig into the Department of Homeland Security's (DHS) numbers and explain who has been deported under the Obama administration. Their findings aren't surprising: The formidable immigration detention and deportation machine created under President Bush and expanded under President Obama has become skilled at detecting and deporting those living along our borders and those who come into contact with local law enforcement in the interior of our county.

But that's not the whole story.

The report doesn't tell us how the increased reliance on local law enforcement as an immigration enforcement tool has led to the criminalization of everyday activities in immigrants' lives. Far too many immigrants are funneled through the deportation machine after nothing more than a traffic stop. These immigrants – along with others – may attempt to re-enter the country unlawfully in a desperate attempt to be reunited with their families or to safeguard their rights as parents. Not doing so might result in their children being placed into foster care or up for adoption.

This report, along with recent TRAC and New York Times investigations, demonstrates that nearly all aspects of deporting an individual are routinized, mechanized, and meted out with disturbingly little thought at the totality of the circumstances at hand. Worse, they remind us that our detention and deportation system has an Alice in Wonderland quality to it: our basic values are turned upon their heads, and common sense is nearly always disregarded.

Take, for example, the very definition of the border: For immigration purposes, the border extends 100 miles inland, creating a zone in which Border Patrol agents can infringe upon the rights of U.S. residents as far north as Riverside, Calif., and as far south as Columbus, Ohio. Those deported at the "border," then, could just as easily be longtime

residents of cities and towns full of people who have never been to the actual border.

The topsy-turvy nature of our detention and deportation policy doesn't end there. Our detention and deportation system is geared toward removing the maximum number of people, regardless of the damage a deportation could cause to a family, community, or local economy. As a result, parents of U.S. citizen children have been deported due to traffic infractions and veterans have been deported due to mistakes made decades ago. No regard is given to the societal and economic damage these deportations cause.

Immigration judges also must cope with a detection, detention, and deportation system that has grown at an accelerated pace, but without adequate court funding to match. While budgets for Immigration and Customs Enforcement and Border Patrol increased by 300% between 2002 and 2013, the budget for immigration courts increased by only 70%. It's little wonder, then, that 75% of immigrants are deported without seeing a judge.

President Obama has ordered DHS Secretary Jeh Johnson to review these policies and to bring our current policies in line with our values. We – along with many others – have already made several suggestions to restore fairness and justice to a department that has long lacked both qualities, but our overarching suggestion is simple: It's time to recognize our nation's immigrant-rich heritage and stop treating immigrants as nothing more than a way to inch toward a deportation goal written on an office whiteboard.

Instead, let's create a court system that allows an immigration judge to look at all aspects of an immigrant's case before determining whether an individual should be deported. Currently, immigration judges cannot take into account whether an immigrant is a breadwinner for her family or a community leader when determining if she should be deported. Oftentimes judges cannot even consider whether an immigrant has U.S. citizen children.

Secretary Johnson could bring us closer in line with our value of fairness by instilling accountability within his department. Instead of encouraging agents to hit deportation quotas, immigration agents should be instructed and given incentives to look at each individual case to assess an immigrant's ties to the U.S., how she is contributing to her family, community, and society, and what relief she may be eligible for.

As the Migration Policy Institute report demonstrates, our Alice in Wonderland detention and deportation system preceded President Obama. But that doesn't mean President Obama is powerless to end the madness. Indeed, he is on solid legal ground and has great authority and power to do so. He, along with Secretary Johnson, has an opportunity to stop pushing more than one thousand immigrants a day through a system where logic, common sense, and due process are nothing more than buzzwords. It is time to restore fairness, justice, and balance to a system that has run amok.

Milwaukee May Day March For Immigration Reform Will Head To Courthouse

By Georgia Pabst

Milwaukee Journal Sentinel, April 30, 2014

Instead of marching from the south side to the lakefront to draw attention to the need for comprehensive immigration reform, this year's annual May Day march Thursday will head to the steps of the Milwaukee County Courthouse.

"Instead of ending at the park, we will march to the courthouse to challenge the escalated practice by immigration agents detaining and profiling Latinos at local courthouses," said Christine Neumann-Ortiz, executive director of Voces de la Frontera.

The immigration advocacy group has sponsored the march yearly since 2006, but this year there's more of an emphasis on what local authorities can do, she said.

At the courthouse marchers also will call for Milwaukee County Sheriff David A. Clarke Jr. to follow the lead of other cities, such as Portland, Ore., and stop placing a hold on those in jail based on requests from federal immigration authorities.

The detainers are issued by Immigration and Customs Enforcement and ask local sheriff's officials to hold immigrants up to 48 hours so that their legal status can be investigated.

In 2012, the Milwaukee County Board passed a resolution asking the Sheriff's Department to not cooperate with ICE unless the inmate has a serious criminal record, belongs to a gang or is a suspected terrorist.

But Clarke has refused to abide by the resolution.

"The County Board resolution that you're talking about is symbolic and does not carry the force of law, nor does it supersede federal law," Clarke said in a statement.

He added: "That sort of procedure is what is used in Third World dictatorships. The rule of law will continue to be our guiding principle."

In February, Voces and 20 Democratic legislators, immigrant advocates and faith organizations asked immigration authorities to stop what they see as racial profiling in detaining Latinos and Spanish-speaking residents who appear at county courthouses in Wisconsin for routine matters.

The questioning of Latinos who appear to pay traffic fines or handle other court matters has led to some being interrogated about their legal status and subsequently being put into deportation proceedings, Neumann-Ortiz said.

This has generated fear about going to court for a number of matters, including issues of domestic violence, she said.

She and others who are part of Fair Immigration Reform Movement met in Washington, D.C., in March with Department of Homeland Security Secretary Jeh Johnson to outline various reforms the group would like to see implemented without congressional approval.

Among the recommendations was adding courthouses to the list of "sensitive locations," or places such as churches and schools where ICE can't detain people.

Gail Montenegro, speaking for ICE in Chicago, said ICE routinely evaluated its operational procedures to make sure its resources were being used effectively and efficiently.

She said ICE and its removal operations division recently provided its field personnel with updated guidance related to its enforcement actions in or near courthouses.

"However, due to law enforcement sensitivities, the specific details of that guidance are not being released," she said.

Under President Barack Obama, 2 million immigrants in the country illegally have been deported, more than under any other president, and this is separating families, Neumann-Ortiz said. Many families who have been affected by the deportation will speak at Thursday's rally.

But Mark Krikorian, executive director of the Center for Immigration Studies in Washington, D.C. — a conservative group that favors limiting immigration — disputes that deportations are at an all-time high.

Instead, he said, the way deportations are counted has changed. Those apprehended at or near the Mexican border are now not just sent back but are now counted as removals, he said.

"The big issue for us is that there's a continued criminalization of the immigrant community, even for minor infractions, and people are getting deported," Neumann-Ortiz said.

Deportation should be only for those who represent "a real threat," she said.

The marches were initially launched in 2006 after U.S. Rep. Jim Sensenbrenner (R-Menomonee Falls) introduced legislation that would make it a felony to be in the country illegally.

Thursday's march will assemble at 10 a.m. at the offices of Voces, 1027 S. 5th St. At 11 a.m. the march will head toward the courthouse.

On This May Day, I'll Be Marching For My Dad

By Marisa Leza

Milwaukee Journal Sentinel, April 30, 2014

I never imagined this day would come. Last March, my father, Jesus, was taken from our family by Immigration and Customs Enforcement and deported to Mexico. He was arrested along with 30 other people in a series of destructive immigration raids in towns throughout northern Wisconsin. On his flight to Mexico, he was handcuffed from the feet to his neck and not fed for more than 12 hours. He told me that even young children were handcuffed.

My father is a hardworking man who worked more than 12 hours a day in the dairy industry to support us. He was a member of St. Philip the Apostle Church in Green Bay and did volunteer work at Casa Alba Melanie. He is a responsible loving father and husband, and he should be with us today.

ICE calls my father someone who fits its enforcement priorities, but the facts of the case show how misguided and out of control ICE's enforcement practices are. In 1997, my father left the United States to return to Mexico because a family member passed away. When he returned, he was stopped by immigration agents at the border. This was enough to categorize him as a threat to society in the same category as drug traffickers and murderers, and deny him due process.

Fifteen years later, in 2012, he was in a car accident and left the scene out of fear of not having a driver's license. Yet 30 minutes later, he contacted police and appeared in court to take responsibility. This is the only crime on his record, and it emphasizes the need for access to driver's licenses and auto insurance in Wisconsin.

In October 2012, I received my deferred action granted under President Barack Obama — legal status that allows "Dreamers" (immigrant youth who came to the U.S. at a young age) the opportunity to work legally in the U.S., be protected from deportation and have a driver's license. My dad came here to give me a life that has allowed me to graduate from college and fulfill my dreams to give back to the community. He was the first "Dreamer," the first generation to come to the U.S. and just as deserving of the same protections.

On May 1, we're calling on Obama to use his legal authority to grant deferred action to those who would qualify for reform that is now being blocked by the U.S. House leadership.

I miss my dad so much. He now lives in Saltillo, Mexico. He was left in ruins; now he has to start over in a country that is no longer his home, that he hasn't known for over 20 years. And for what? Our immigration laws are inhumane and senseless, and they do nothing to address the need for legal immigration channels, the economic contributions of immigrants or the moral crisis of 1,100 families like mine that are being separated on a daily basis.

On May Day, I will be marching on behalf of my dad and all of the broken families in our country.

Marisa Leza worked as a Green Bay organizer with Voces de la Frontera in 2013. She currently works as Hispanic outreach coordinator at Notre Dame Academy. The 2014 May Day March to Stop Deportations begins at 10 a.m. Thursday at the corner of 5th and Washington St. in Milwaukee and ends at the Milwaukee County Courthouse, 909 N. 9th St. For more information, go to www.vdlf.org

Some Colorado Sheriffs Ending Immigrant Detainers

By Ivan Moreno

Associated Press, April 30, 2014

DENVER (AP) — Several Colorado sheriffs will no longer honor requests from federal immigration authorities to continue to detain someone once they are eligible to be released on the charges for which they were initially arrested.

The move comes in the wake of recent court decisions in Oregon and Pennsylvania that found that such detainer requests from Immigration and Customs Enforcement are not commands that local jurisdictions have to abide by, and that sheriffs could be liable for constitutional violations for holding people past the time when they would otherwise be released.

Immigrant advocates have argued for years that these so-called ICE holds are merely requests, not commands, and that holding inmates on immigration detainers could constitute due-process violations.

Several Oregon counties have stopped honoring the ICE detainer requests as a result of the court cases, and the city of Philadelphia is limiting the use of such holds. In Washington state, two counties, Walla Walla and Kitsap, confirmed Tuesday that they would also stop complying with the detainer requests.

"It significantly reduces the possibility that Walla Walla County will get sued for similar conduct that got Clackamas County (in Oregon) sued," Sheriff John Turner told The Associated Press.

In Colorado, Boulder County Sheriff Joe Pelle said in an email shared with The Associated Press that inmates with ICE detainers will be released once any state or federal charges are resolved.

"This recent court decision in Oregon is a game changer regarding ICE holds on detainers," Pelle said in an email dated Monday. The email goes on to say that attorneys advised the sheriff that the office has "potential civil exposure, and no state statutory authority for holding people on detainers."

Pelle said in the email that they would make an exemption if ICE or any other federal law enforcement agency has an arrest warrant for an inmate. Mesa County in western Colorado is also emulating Pelle's decision, spokeswoman Heather Benjamin said.

Carl Rusnok, a spokesman for ICE, said in a statement: "ICE will continue to work cooperatively with law enforcement partners throughout Colorado as the agency seeks to enforce its priorities by identifying and removing convicted criminals and others who are public safety threats."

Mark Silverstein, the legal director of the American Civil Liberties Union in Colorado, which has been trying to change local policies on detainers, on Tuesday sent letters to every county sheriff urging them to stop honoring the ICE holds. Local jurisdictions don't have the power to enforce federal immigration laws, he said.

"There's no statutory authority to make an arrest because somebody is suspected of being present in the country in violation of the immigration laws," Silverstein said. He added that when ICE makes a detainer request, the agency is making a request for the sheriff "to do something that he has no authority under Colorado law to do."

The Oregon case involved a woman who, in March 2012, was found guilty of contempt of court and sentenced to 48 hours in jail. However, she was incarcerated for more than two weeks due to the ICE hold, even though she was eligible for pre-trial release after posting bail. A federal judge ruled earlier this month that the county that incarcerated the woman violated her rights under the 4th Amendment by prolonging her incarceration without probable cause.

The San Miguel County sheriff in southwestern Colorado announced a similar decision as Boulder on Tuesday. The change in policy came after a ruling last month in Pennsylvania involving an American citizen who was born in Puerto Rico held in jail for three days on an ICE hold because he was believed to be from the Dominican Republic.

Sheriff Bill Masters said he will still inform ICE whenever someone who is suspected of being in the country illegally is brought to the county jail. But he won't honor regular ICE detainers, which require that inmates be held for 48 hours after they post bond. Instead, Masters said ICE will have to file an arrest warrant signed by a federal magistrate explaining why someone should be held, just like deputies and police officers do when someone is arrested on state charges.

Masters said he isn't trying to make a stand on illegal immigration, but just wants to make sure that the 4th Amendment rights of all inmates to only be held with some documented evidence, whether or not they're citizens, are protected.

"I would feel terrible if someone got detained here that was an American citizen," said Masters, whose jurisdiction includes the resort town of Telluride.

Adams County Sheriff Doug Darr said he was meeting with attorneys Tuesday on how to proceed. "Nobody wants to get this wrong. Everybody wants to be within the boundaries of the law," he said.

U.S. Rep. Jared Polis, D-Colorado, said the sheriffs' decisions underline the need for overhauling the country's immigration laws. "This is all a result of Congress' failure to act," he said.

Immigrant advocates applauded the sheriffs. "I think this this is long past due. Detainers are just plain unconstitutional, period," said Hans Meyer, an immigration and criminal defense attorney.

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Colorado Counties Closing Jails To Federal Immigration Prisoners

By Nancy Lofholm

Denver Post, April 30, 2014

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CUSTOMS AND BORDER PROTECTION

U.S. Immigration Agency Ignoring Requests For Data, Complaint Records: ACLU

Yahoo!, April 30, 2014

April 29 – The U.S. Department of Homeland Security has ignored repeated requests for stop-and-search data and other information related to its "extensive but largely opaque" border-patrol operations in southern Arizona, a civil rights group alleged in a lawsuit filed on Monday.

The American Civil Liberties Union (ACLU), in a complaint filed in a U.S. District Court in Arizona, said the agency has ignored two requests made in January 2014 seeking information under the Freedom of Information Act.

The requests sought information on policies, complaints, and vehicle stops and searches, among other specifics on checkpoints and so-called roving patrols in the Tucson and Yuma areas. The ACLU, which has demanded an investigation of checkpoints near the U.S.-Mexico border, has accused law enforcement officials of abuse of authority and violations of the constitutional rights of local residents.

"For Border Patrol to be held accountable they have to be transparent. But the agency consistently refuses to share basic information with the American people while rights violations are rampant," ACLU attorney James Lyall said in a statement.

The Department of Homeland Security did not immediately respond to requests for comment.

The lawsuit comes amid a protracted fight over immigration policy in the United States, which is home to some 11 million undocumented immigrants. Immigration-reform legislation remains stalled in the Republican-led House of Representative, leading to an open clash this month with President Barack Obama.

Obama has directed the Department of Homeland Security to enforce immigration laws "more humanely," the White House said in March.

The Supreme Court on April 21 declined to revive a provision of Arizona's controversial 2010 immigration law that made it a criminal offense to encourage illegal immigrants to enter the state or to harbor or transport them within Arizona.

The ACLU has demanded a federal probe into the operations at U.S. Border Patrol checkpoints in Arizona. Among the alleged abuses cited in the complaint were extended interrogation and detention unrelated to determining a person's immigration status, unwarranted searches, racial profiling, verbal harassment and physical assault.

The ACLU also alleged, in an October complaint, numerous abuses by border patrol agents on "roving patrols" in southern Arizona. Those included included unlawful vehicle stops and searches, excessive use of force, destruction of private property and trespassing, including one such case that was reported roughly 60 miles north of the U.S.-Mexico border.

ACLU Sues To Obtain Border Patrol Records On Arizona Checkpoints

By Cindy Carcamo

Los Angeles Times, April 30, 2014

TUCSON, Ariz. – A civil rights watchdog organization that has accused the Border Patrol of excessive use of force and racial profiling filed a lawsuit Monday, seeking public records about the federal agency's roving patrols and checkpoints in southern Arizona and contending that requests for that information have been repeatedly ignored.

The American Civil Liberties Union of Arizona said Department of Homeland Security officials ignored two requests for public information about the Border Patrol's interior enforcement operations in the Tucson and Yuma sectors.

"It's outrageous that the leaders of the nation's largest law enforcement agency think that they can simply ignore lawful requests for public information," said James Lyall, an ACLU attorney in Tucson. "For Border Patrol to be held accountable they have to be transparent. But the agency consistently refuses to share basic information with the American people while rights violations are rampant."

U.S. Customs and Border Protection officials wouldn't comment on the lawsuit, stating that agency officials do not comment on pending litigation.

The lawsuit is just the latest move by a contingent of civil rights organizations and a group of residents who live along the southern Arizona border who said they are tired of what they call the increased "militarization" of their community.

In Arivaca, some residents critical of the checkpoint in their region have formed a humanitarian aid group called People Helping People in the Border Zone. They said they live with delays, harassment and even abuse by Border Patrol at a checkpoint in Amado, a town of about 300 people, about 25 miles north of the U.S.-Mexico border.

But not everybody feels that way.

Ted Voss, who said he's lived in the area for 25 years and passes through that checkpoint every day going to work, said the road used to be more dangerous before the checkpoint was established.

"There was a lot of drugs and people being smuggled in both directions and those drivers had no regard for anything other than their own business," Voss wrote in an email. "Since the point has become more established, the road is safer."

In February, the Arivaca organization started to monitor Border Patrol actions at the federal immigration checkpoint.

Border Patrol officials, who have described the checkpoint as temporary even though it's been in place for seven years, said they had no plans to remove it.

"In the Tucson sector, checkpoints remain a critical piece of infrastructure and a highly effective tool in our enforcement efforts to secure our nation's borders," U.S. Customs and Border Protection official have said about the checkpoint.

Although federal officials have released apprehension and seizure statistics for all checkpoints in Arizona's Tucson sector, they have refused to provide numbers on each one separately.

In January, two separate requests were filed by Lyall and two professors at the University of Arizona in Tucson. In the lawsuit, the ACLU calls the checkpoints and roving patrols as "unlawful" and is seeking information on the agency's policies, data and complaints about interior enforcement.

In February, the Los Angeles Times reported on U.S. Customs and Border Protection's use of deadly force while patrolling the nation's border with Mexico.

The article was based on an independent review of U.S. Border Patrol shootings. Conducted by a group of law enforcement experts, the review criticized agents for "lack of diligence" in their investigations, suggesting agents intentionally provoked confrontations at times by stepping in the path of cars, apparently to justify shootings.

ACLU Sues To Get Border Patrol Documents

Arizona Daily Star, April 30, 2014

PHOENIX — Claiming a pattern of civil-rights abuse, the American Civil Liberties Union filed suit Monday to find out exactly how the Border Patrol enforces immigration law far from Mexico.

ACLU attorney James Lyall said his organization wants data about the "roving patrols" of agents that operate far from the border and pull people over. He said complaints to the ACLU show that Border Patrol officers use race to decide whom to stop, something Lyall said is not permitted under federal court rulings.

Potentially more significant, Lyall said there is evidence that agents who are questioning motorists at the interior checkpoints are doing far more than inquiring about the "brief and limited inquiry into residence status," the legal limits for Border Patrol activities far from the border. He said motorists and their passengers are being not only delayed but harassed.

The ACLU is not the only plaintiff in the lawsuit. Lyall also is representing Derek Bambauer and Jane Yakowitz Bambauer, law professors at the University of Arizona who have written articles about public records and related stories.

The ACLU wants copies of all internal memos, legal opinions, standards, rules and any policies on the operation of Border Patrol checkpoints. That includes detaining people and searching vehicles as well as the training of dogs that might "falsely alert" to the presence of contraband or concealed people.

But the complaint also seeks information on how often a search actually resulted in finding anything — or not.

The lawsuit, filed in U.S. District Court in Tucson, comes after Lyall said the Department of Homeland Security, parent agency of Border Patrol, did not respond to requests for public records under the Freedom of Information Act. Homeland Security spokesman Peter Boogaard said his agency does not comment on pending litigation.

At the heart of the matter, Lyall said, is that Border Patrol needs to have "reasonable suspicion" that there has been an unlawful border crossing before stopping a vehicle.

He called it a matter of "common sense" that there would be more grounds for such suspicion for someone driving along the border fence than for a motorist in Tucson.

"But what we see are innocent people being pulled over 50, 60, 70, sometimes over 100 miles north of the border, essentially on a whim," he said. "They can't do that. That is against the law."

But Lyall said the ACLU has documented many cases of that. He said the records being sought should show how much more often it happens that complaints come to his organization.

The checkpoints, he said, present a different legal issue, with federal law allowing only that "limited inquiry" by an agent.

"He cannot search your car without probable cause," Lyall explained.

"He cannot detain you to interrogate you about matters unrelated to briefly verifying your residence status," he continued. And Lyall said the U.S. Supreme Court has spelled out that checkpoints cannot be operated to investigate "general criminal wrongdoing," saying anything beyond that would be a violation of Fourth Amendment rights of individuals to be free from unreasonable searches and seizures.

"Yet Border Patrol frequently ignores those limitations," he said.

The lawsuit, if successful in getting the records, could do more than expose Border Patrol practices to public scrutiny. Lyall said the documents about policies, coupled with records of actual stops, should provide the ammunition needed to force a change in agency practices.

Lyall said a 2012 lawsuit filed by the ACLU against the Border Patrol about roving patrols in the state of Washington resulted in a settlement in which the agency agreed to retrain its agents about their Fourth Amendment obligations.

He said one thing that the records may do is help the ACLU decide when to file suit on behalf of individuals who may have been improperly stopped or detained. The problem, Lyall said, is the number of complaints.

"The challenge is to narrow down which plaintiffs and which cases to bring, because there are so many rights abuses committed by Border Patrol in the interior of the country," he said. "And so we have to pick our spots."

Lyall said the first step is getting the policies to see if they are even being followed.

"But you also need to see the data, what is happening on the ground," he said. "And there's really no way to do that without getting at the data."

That includes where people are being pulled over, why, who is being stopped and what are the circumstances.

Lyall noted that this lawsuit seeking data about who is stopped comes the same day that U.S. Attorney General Eric Holder announced his agency would be gathering data about stops, searches and arrests by local police to determine if there is evidence of racial profiling. He said the federal government should be just as concerned about that within the Border Patrol, which he described as the largest national police force in the country.

Former U.S. Border Patrol Agent Reported Overtime Pay Abuse 30 Years Ago, Concerns Continue Today

By Lynn Walsh

Knoxville (TN) News Sentinel, April 30, 2014

Whistleblowers inside the Department of Homeland Security have come forward to describe chronic falsification of employee time cards within the federal agency. One said his attempts to address the problem 30 years ago went unanswered.

"I turned myself in," John Randolph, a former agent with U.S. Customs and Border Protection, said in an exclusive interview with The E.W. Scripps Company. "It was a can of worms 30 years ago. You can imagine what it is now."

The "can of worms" Randolph describes is Administratively Uncontrollable Overtime – an overtime pay program within the Department of Homeland Security.

In a report submitted to the White House last October, the federal Office of Special Counsel estimates misuse of overtime pay in six DHS offices, including Customs and Border Protection, cost taxpayers $8.7 million a year.

Randolph thinks that number is a lot bigger.

"Even at my safest, most generous estimations I think it's over 100 million dollars a year," he said.

Since the October report, the Office of Special Counsel has forwarded six additional cases to DHS for investigation, bringing the total number of offices involved to 12. In a hearing, Carolyn Lerner, special counsel of the OSC, described the $8.7 million as a "conservative estimate of the cost of overtime abuse" and the whistleblowers estimate the cost nationwide is likely to reach tens of millions of dollars annually.

Randolph joined the Border Patrol in 1979. After five years on the job, five years of lying about working overtime hours, he didn't work, Randolph turned himself in.

"Border Patrol agents can and do abuse this system by lying about the amount of overtime that they work," Randolph wrote in a letter to Border Patrol leadership in 1984.

After receiving the letter, federal investigators interviewed Randolph. It was determined he did misuse the overtime pay system. He was suspended for 30 days and had to pay $5,951.68 back to the government through payroll deductions, according to a letter from the Border Patrol.

Officially Randolph participated in "theft of property and falsification of time and attendance reports," according to a letter from the Border Patrol. But, he was never charged with a crime.

"They fined me and they gave me some time off," he said. "But if it was as egregious as they said it was, why didn't that patrol agent march me right down to the U.S. Attorney's office and prosecute me?"

In the letter from the Border Patrol, he was warned, future misconduct could result in "more severe disciplinary action," due to the "seriousness" of the situation.

Systematic problem

Randolph spent 18 years at Border Patrol stations in California, eight in El Cajon and 10 in San Diego. He then went on to become an agent with U.S. Immigration and Customs Enforcement.

"I saw enough to make me question the whole system," Randolph said. "I'm not going to keep my mouth shut about it. I didn't then and I'm not now."

There are more than 20,000 Border Patrol agents and more than 200,000 people working inside DHS. See a full breakdown of the staffing at CBP throughout the years below or click here.

Thirty years have passed since Randolph stepped forward and alerted the government about the AUO abuse taking place within CBP.

Attempts to reach CBP and DHS by phone and email were made by reporters at The E.W. Scripps Company. No response to the questions has been received.

While time has passed, recent reports and allegations point to a system-wide problem, one that has essentially withstood the test of time, indoctrinated to new agents from day one, according to Randolph.

"I think it's in the culture of the Border Patrol," he said. "If you don't work it, you still pencil it in."

This practice can sometimes add up to 25 percent of a paycheck, and according to Randolph and other whistleblowers, has become routine over the last generation. Sometimes it is even used as a perk when trying to recruit new employees.

In a May 2013 letter to the OSC, Jose Rafael Ducos-Bello, CBP chief program manager, wrote, employees "choose to pickpocket Uncle Sam of an estimated $200 million this fiscal year alone." Bello is a 24-year veteran of government employment.

AUO is only meant to compensate workers for unanticipated, urgent work. It is similar to overtime pay some law enforcement agents may acquire. Situations like having to continue with the chase of a suspect or finishing up with an arrest.

But, as highlighted in the letter from Lerner, at least six cases of AUO pay abuse were reported to her office – costing taxpayers an estimated $8.7 million annually.

"Such abuse of overtime pay is a violation of the public trust and a gross waste of scarce government funds," Lerner said in the letter to the White House.

"We are probably, technically violating the letter of the law," Shawn Moran, Vice President and Spokesperson for the National Border Patrol Council, said. "But, we are accomplishing the mission within the very bad framework we have to work with." The National Border Patrol Council is a union that represents Border Patrol agents.

Moran said Congress and CBP leaders look the other way because there isn't an alternative to pay Border Patrol agents for working overtime hours. He also said, he believes the AUO pay program is saving the government money and other options would be more expensive.

He describes a pay scale that is out of date and needs to be revamped to better suit the work the Border Patrol agents are doing. "It's not that the work is not allowed," Moran said. "We need a modified system."

Four months ago, DHS suspended AUO for certain employees working in some agency headquarters, full-time training employees and employees who have improperly received the overtime payments in the past. Last fall, DHS stopped paying overtime to clerical and office workers.

Moran said a typical Border Patrol agent will work five 10 hour days with the last two hours of a shift being reserved as AUO hours.

"It has been going on since before the 1970's," he said. "Border Patrol agents have been told they will work this recurring overtime. The ones not working AUO are the exception to the rule."

Other whistleblowers

In the October letter, Lerner outlined reported cases of AUO abuse:

* In a CBP training facility in Georgia, one whistleblower claims $5 million was paid in a year for unworked overtime. Some of the pay went to 50 managers.

* In an ICE headquarters office in Washington, D.C., a whistleblower said everyone in the office claimed 10 hours of overtime, every week.

* Two whistleblowers at the CBP San Ysidro border station claim they see their colleagues write down an extra two hours of overtime that were never worked.

* In Laredo, TX, AUO is being used for routine shift change activities.

* Situation Room employees in Washington, D.C., claim to have worked two hours of overtime following their assigned shift 89 percent of the time.

Lerner describes most of the claimed overtime work by Situation Room employees as "administrative in nature, often consisting of Headquarters or local taskings" and does not qualify for AUO. Lerner said according to the whistleblower, sometimes the employees were "surfing the internet, watching sports and entertainment channels or taking care of personal matters."

Look at the map below to see all of the locations of the Border Patrol stations or click here to see a complete listing.

The CBP Office of Internal Affairs opened up its own investigation into the allegations of overtime abuse by Situation Room employees in Washington D.C. The allegations were confirmed.

According to an April 2013 letter to the OSC, numerous employees "regularly abuse the use of AUO" and the "Director and Assistant Director authorize and abet the improper use of AUO." The investigation also revealed AUO was not properly documented or certified as required by regulation and policy.

That is not the first time, the internal affairs department at DHS and CBP has verified improper use of AUO overtime. A 2008 investigation came to the same conclusion: "the investigation revealed that AUO is not properly documented or certified as required by regulation and agency policy."

In 2008, the reported abuse of AUO involved a CBP stations in Lynden and Blaine, Wash.

"We're sworn federal officers," Randolph said. "We swear we're going to tell the truth, we're going to uphold the law and we go back to our station and lie about the overtime we're working. That doesn't work for me."

Fixing the problem

No one, including Randolph, has been charged with a crime and no lawsuits have been filed. Through federal freedom of information laws, Scripps reporters have been

trying to determine how much money has been illegally paid to DHS and CBP employees over the last 30 years. These requests were submitted six months ago and reporters are still waiting for a response.

During a hearing on the overtime abuse issues by the Senate Federal Workforce subcommittee in late January, Sen. Jon Tester, D-Mont. said, "I think you can be assured that we're going to be watching this issue very closely and holding the leadership at DHS very much accountable."

At the time of the hearing, DHS acting Secretary Rand Beers had already ordered a department-wide review of how AUO is used. Just before the hearing, a decision was made to suspend AUO for certain DHS employees.

"I've been very troubled by the reports of overtime abuse at the Department of Homeland Security," Sen. Rob Portman, R-Ohio, said in an email to Scripps reporters. "I continue to demand that the department take steps to eliminate the abuse and prevent it from happening again."

During the January hearing, Ron Vitiello, Deputy Chief with the Border Patrol, said "the Border Patrol takes its responsibility to be a good steward of taxpayer dollars very seriously. Misuse of government funds is not tolerated."

At the same hearing, Lerner, with the OSC, said "we're really pleased at the progress but there still hasn't been a directive issued to stop it. This is not a difficult issue … it's against their own financial self interest for them to hold people accountable as supervisors because they're getting it as well."

AUO pay is available to federal employees across various agencies and each agency has some options on how to regulate it.

For some workers in CBP the suspension of the AUO program means a 25 percent pay cut, according to Moran. So far, the Office of Special Counsel has not received any reports of misusing AUO from offices outside of DHS.

Senators Tester and John McCain, R-Ariz., introduced a bill in November which would give Border Patrol agents three pay schedule options.

The bill would eliminate AUO and would allow Border Patrol agents to choose to work 80, 90 or 100 hours in a two-week period. Any hours worked between 80 and the number of hours they choose, would be paid to the employees as time and a half. Anything beyond the agreed number of hours would be paid to them as compensatory time off, Moran said.

The bill was also introduced in the House by Rep. Jason Chaffetx, R-Utah. The National Border Patrol Council has endorsed the proposal. Tester and McCain estimate the bill would save taxpayers $1 billion over the next decade.

"We believe it (the bill) is a solution," Moran said. "And with the situation with AUO being abused in some areas, it just gives it more urgency."

This bill was assigned to a congressional committee on Nov. 13, 2013, which will consider it before possibly sending it on to the House or Senate as a whole.

Moran said, he has been told to expect it to take one congressional term before it could pass, but he is confident it will move forward. "We hoped it would go to markup in March, but that didn't happen," he said. "We're hoping to see some more movement."

In a statement, a spokesperson from the Homeland Security and Governmental Affairs Committee said DHS is working to address the AUO abuse concerns:

"Chairman (Tom) Carper (D-Delaware) find(s) the reports that Administratively Uncontrollable Overtime may have been inappropriately used at the Department of Homeland Security concerning. He believes that taxpayer dollars must be spent more wisely, particularly as our nation continues to grapple with fiscal challenges. The Department and its components are working to examine and address these concerns. That being said, finding a solution to this problem is a shared responsibility between the Administration and Congress. Chairman Carper will continue to work with his colleagues on finding a legislative solution to this problem that recognizes the hard work done by our frontline personnel at the border while safeguarding the taxpayer's hard earned dollars at the Department of Homeland Security and throughout the federal government."

Randolph said, the AUO abuse is widespread and he thinks a complete systematic overhaul of the program is the only way to stop it.

"Theoretically everybody that's in that system has lied about it at some point," he said. "It's no wonder that they do not take it on and tell the truth about it. Until they take care of the systemic lying, nothing is going to fix this."

TRANSPORTATION SECURITY ADMINISTRATION

Quick Screening Extended To International Airlines

Associated Press, April 30, 2014

NEW YORK (AP) — The Transportation Security Administration is expanding its PreCheck expedited screening program to passengers on international airlines.

Air Canada on Tuesday became the first international carrier to participate, with TSA officials saying other foreign airlines would soon sign on. Airlines need to first update their computer systems to embed extra information in their boarding pass barcodes as well as printing a PreCheck logo.

Passengers in PreCheck lanes get to leave on their shoes, belt, and light jackets, keep liquids and laptops in their bags and use a standard metal detector, not the full-body

scanners. Security agents can process twice as many passengers in PreCheck lanes in the same time as in a normal lane. That allows the agency to dedicate more staff to other passengers — those who theoretically pose the higher risk.

The program was launched in October 2011 at four airports. Today, there are PreCheck lanes at 118 of the roughly 450 U.S. commercial airports. About 5 million of the 14 million passengers who fly each week receive expedited screening.

The program is open to some elite frequent fliers of U.S. airlines as well as the 2.4 million travelers enrolled in one of the Customs and Border Protection's expedited entry programs: Global Entry, Nexus and Sentri.

The TSA has also started enrolling people directly in PreCheck through its own centers at 17 airports and 237 off-airport locations. Since it opened the application process in December, nearly 204,000 people have enrolled in the program which costs $85 and is good for five years. Global Entry costs $100 but requires a passport.

The TSA has been aggressively trying to get more people enrolled in the program. It can't justify having dedicated lanes at 118 airports unless there are enough people to actually use them. That's why the TSA has been pulling people out of the normal security lines into PreCheck lanes. Those passengers are either randomly picked, passed by with canine teams or monitored by behavior detection officers.

The government is also turning to foreign carriers to sign on to the program, to help ease checkpoint congestion. The airlines are responsible for paying for their computer upgrades, hence some of the hesitation.

With Air Canada's entrance, the TSA says other foreign carriers are soon to follow. Ideally, the biggest benefit would be from airlines with the most U.S. passengers: British Airways, Air France and German carrier Lufthansa. But TSA officials said they are working with international carriers large and small.

Air Canada operates to more points to the U.S. than any other foreign carrier. It currently serves 49 U.S. airports, but passengers will only be use PreCheck at 41 of them. For now, Air Canada passengers can only use the program if they print or reprint their boarding passes at airport check-in desks or kiosks. Later this year, those printing boarding passes at home or using the airline's mobile app will also be included.

The Canadian airline joins nine U.S. airlines who participate in the program: Alaska Airlines, American Airlines, Delta Air Lines, Hawaiian Airlines, JetBlue Airways, Southwest Airlines, United Airlines, US Airways, and Virgin America.

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Air Canada: First Foreign Carrier To Join TSA PreCheck

By Ben Mutzabaugh, Usa Today

USA Today, April 30, 2014

Air Canada has become the first non-U.S. carrier to be included in the Transportation Security Administration's PreCheck program that expedites screening for approved fliers who undergo background checks.

The Associated Press says Air Canada on Tuesday became the first international carrier to start participating in the program. TSA officials say other foreign airlines are expected to join the program soon. To do so, AP writes "airlines need to first update their computer systems to embed extra information in their boarding pass barcodes as well as printing a PreCheck logo."

The TSA's PreCheck program is open to fliers who are willing to submit to a background check. Those who pass get access to security lines in which they do not have to remove their shoes or take out items like laptops or liquids for separate screening.

TSA says waits become shorter for non-PreCheck fliers, too, since business and frequent travelers are moved to their own queue. The agency says it also helps overall security by allowing the TSA to dedicate more agents for the lines on fliers who have not submitted to the background checks. That, in theory, allows the agency to put most of its agents in contact with the highest-risk fliers.

The TSA says opening up the program to the foreign carriers as part of its continuing efforts to ease congestion at checkpoints. But, since those airlines must pay for their own technology upgrades to become compatible with the program, there is "hesitation" among some, according to AP.

Air Canada flies to more U.S. airports than any other foreign airline, serving 49 U.S. destinations, according to AP. Initially, PreCheck will be an option only for Air Canada fliers who check in or reprint their boarding passes at the airport. Eventually, Air Canada's PreCheck program will roll out to include boarding passes on mobile apps and on those printed at home.

U.S. PreCheck Program Expands To Air Canada Passengers

Toronto (CAN) Globe and Mail, April 30, 2014

The U.S. Transportation Security Administration is expanding its PreCheck expedited screening program to passengers on international airlines.

On Tuesday, Air Canada became the first international carrier to participate, with TSA officials saying other foreign

airlines would soon sign on. Airlines need to first update their computer systems to embed extra information in their boarding-pass barcodes as well as printing a PreCheck logo.

More Related to this Story

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TSA Shortcut Has Arrived | IndyBlog | Colorado Springs Independent

By Bryce Crawford

Colorado Springs (CO) Independent, April 29, 2014

The Transportation Security Administration's Colorado Springs Pre-Check application center is open at 1255 Lake Plaza Drive, #100, as of Tuesday, April 22. The Pre-Check program gives applicants a chance to avoid long lines and invasive searches at 118 U.S. airports, including the Colorado Springs Airport and Denver International Airport.

Participants pay a non-refundable $85 fee to apply for a five-year membership, at an application center, according to a TSA fact sheet. Those accepted can use their "Known Traveler Number" when buying tickets to get a spot in an express line. So far, only Air Canada, Alaska Airlines, American Airlines, Delta, Hawaiian Airlines, JetBlue, Southwest, United Airlines, US Airways and Virgin America are part of the program.

Still, the TSA's fact sheet states, "No individual will be guaranteed expedited screening."

Signing up for the program requires personal information including name, date of birth, address, fingerprints, valid ID and relevant citizenship or immigration documents. Some benefits will have limited availability, and program members may still be searched at random.

For more information, go to tsa.gov

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John Wayne, LAX Get TSA Pre-screening Sign-up Centers

By Mary Ann Milbourn

Orange County (CA) Register, April 30, 2014

Pre-Check, the expedited airport pre-screening program that has been available only to select travelers, now is open to the general public with new in-person sign-up offices at John Wayne and Los Angeles International airports.

Travelers approved for the program can use special, usually shorter, airport Pre-Check lines. If they get through an initial random security check, they will be able to go through screening without having to take off their belts, shoes or light jackets or take laptops out of their bags.

To qualify, travelers must apply to the program online at TSA.gov, make an appointment and then go to a Transportation Security Agency application center to provide biographic information, fingerprints, identification and pay the $85 fee.

When launched in 2011, the program was available only to U.S. citizens and lawful permanent residents selected by a handful of airlines – usually as a perk for their premier frequent fliers. Participants in the separate Global Entry program for expedited customs clearance also were eligible, but few application centers were available.

Now the TSA is opening 300 Pre-Check application centers across the country. John Wayne's first on-site center is in Terminal C. It is open 9 a.m.-5 p.m. Monday-Friday.

Los Angeles International's first enrollment location opened in January in Terminal 5. A second was added this

week in the lower-level baggage claim at Terminal 6. They also are open 9 a.m.-5 p.m. Monday-Friday.

The program has also expanded so that travelers on nine U.S. airlines can use Pre-Check for their flights. Those carriers are Alaska Airlines, American Airlines, Delta Air Lines, Hawaiian Airlines, JetBlue Airways, Southwest Airlines, United Airlines, US Airways and Virgin America.

"The application process increases the availability of TSA Pre-Check benefits to a broader population of travelers nationwide," TSA Administrator John S. Pistole said. "TSA Pre-Check is enabling us to move away from a one-size-fits-all approach to transportation security, as we look for more opportunities to provide the most effective security in the most efficient way."

FEDERAL EMERGENCY MANAGEMENT AGENCY

Pierce County Task Force Home From Record Deployment To Oso

Kitsap (WA) Sun, April 29, 2014

A Pierce County-based Urban Search and Rescue team has completed a record deployment to the massive SR 530 landslide in Snohomish County. The group included members of Gig Harbor Fire and Medic One, the Pierce County Sheriff's Department and Pierce County Department of Emergency Management.

The first 80-member rotation of Washington Task Force 1 (WATF-1) deployed on March 24 and returned April 4. The second 80-member rotation deployed on April 4 and returned on April 19.

This is the first time a Federal Emergency Management Agency Urban Search and Rescue team has used a state activation to serve as a local, county-to-county resource. Prior to this incident, the team had responded to such events as Hurricane Katrina in New Orleans and the 9/11 terrorist attack in New York. This also was a record-setting deployment of 27 total days for the team. Most US and R teams deploy for 14 days or less.

"We are blessed to serve as the home base for an expert team of emergency professionals, and I'm proud of the work they did to support the response to the SR 530 Slide," said County Executive Pat McCarthy in a press statement. "They provided critical assistance in searching for victims and bringing closure to families and loved ones. Our first responders and emergency management professionals will learn from this experience, which will help us prepare for future emergencies."

Participating agencies on the WATF-1 Urban Search and Rescue team include the Bellevue Fire Department, Bothell Fire Department, Coeur D'Alene Fire Department, Central Pierce Fire and Rescue, Gig Harbor Fire and Medic One, Kent Fire Department, Mercer Island Fire Department, Pierce County Department of Emergency Management, Pierce County Sheriff's Department, Redmond Fire Department, Renton Fire and Emergency Services Department, Seattle Fire Department, Shoreline Fire Department, South King Fire and Rescue, Tacoma Fire Department, Tukwila Fire Department, Valley Regional Fire Authority, West Pierce Fire and Rescue, and Woodinville Fire and Rescue. Nearly two-dozen employees of Pierce County Emergency Management assisted in the deployment and demobilization process.

The Pierce County Medical Examiner's Office also assisted in the response through its own mutual aid agreement with Snohomish County. Dr. Thomas Clark and eight members of his staff — including pathologists, investigators, autopsy technicians and administrative staff — assisted with the difficult and delicate task of identifying victims.

State Route 530 Bypass Near Oso Opens To Grateful, Grieving Communities

By Steve Kiggins

KCPQ-TV Seattle, April 29, 2014

OSO, Wash. — The long trip around the mudslide zone is finally over for people in Darrington, Oso, and Arlington.

A bypass is now open alongside SR 530, cutting commute times to a fraction of what it used to be after the March 22 mudslide cut the highway between Arlington and Darrington and forced people to find other ways to get from one city to another.

Before, it took people two hours to drive from Arlington to Darrington; with the new bypass, it takes only about 15 minutes.

The Washington State Department of Transportation stresses the bypass is only intended for locals.

It may only be dirt and gravel, but for locals, the bypass roadway means so much more.

"It's a somber thing, a lot of lives were lost," said Sabrina Cannell of Darrington. "It's almost as if it's a grave site."

The bypass is a lifeline for the people living along SR 530 and the scenery is a grim reminder of where at least 41 lives were lost and two others are missing and presumed dead.

The bypass is only wide enough for one lane and a pilot car takes drivers all the way through. It took crews five weeks to clear and build the roadway.

Now that it's open, businesses in the area can finally start to get back to normal.

"We really need it to help our town," said Nicole Burckhardt of Darrington. "Our economy is just going to crash if the mill has to close."

Between the hours of 5 a.m. and 5 p.m. trucks haul logs to the mill in Darrington, all while crews down below the bypass continue clearing the massive mudslide debris field.

"To many families, this is sacred ground," said Cannell.

The bypass is only temporary. State officials still have to clear out what's left covering SR 530.

WSDOT hopes to reopen SR 530 by autumn.

Meanwhile, Washington state and the Federal Emergency Management Agency (FEMA) will close the three Snohomish County Disaster Recovery Centers (DRCs) at 6 p.m. Saturday, May 10. The FEMA help line will continue to be available to provide guidance for survivors of the March 22 SR530 Slide.

The DRC staff members have been able to field questions and supply information to more than 800 survivors since they began operations on April 7.

For those affected by the slide who have yet to visit a DRC, the three centers will be open and fully staffed until the close of business on May 10 at:

Oso Fire Station (Snohomish County Fire Protection District 25 – parking lot)
21824 State Route 530 NE
Arlington, WA 98223
Arlington Department of Public Works
154 West Cox Ave.
Arlington, WA 98223
Darrington Ranger District Office (Parking Lot)
1405 Emens Ave. North
Darrington, WA 98241

Operating hours are from 11 a.m. to 8 p.m. Monday through Friday and 10 a.m. to 6 p.m. on Saturdays. The DRCs will not be open on Sunday, May 4.

To reach the FEMA help line, call 1-800-621-FEMA (3362). Survivors who use TTY should call 1-800-462-7585 directly; for those who use 711 or Video Relay Service (VRS), call 1-800-621-3362. The toll-free telephone numbers will operate from 4 a.m. to 8 p.m. PDT, seven days a week. To get information online, visit: www.DisasterAssistance.gov or m.fema.gov.

Washington Official Knew For Years About Report Warning Of Landslides

By Zusha Elinson
Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

FEMA Urges Americans To Prepare

KSN-TV Wichita (KS), April 29, 2014

WICHITA, Kansas – A national survey by FEMA shows that most of us don't have a home emergency plan.

Now, a campaign called America's PrepareAthon hopes to make families ready for anything.

"We want people to understand which disasters could happen in their area, to know what to do, what to do to be safe, and to mitigate damage and to take action to increase their preparedness," said Tim Manning, FEMA.

FEMA has put together a checklist to help families make an escape plan and emergency kit.

CITIZENSHIP AND IMMIGRATION SERVICE

Top US Immigration Official To Open New Building

Associated Press, April 30, 2014

ESSEX, Vt. (AP) – The acting director of U.S. Citizenship and Immigration Services is going to be attending the grand opening of the Vermont Service Center's newest facility in Essex.

USCIS Acting Director Lori Scialabba (SHE'-Lah-ba) will join U.S. General Services Administration Regional Administrator Robert Zarnetske and others on Thursday to mark the opening of the 54,000-square-foot, state-of-the-art facility.

Citizenship and Immigration Services is an agency of the U.S. Department of Homeland Security that is responsible for administering immigration services and benefits.

The Vermont Service Center handles family based petitions; requests for humanitarian visas and a range of benefits related to work petitions for entertainers, athletes, and specialty occupations.

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U.S. Lawmakers Press Obama Administration On Human Trafficking

Reuters, April 30, 2014

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

Virginia Attorney General Declares 'dreamers' Eligible For In-state Tuition

By Laura Vozzella And Pamela Constable
Washington Post, April 30, 2014

Virginia Attorney General Mark R. Herring thrust himself and his state back into the national spotlight on Tuesday by announcing that some illegal immigrants who were brought to

this country as children can qualify for in-state tuition under existing law.

Herring made the announcement at Northern Virginia Community College's Alexandria campus, three months after he declared the state's ban on gay marriage unconstitutional.

"We should welcome these smart, talented, hard-working young people into our economy and society, rather than putting a stop sign at the end of 12th grade," Herring (D) said to sustained applause and cheers from a room full of Latino students, immigration activists and education officials.

Announced in Spanish, Hindi, Vietnamese and Korean, in addition to English, Herring's move could fortify the Democrats' already strong position with legal immigrants, the fastest growing slice of the electorate.

But the move is not without peril in a purple state where the 2016 presidential election is expected to be heavily contested — and where opinions about immigration policy remain sharply divided. He also risks galvanizing conservatives across Virginia and in other swing states ahead of this fall's midterm elections.

Herring, who squeaked by Republican rival Mark D. Obenshain to win the office last fall, hails from Loudoun County, a Washington exurb that has swung back and forth in recent elections and where immigration policy has long divided voters.

Legislative move thwarted

The announcement came following a legislative session in which a Republican-dominated House of Delegates firmly rejected a "Dream Act," which would have accomplished through statute what Herring did Tuesday with the stroke of a pen.

Republicans, who have been trying to cultivate stronger ties to minority groups nationally and in increasingly diverse Virginia, were cautious in reacting to the announcement.

They focused most of their criticism on Herring's perceived end-run around state law, a line of attack that echoed their criticism of Herring's decision not to defend the state's constitutional ban on gay marriage.

"our esteemed AG once again making up the law," Del. Greg Habeeb (R-Salem) tweeted.

That argument dovetails with Republicans warnings that Gov. Terry McAuliffe (D) will try to expand Medicaid through executive order if he can't get legislators to go along — a possible resolution to the budget battle that threatens to shut down the state government if it is not resolved before July 1.

Herring sent a letter Tuesday to the presidents of Virginia colleges and universities and to the chancellor of the Virginia Community College System. In it, he advised that under current law, Virginia students who are lawfully present in the United States under the federal Deferred Action for Childhood Arrivals program already qualify for in-state tuition as long as they meet the state's residency requirements.

"Even apart from being the right thing to do, it is what the law requires," he wrote.

Herring's legal interpretation that students benefiting from the program have legal "domicile" in the state is valid only as long as he is in office. Still, his interpretation has suddenly opened the door to a faster, cheaper path to a full college education.

Students hugged and wept after Herring's announcement, which they said would make a radical difference in their future prospects.

"I came here when I was 12, and I have been working since I was 16. It takes me a whole month of work to pay for one class," said Ambar Pinto, 20, a Northern Virginia Community College student from Bolivia. "Now, I"ll be able to go to U.-Va., which has been my dream forever."

McAuliffe offered his full support.

"As I said throughout my campaign, I believe that Virginia children who were brought here at a young age, grew up here, and have stayed out of trouble, should absolutely have access to the same educational opportunities as everyone else.," he said in a written statement. "To grow a 21st Century economy, Virginia needs to be open and welcoming to all who call our Commonwealth home, and I am encouraged to see progress being made in this area during my administration."

While Herring's move drew condemnation from Republicans, they tried to cast themselves as open to discussion.

"We are deeply concerned by the Attorney General's actions today and what appears to be a continued willingness to ignore and circumvent the duly-adopted laws of the Commonwealth," said a statement issued by House Speaker William J. Howell (R-Stafford) and other Republican House leaders. "For the second time since taking office just a few short months ago, Mark Herring has demonstrated blatant disregard for his oath of office, his responsibilities as Attorney General of Virginia, and most importantly, the rule of law. Attorney General Herring has once again placed his personal, political ideology ahead of the will of the people and their elected representatives."

"The numerous and complex policy questions surrounding immigration are the subject of a vigorous and ongoing political and legislative debate at both the federal and state level," their letter said. "Undoubtedly, many Virginians hold sharply contrasting views on these issues and how they should be resolved. What is clear and not subject to debate, however, is that these issues should be considered, discussed and eventually resolved through the legislative and democratic processes, not by the unilateral actions of one individual."

Impact on schools

The decision could have substantial implications for Virginia colleges and universities as they prepare for an influx

of students and a reduction in what some existing students are paying.

More than 18,000 students at Northern Virginia Community College are first- or second- generation immigrants, said Robert G. Templin, Jr., the school's president. "Many are our best and brightest students. They represent an important part of the future of our region and the future of Virginia."

Across the country, 19 states, including Maryland, have enacted some form of in state college tuition for qualified young illegal immigrants, spanning a range of regions and political leanings. The others are: Texas, California, Utah, New York, Washington, Illinois, Kansas, New Mexico, Nebraska, Wisconsin, Connecticut, Colorado, Minnesota, New Jersey, Oregon, Hawaii, Michigan and Rhode Island.

In Virginia more than 8,000 illegal youths have been approved for temporary legal status under Obama's policy, called Deferred Action for Childhood Arrivals, and in Maryland about 7,000 have been approved. Nationwide, more than half a million applicants have won approval based on their age, length of time in the United States, clean criminal records and full-time enrollment in school.

Virginia To Extend In-State Tuition To Children Of Illegal Immigrants

New York Times, April 30, 2014

Attorney General Mark R. Herring of Virginia told the state's public colleges and universities on Tuesday that children brought to the United States illegally and raised here, the so-called Dreamers, should qualify for in-state tuition.

Mr. Herring, a Democrat, said current Virginia law allowed for those immigrants to receive in-state tuition, which is two or three times less than the price for out-of-state students. The attorney general's unilateral decision came after the General Assembly rejected a state Dream Act early this year because of Republican opposition. Continue reading the main story Related Coverage

With the move, Virginia would join at least 17 other states that offer in-state tuition to the children of illegal immigrants. The issue has been a political lightning rod since the 2012 presidential election, when Mitt Romney, the Republican nominee, opposed the tuition breaks, and President Obama announced a new program allowing some 1.7 million people brought to the country before the age of 16 to apply for de facto residency.

Tuesday's announcement was the second time that Mr. Herring acted independently to thwart political opponents since taking office in January. That month, Mr. Herring refused to represent Virginia in a lawsuit challenging its ban on same-sex marriage, a decision that enraged Republican leaders, with some calling for his resignation.

Mr. Herring, who won election in this narrowly divided state last year only after a recount, justified his actions in both cases by appealing to progressive principles.

"These 'Dreamers' are already Virginians in some very important ways," he said in a statement Tuesday. "Instead of punishing and placing limits on these smart, talented, hard-working young people, Virginia should extend them an opportunity for an affordable education."

Mr. Herring's office said about 8,100 young Virginians have been approved under the federal program deferring deportations, known as Deferred Action for Childhood Arrivals. To qualify, they must have no criminal record and be a high school graduate, enrolled in school or honorably discharged from the military.

To qualify for in-state Virginia tuition, the students must also meet the same state requirements as other students, which include one continuous year of residency.

Delegate Alfonso Lopez, a Democrat, called the attorney general's action the right thing to do economically as well as morally. "We invest in these students from kindergarten through 12th grade, but put up a barrier after gradation that only serves to drive away top talent from Virginia," Mr. Lopez said in a statement.

In a letter to the presidents of the state's public colleges and universities and the chancellor of the state's community college system, Mr. Herring said he had concluded that "no provision of state or federal law" prevents students from qualifying for in-state tuition if they have qualified for deferred deportation.

During debate over a state Dream Act this year, some opponents said it would allow undocumented residents to take positions from Virginia residents or legal immigrants.

The Republican leadership of the House on Tuesday accused Mr. Herring of once again short-circuiting the political and legislative debate.

"We are deeply concerned by the attorney general's actions today and what appears to be a continued willingness to ignore and circumvent the duly-adopted laws of the Commonwealth," House Speaker William J. Howell, the majority leader, Kirk Cox, and other Republican leaders said in a statement. "Attorney General Herring has once again placed his personal, political ideology ahead of the will of the people and their elected representatives."

Children Of Illegal Immigrants Eligible For In-state Tuition In Virginia

By Andrea Noble

Washington Times, April 30, 2014

Children of illegal immigrants should pay in-state tuition rates to attend college under current Virginia law, Attorney General Mark R. Herring said Tuesday.

"In most cases they were raised here, they graduated from Virginia schools, and they have known no home but Virginia," Mr. Herring said in a statement.

The announcement, made at the Northern Virginia Community College's Alexandria campus, runs contrary to action in the General Assembly that most recently in February rejected legislation establishing the lesser in-state rates for illegal immigrants.

The declaration drew swift backlash from Republicans, who have criticized Mr. Herring for saying in January that he would not defend the state's voter-approved constitutional amendment banning same-sex marriage and that he would actively work to overturn the law.

"We are deeply concerned by the Attorney General's actions today and what appears to be a continued willingness to ignore and circumvent the duly-adopted laws of the Commonwealth," said a group of Republicans lawmakers that included Virginia House of Delegates Speaker William J. Howell, in a statement issued Tuesday.

Mr. Herring's opinion would allow students who have been approved through U.S. Department of Homeland Security's Deferred Action for Childhood Arrival program to establish formal residency in Virginia and thereby qualify for in-state tuition rates. His office estimates that 8,100 people in Virginia have been approved through the program, which grants work permits and a stay of deportation for illegal immigrants who are 30 and younger and came to the United States before the turned 16.

Governor Terry McAuliffe said Tuesday he supports Mr. Herring's opinion and hopes that it becomes reality during his term in office.

"To grow a 21st Century economy, Virginia needs to be open and welcoming to all who call our Commonwealth home, and I am encouraged to see progress being made in this area during my administration," Mr. McAuliffe said in a statement.

Va. 'Dreamers' Eligible For In-state Tuition

By Matthew Barakat, Associated Press

Associated Press, April 30, 2014

ALEXANDRIA, Va. (AP) – Attorney General Mark Herring on Tuesday instructed Virginia colleges to grant in-state tuition to potentially thousands of students who were previously considered ineligible because of their immigration status.

The policy change, announced in front of hundreds of cheering immigration advocates at Northern Virginia Community College's Alexandria campus, is a change from the Democrat's Republican predecessors.

In the past, the attorney general's office had advised that students who entered the country illegally were barred from receiving in-state tuition, even if they were children when they immigrated.

Herring now says students can qualify for the reduced tuition under a special immigration status created by the Obama administration for certain young people brought to the U.S. as children.

The change, he said, will allow students who have lived in Virginia to continue their education and become productive members of the workforce "instead of punishing them for the way their parents brought them to the United States as children."

Herring said the change is immediate and applies to all public colleges in the state.

The change brought immediate condemnation from Republicans who control Virginia's House of Delegates. They had rejected legislation that would have done the same thing.

"These issues should be considered, discussed and eventually resolved through the legislative and democratic processes, not by the unilateral actions of one individual," House Republican leaders, including Speaker William Howell, said in a joint statement.

Whether students lacking legal status should receive in-state tuition has been an issue in Virginia and across the nation for more than a decade. In 2002, then-Attorney General Jerry Kilgore advised Virginia colleges that they should not even admit illegal immigrants, and if they did, they were barred from granting those students in-state tuition.

In 2004, a federal judge in Alexandria tossed out a lawsuit attacking that policy.

Much has changed since then, however. In 2012, Obama created a special immigration status, Deferred Action for Childhood Arrivals (DACA), for immigrants between the ages of 15 and 32 who came to the U.S. before they turned 16. That status allows them to remain if they have graduated from high school or are enrolled as students and meet other conditions.

Herring said the new category amounts to lawful immigration status for those who hold it, and he is therefore empowered to implement the change. Herring's office estimated that 8,100 Virginia residents have obtained lawful status under the 2012 program and are now eligible for in-state tuition.

Herring said 19 states have taken similar action, either through state law or by administrative action.

The change will be particularly meaningful in northern Virginia, home to most of the state's immigrant population. Robert Templin, president of Northern Virginia Community College, said that nearly half of all Virginia's Latino and Asian undergraduates are enrolled at either his school or at George Mason University.

GMU's president, Angel Cabrera, attended Tuesday's announcement, and said the inability to obtain in-state tuition was a "definite barrier" to affected students who want to enroll at GMU.

Dayana Torres, a sophomore at GMU who attends on a scholarship and now holds DACA status after coming to Virginia at the age of 9 from Colombia, said many of her friends take classes on a piecemeal basis, scraping up money to pay for community-college classes that cost three times as much for students who lack in-state status.

Templin said the change is important for what it symbolizes as well.

"It is a signal to all New Americans who live in Virginia that our state recognizes the importance of developing their talent for the benefit of all Virginia," he said.

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Virginia Is Making College A Reality For Some Undocumented Immigrants

By Editorial Board

Washington Post, April 30, 2014

IN DECEMBER, we wrote about Rebeca Orellana, a young woman who was raised in Arlington, graduated with top honors from Washington-Lee High School and studies engineering at George Mason University in Fairfax — where she pays tuition three times higher than what her high school classmates pay. She has intellect, ambition and a solid work ethic. But, by making college all but unaffordable, the state of Virginia was doing everything in its power to thwart her dreams.

On Tuesday, the attorney general of Virginia, Mark Herring, a Democrat, shifted the state's irrational policy of denying in-state tuition rates to students like Ms. Orellana, who was brought to this country at age 5 by her undocumented parents but is now lawfully present under a reprieve granted by the Obama administration. Mr. Herring informed the state's public colleges and universities that students like Ms. Orellana, having qualified to remain in the United States, must be considered full-fledged residents of Virginia and eligible for in-state tuition.

The practical effect of Mr. Herring's decree is that the students will face far more affordable tuition payments. Yet while the effect is profound for qualified students, it is modest for the state. Just 8,100 youngsters in Virginia have been granted authorization to stay in the United States under the federal Deferred Action for Childhood Arrivals (DACA) program, which allows them to work legally. And the pool of those granted deferments is not likely to grow much, since applicants must have arrived in the United States by their 16th birthday and lived here continuously since 2007.

Of that pool, no more than a few thousand may have the drive, aptitude and wherewithal to attend college, meaning just a few hundred, at most, are likely to apply to the state's public colleges and universities each year over the next decade or so. The impact on college admissions, and college campuses, will be negligible.

Despite that, Virginia Republicans are howling. In Richmond, they have blocked legislation to grant in-state tuition to DACA-qualified students, though the bill probably would have passed had GOP leaders allowed the House of Delegates to vote on it. Now they accuse Mr. Herring of flouting the law — without citing any particular law that he has flouted.

Their main argument is that undocumented students, if they qualify for in-state tuition, may displace "native" Virginians at public colleges and universities. That's true. But so do out-of-state students who move to Virginia and apply to public colleges and universities a year or two later. As a legal matter, Mr. Herring's ruling means that undocumented Virginia students who qualify under the federal deferment — and may have been here for a decade or more — will have the same domiciliary rights as a California teenager who moved to the state a year or two ago. And the actual number of "native" Virginians displaced as a result of Mr. Herring's ruling will be minuscule. The ruling is in line with one issued in 2007 by then-Attorney General (and later Gov.) Robert F. McDonnell, a Republican. He instructed the state's public colleges that immigrants were eligible for in-state tuition if they had been granted temporary protected status by the federal government. Most of those immigrants were from El Salvador and, as with the students covered by Mr. Herring's order, were living in the United States legally.

It is self-defeating and absurd to deny opportunities to those who were brought to this country as children by their parents, who have done well in school and who have the resolve and intellect to seek higher education. Mr. Herring's action recognizes that reality.

Read more about this issue: The Post's View: Virginia needlessly holds some students as outsiders George F. Will: Why immigration reform matters Dana Milbank: Immigration activists turn the tables on Obama The Post's View: John Boehner comes clean on immigration reform Laura Ingraham: Why conservatives should say no to immigration reform

Meet Dayana Torres: Undocumented Immigrant And Model Student

By Michael Alison Chandler

Washington Post, April 30, 2014

When Virginia Attorney General Mark Herring announced Tuesday that children of illegal immigrants can qualify for in-state tuition, he highlighted an Arlington County graduate from Yorktown High School as an example of the type of student the ruling would help.

He said:

If we are to have the economic future we want, we cannot continue to place limits on talented students like

Dayana Torres, who is with us here today. Dayana was brought to this country by her parents at age 9. Once she entered Virginia schools, she excelled at math immediately, and took only three years to catch up to her peers in English.

During high school, she was a spectacular student, and an active member of her community. She worked hard and was awarded full scholarships to continue her education at Virginia schools. But unfortunately, she wasn't able to claim them because of her immigration status.

Dayana was one of the lucky ones. She received DACA [Deferred Action for Childhood Arrivals] status and was eventually awarded a scholarship from the Dream Project and is now in one of Virginia's renowned public universities. If we're going to fully develop the rich human capital we have in Virginia, we cannot continue to push students like Dayana to the margins of our society and economy.

In an interview, Torres said she was awarded full scholarships at five different universities when she was a high school senior. "But I could not claim any of them because I was not a citizen," she said.

As a sophomore at George Mason University now, Torres's tuition costs about $20,000 more than it would cost for other students who grew up in Virginia. She has patched together scholarships and help from her parents and the parents of some of her friends to pay the difference, she said.

The 19-year old is studying computer science, an interest she developed when she was in ninth grade. It was about that same time when her parents told her she was undocumented.

She says she began spending "hours upon hours" online every night researching immigration policy and growing frustrated at how hard it was to find snippets of useful information, as well as a way out of the box she was in.

Now she is interested in developing applications and Web sites that will make it easier for other undocumented people to access helpful information. Mark Zuckerberg helped cultivate that interest when he invited her and other "Dreamers" to California earlier this year for a hackathon.

Torres has become a vocal advocate for immigration reform. She helped start a group called Dreamers of Virginia, and she's part of an on-campus group called the Mason Dreamers.

There are not very many members of the group right now, she said, but she expects that will change next year, as in-state tuition makes college more accessible to undocumented students.

The new ruling in Virginia will help her, she said, and "a tremendous number of people who are working hard and taking semesters off" to go to college.

Will Florida Give College Tuition Break To Illegal Immigrants?

The Florida Senate is considering passage of a bill that would give students living in the US illegally an in-state tuition discount.

By Staff, Associated Press

Christian Science Monitor, April 30, 2014

The Florida Senate is reviving a tuition break for some Florida high school graduates who are living in the country illegally.

The Senate on Tuesday waived its rules and agreed to consider the Post Secondary Tuition bill before the session ends this week. No one objected to the motion made by Sen. John Thrasher, a Republican from St. Augustine.

The tuition break for students who are living in the country illegal has divided Republicans this session.

Watchdog.org reports that Democrats, many Republicans, Gov. Rick Scott, several former governors including Jeb Bush and Charlie Crist and many news media outlets have piled on — Scott and Crist once opposed the idea, but now support it.

Critics charge the well-meaning proposal is an incentive to break immigration laws, with some blasting the political element of Republicans pandering to Hispanic and Latino voters.

David Caulkett, vice president of Floridians for Immigration Enforcement, told Watchdog.org that any talk of enforcing immigration laws has been ignored."We've been censored," Caulkett said. "Our side has been cut out of the debate, and no one is talking about the potential impacts."

Caulkett said he's concerned about the financial costs of the bill and doubts Republicans will gain more voters than they'll lose.

Some Florida colleges and universities already allow in-state tuition for students in the US illegally. Florida International University, for example, was the first to do so, according to its website. But the University of Florida doesn't allow in-state tuition for illegal immigrants because it's against federal law.

"The University of Florida is prohibited by federal law to provide out-of-state tuition waivers or in-state tuition to these undocumented students," states a legal opinion sought by the university.

The measure passed the House but it is opposed by many top GOP senators. Sen. Joe Negron of Stuart used a procedural move to keep the bill from advancing.

But Gov. Rick Scott asked the Senate to consider the bill. On Monday, advocates for the bill presented Gov. Scott with more than 13,000 signatures urging him to get the bill before the Senate. Immigrants living in the country illegally, who graduate from Florida high schools, now pay four times the tuition rate that legal Florida residents pay.

Sen. Jack Latvala, the bill's sponsor, has predicted a majority of senators will vote for the measure.

Latvala's bill would require dependents of undocumented immigrants to attend three consecutive years of high school in Florida and earn a diploma.

The plan would hold steady the percentage of in-state admissions, about 91 percent of university and community college students.

Undocumented students would compete for the same spots as legal in-state students.

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US COAST GUARD

Top Military Officials Say U.S. Pot Legalization Efforts Are Harming War On Drugs

By Saki Knafo

Huffington Post, April 30, 2014

Two top military officials suggested at a congressional hearing Tuesday that the push by many U.S. states to legalize marijuana has rattled the confidence of some of America's closest allies in the war on drugs.

Countries like Colombia and Nicaragua are "confused by the signals that our legalization sends, and when they're investing so much in resources and blood they have to question that," said Adm. Robert J. Papp Jr., the head of the U.S. Coast Guard.

"The word hypocrite comes into the conversation," added Marine Corps Gen. John Kelly, the head of the U.S. Southern Command, which coordinates military operations in the Caribbean and Latin America. "We seemingly are not caring about drugs anymore."

Some Latin American leaders "wonder, frankly, what the hell we're doing," he said.

The hearing, held by two House subcommittees, focused on the challenges of cracking down on drug smugglers entering the U.S. from the southern border, Central America and the Caribbean. Papp and Kelly said the legalization of recreational marijuana use in Washington and Colorado in 2012, as well as the push by several other states to do the same, is only making the process more difficult.

Last month, Kelly claimed at a Senate hearing that budget cuts had effectively forced him to "simply sit and watch" as drug traffickers went about their business. He also said at the time that Latin American leaders were "in disbelief" about the marijuana legalization in Washington and Colorado, and wanted to "stay shoulder to shoulder with us in the drug fight in their part of the world."

However, those comments and his remarks at Tuesday's hearing obscure the fact that some Latin American leaders seem to be stepping back from the drug war. Uruguay legalized marijuana last year, and Guatemala President Ott Perez recently said that his government may start allowing the production of marijuana and opium in order to curb the influence of drug cartels. In Jamaica and throughout much of the Caribbean, support is growing for marijuana reform.

Kelly also said at the hearing that Latin American partners are concerned not only about pot, but what they see as "a general lack of enforcement in getting after some of these other drugs."

Last summer, Attorney General Eric Holder directed prosecutors to stop charging certain low-level and nonviolent drug offenders with mandatory minimum sentences. And the Obama administration announced just last week that it would expand the criteria for federal inmates eligible for clemency, which will likely affect many nonviolent drug offenders.

The solution to the U.S. drug problem, Kelly argued, is destroying drugs before they arrive in the U.S. or Mexico. And "there's almost no commitment to do that, based on what they see," he said.

Increased Arctic Presence Would Put Pressure On Coast Guard Budget, Ice Breaker Fleet

By Lauren Gardner, Roll Call Staff

Roll Call, April 30, 2014

The U.S. Coast Guard will need to expand its presence in the Arctic year-round as oil and gas exploration and general maritime activity increase in the region, researchers say, but paying for such a presence is likely to be difficult as Congress wrestles with austere budgets.

The resources the Coast Guard now has to respond to an oil spill are not sufficient for the Arctic, and its efforts to support planning and mitigation for a spill without a dedicated budget "are admirable but inadequate," the National Research Council said in a recent report.

The Department of Homeland Security has made its Arctic presence and strategy a priority, but funding shortfalls have kept it from shoring up its ice breaker fleet to the level officials say is needed to carry out duties in the region.

The White House has requested about $1 billion for Coast Guard acquisitions in fiscal 2015, a figure that is nearly $300 million less than the fiscal 2014 enacted level.

The Coast Guard was able to refurbish one of its large ice breakers, and Adm. Robert J. Papp, the Coast Guard's commandant, has said that reviving its dry-docked sister ship may be the best option in light of tight budgets. The service has sought a new vessel that would combine polar-class ice-breaking prowess with space for scientists who want to hitch a ride, but the likelihood of an appropriation that would cover those costs while leaving enough left over for other priorities is slim.

The Coast Guard already has experience responding to oil-related emergencies in the Arctic, though — it joined in the

response to the grounding of Shell's Kulluk rig in late 2012. The Coast Guard issued a report in early April critical of Shell's plans for towing its rig.

Coast Guard Training Center To Hold Terror Drill

Associated Press, April 30, 2014

CAPE MAY, N.J. (AP) – Southern New Jersey's Coast Guard Training Center is preparing for its first full-scale terrorism drill.

Military, law enforcement and emergency management officials will respond to a simulated suicide bombing at the installation in Cape May on Tuesday.

Officials say nearby residents may see numerous police and emergency vehicles and may hear yells and announcements over the base's loudspeakers.

More than 41,000 people visit the Coast Guard facility each year.

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Search Ends For Man Who Jumped Off Bahamas Cruise

Associated Press, April 30, 2014

NASSAU, Bahamas (AP) – The U.S. Coast Guard has suspended its search for a 30-year-old American man who reportedly jumped off a cruise ship sailing between the Bahamas and South Florida.

The Coast Guard says searchers covered more than 3,000 square miles (4,800 square kilometers) since James Miller of South Carolina went missing from the ship Bahamas Celebration early Sunday. The search was suspended Tuesday.

The cruise ship owned by Celebration Cruise Line was sailing about 27 miles (43 kilometers) east of Florida's Delray Beach when Miller was reported missing. The Coast Guard says he reportedly jumped over the railing of the liner.

The FBI is investigating the disappearance.

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NATIONAL PROTECTION AND PROGRAMS

Attack Response Exercise Planned At Albany Mall

Associated Press, April 30, 2014

ALBANY, N.Y. (AP) – The Federal Bureau of Investigation is planning a training exercise at a big Albany shopping mall to simulate a complex terrorist attack in a public venue.

The exercise is to begin at 4 a.m. Wednesday at Crossgates Mall. The FBI and Department of Homeland Security will partner with state and local police, fire, emergency medical services and the private sector for the preparedness training.

Officials are asking the public to avoid the mall property between 4 a.m. and 10 a.m. Wednesday while the exercise is underway.

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FBI, DHS, Local Police Conduct Joint Training Exercise

KOCO-TV Oklahoma City, April 30, 2014

The Oklahoma City division of the FBI hosted a joint-training exercise at the Quail Springs Mall in Oklahoma City early Tuesday morning, officials said. According to the FBI, the training simulated a complex terrorist attack in a public venue.

Officials say several local police, fire, emergency, and private agencies participated. Those agencies included FBI Oklahoma City, Oklahoma City Police Department, Edmond Police Department, Oklahoma County Sheriff's Office, Oklahoma Highway Patrol, Oklahoma City Fire Department, EMSA, and Quail Springs Mall Security.

According to an FBI press release, the training was the final phase of the Complex Mall Attack initiative, which was developed to promote preparedness. In 2013, all FBI field offices hosted facilitated discussions with public safety and private sector partners that focused on preparedness, response, and recovery efforts necessary to effectively address a complex attack. The FBI stressed the training was not in response to any current threat.

For more information about the training, click the link.

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Law Enforcement Perform Attack Training Exercise At OKC Mall

KWTV-TV Oklahoma City, April 30, 2014

Several law enforcement agencies took part in a training exercise to simulate a complex terrorist attack in a public venue on Tuesday at the Quail Springs Mall in Oklahoma City.

Hosted by the Oklahoma Division of the FBI, the training exercise began at 1 a.m. at the Quail Springs Mall, located at 2501 W. Memorial Road.

Several agencies participated in the exercise, including FBI Oklahoma City, Oklahoma City Police Department, Edmond Police Department, Oklahoma County Sheriff's Office, Oklahoma Highway Patrol, Oklahoma City Fire Department, EMSA, and Quail Springs Mall Security.

Officials say they made every effort to not interfere with normal mall operations. The public may have seen law enforcement activity at the mall from 1 a.m. to 7 a.m. Tuesday. Residents were asked to avoid the mall property during this time.

According to the FBI, this training exercise was not in response to any current threat. Training exercises are designed to test and validate response plans. After each exercise, authorities will assess their response and make necessary improvements to their plans.

FBI Hosts Terrorist Attack Drill At Oak Ridge Mall

WBIR-TV Knoxville (TN), April 29, 2014

(WBIR) The Federal Bureau of Investigation and local agencies practiced for the worst Tuesday morning.

The Knoxville division of the FBI hosted a training exercise, which simulated a complex terrorist attack in a public venue, at the Oak Ridge City Center Mall. Department of Homeland Security, local and state law enforcement, fire and emergency medical services also participated in the training.

They used unoccupied parts of the mall so they wouldn't disrupt normal business.

Fictional Terrorist Attack Provides Valuable Training Opportunit

By Ryan Ross

WMGM-TV Wildwood (NJ), April 30, 2014

There was a very real feel to a simulated terrorist attack on Training Center Cape May as several agencies participated in a large scale training exercise.

"We're exercising our ability to respond to a full scale terrorist attack," said Captain Todd Prestidge, Commanding Officer of Coast Guard Training Center Cape May. "It exercises our ability to respond to the mass casualty but also the federal, state and, local partners respond to actually protect the infrastructure around the base and actually find out what's going on."

Officials say local fire, EMS and police along with the FBI and Cape May County Prosecutor's Office responded to the fictional situation that involved a suicide bomber driving a vehicle into the base's crowded dining area.

"Because the training center gets 41,000 visitors a year, this is an outstanding opportunity to test something like this to make sure we're not only prepared, but make sure we can actually exercise our response plan," said Captain Prestidge.

Coast Guard officials say planning for this exercise started nearly a year ago, and once Tuesday's training exercise is discussed by all the parties involved, planning for next years event will start. While the drill provides hands–on training for all agencies involved, it is the collaborative effort between first responders that helps to build cooperation and familiarity.

"Building these relationships together, working together on a regular basis and having a friendly face you can call when something really happens," said Chief Robert Sheehan, of the Cape May City Police Department.

"A time of emergency, that's not the time to be handing out business cards," said Captain Prestidge. "So knowing who's who in the zoo, is how we say it, it is very important."

Preparation for and cooperation during an event all agencies hope to never see beyond training.

"In order to do our job well," says Prestidge, "we have to train for what we do so this is very much a part of what we do."

Overall, officials called today's drill a success. All the agencies will review the results of the training together and coast guard headquarters in Washington DC will also be notified.

Internet Explorer Flaw Not Yet Patched

By Elizabeth Weise, Usatoday

USA Today, April 30, 2014

SAN FRANCISCO — No word yet on when a fix for a recently-discovered security flaw in Internet Explorer might be available. The flaw led the U.S. Department of Homeland Security on Monday to advise Americans to switch to a different browser until it's corrected.

Microsoft, which makes Internet Explorer, had not posted any new news about the problem since Saturday.

Other nations, including the United Kingdom and Sweden, are making the same suggestion.

"Users should also consider using alternative browsers, such as Google Chrome and Mozilla Firefox; and ensure that their antivirus software is current and regularly updated," the United Kingdom's National Computer Emergency Response Team said in its advisory.

Microsoft says it is aware of only "limited, targeted attacks." So far no large-scale problems have been reported.

The security problem has meant going in and disabling Adobe Flash on the computer networks of many of his clients, said Jerry Irvine, the chief information officer at Prescient Solutions, a Chicago-based IT company.

While not difficult to do, it has disrupted some companies that use Flash-based streaming video for communications.

"It could be Webinars, it could be training programs," Irvine said.

The security flaw allows attackers to slip malicious code into an innocuous website, using a compromised Adobe Flash file.

When a victim visits the tainted website using any of the Internet Explorer web browsers versions 6 through 11, the attackers are able to gain full user rights over the victim's computer — and potentially all information on it.

While Microsoft is expected to issue a patch for the problem soon, there will be no patch for the millions people who still run Microsoft's Windows XP operating system. The operating system was first released in 2001 and Microsoft officially stopped supporting it on April 8, 2014. That means no more security updates.

According to some studies, 76% of companies continue to run at least one computer using Windows XP.

Many of Irvine's clients have moved to another browser for now. But he doesn't think Internet Explorer in and of itself is a problem.

"It's a great application. It's a bug that's going to be fixed," he said. "Every application out there today has some level of vulnerability or risk and needs to be constantly monitored and updated."

Among National Collegiate Cyber Defense Competition's Benefits Is Being Courted By Tech Companies

By Katherine Long

Seattle Times, April 29, 2014

SEATTLE – Western Washington University students competed, for the first time, in a national competition that pitted computer-science students against each other in a three-day exercise in cyber defense.

Winners in the National Collegiate Cyber Defense Competition get a trophy and bragging rights. But even more meaningful, all the students who compete get to pass their resumes out to major corporations that are very interested in hiring top college talent.

At past competitions, students have been courted by $150,000 starting salaries – "that's higher than almost all the faculty in this university," said David Bover, associate dean of the College of Sciences and Technology and a professor of computer science at Western. Bover coaches Western's team.

"It's really incredible, the opportunities this opens up for students," Bover said of the competition. It's sponsored by Raytheon, a major American defense contractor and world's largest producer of guided missiles. Raytheon gives the finalists an all-expenses-paid trip to San Antonio, Texas, to compete. Other sponsors include the Department of Homeland Security, the U.S. Space and Naval Warfare Systems Command, Goldman Sachs and Boeing.

This year's ultimate winner, announced Sunday, was the team from the University of Central Florida.

In previous years, the University of Washington was the top dog in the cyber defense regional rounds, making the finals five years in a row and winning the national competition in 2011 and 2012.This is the first time Western has edged out the UW in the regional competition to make it to the national competition. (Organizers divide the nation into 10 regions, and the winner of each goes to the finals.)

"At regionals we felt like the obvious underdogs," wrote Western team member Katie Klions, a senior from Silverdale, Kitsap County, Wash., in an email. "We feel very confident about nationals. If we can reproduce the same atmosphere we had at regionals we will do really well."

Western team co-captain Aaron Griffin, a junior from Stanwood, Wash., described cybersecurity as a kind of intellectual puzzle that requires rigorous computer detective work.

In the competition, which started Friday and ended Sunday at the University of Texas at San Antonio campus, Western's eight-member team was tasked with defending its computer network against attacks launched by the "red team" – professionals in the industry who know a thing or two about how cybersecurity works.

They competed against some big-name schools, including the University of California at Berkeley, Rochester Institute of Technology (second-place finisher), University of Alaska at Fairbanks (third-place finisher) and the Air Force Academy.

The Western team practices on virtual machines set up on an isolated network, hacking into the network and then fixing it in a safe environment. The team members also do individual research on their own areas of expertise.

Griffin estimates he spends four or five hours a week reading up on cybersecurity issues, and many more hours on individual preparation. The team has tried to be both broad and deep: "Everybody needs to be pretty good at everything, and very good at one thing," said Griffin, who has made routers his area of specialty.

In Washington, Western is sometimes overshadowed by the much larger, nationally recognized UW computer-science department. But Western's department is growing fast, in large part due to the increasing interest in computer science among all college students, Bover said.

About 100 students are expected to graduate this year with a computer-science major, and in a few years, that number could reach 150.

"We're just growing like crazy," said Perry Fizzano, chair of Western's computer-science department, who said all the big-name tech companies in Washington state – Microsoft, Amazon, Adobe, Boeing – heavily recruit Western's graduates.

In fact, Western has been struggling to keep up with the demand for computer-science classes, Bover said.

Last year, Western, UW and Washington State University received money from the state Legislature to expand computer science and engineering. Western is hiring five new faculty positions, which would bring the number of faculty teaching computer science to 13.

Before the competition, Griffin was thinking about working in cybersecurity when he graduated. The competition has cemented his interest in it as a career.

Klions said she's more interested in software development as a career, but the training won't go to waste.

"Having knowledge about cybersecurity in any area of computer science is a huge benefit," she said.

The team's other co-captain is Troy Tornow of Spokane, Wash. The other team members are Tim Sargent, Bremerton, Wash.; Mark Shipley, Silverdale, Wash.; Remi Gattaz, Montbonnot, St. Martin, France; Michael Hennings, Kingston, Kitsap County, Wash.; and James Collins, Conway, Skagit County, Wash.

Rounding out the 10 teams in the final competition were Towson University in Maryland, Northern Kentucky University, Dakota State University in South Dakota and Southern Methodist University in Texas.

The event was organized by the Center for Infrastructure Assurance and Security (CIAS) at UT-San Antonio.

"This was a great finale to an amazing season," said Dwayne Williams, CIAS director of NCCDC. "Every year the competition gets bigger and better. The competitors are better prepared, the teams are stronger, and the challenges more intense. We know our stakeholders have the resources and vision to help us take the CCDC program to the next level."

Next Generation Of Cyber Defenders Prepare For Expanding Battlefield

While private-sector cybersecurity flaws, such as the recent Microsoft Internet Explorer hack, dominate headlines, college-level cybersecurity competitions have become a major training and recruiting ground to supply the growing cybersecurity need.

By Karis Hustad, Staff Writer

Christian Science Monitor, April 30, 2014

When reigning champion of the Raytheon National Collegiate Cyber Defense Competition (NCCDC) and current Rochester Institute of Technology (RIT) senior Lucas Duffey heard about the Target hacks, he could only pity the multibillion dollar company.

"It was kind of sad," says the computing-security major. "A lot of us look at these things and say 'Why did that have to happen in the first place?' "

Listen up, Target. Mr. Duffey is soon to be the first line of defense against the growing threat of cyber attacks.

The need for an increase in the cybersecurity workforce has been apparent for some time – a 2010 Center for Strategic and International Studies (CSIS) study announced there was a "human capital crisis" in cyber security, with an outstanding need for 10,000 to 30,000 trained workers. While this study and others called for a more robust military cyber defense, this year has caught the private sector on its heels. High profile attacks such as the Target credit card breach, which left more than 70 million cards compromised, and numerous other vulnerabilities have ramped up the demand for high quality cyber defenders. This, in turn, has created a surge of interest in competitions that are recruiting and training the next generation of cyber defenders, one simulated hack at a time.

Welcome to the Final Four of the cybersecurity world.

"[NCCDC] is definitely very stressful," Duffey says. "Your systems are going down all the time."

The competition, which has taken place in San Antonio, Texas, every year since 2004, brings 10 universities from regions across the country together for a three-day competition. Each team is put in charge of a fictional small tech company with 50 or more users, 7 to 10 servers, and common Internet services, such as mail servers and e-commerce. Over 17 hours, teams are scored on their ability to keep servers running, respond to customer inquiries (such as "Can you reset my password?"), and balance security with business.

Then there is the Red Team. This is a group of hackers whose sole purpose is to dismantle the other teams' security by running denial of service attacks and hacking customer passwords.

Duffey says his team practiced for hours every day in the months leading up to the competition, even skipping spring break vacations to learn operating system configurations and researching likely hacker targets. But he says the competitions provide incentive for that sacrifice.

"A lot of material you learn in school is very watered down," Duffey says. "The great thing about security competitions is that they give you pretty much every challenge you could see in a very short amount of time.... It pushes you to research on your own time."

Despite its grueling nature, the competition has only become more popular among students and schools. In 2006, 24 universities participated. During the 2014 regional and national competitions, more than 180 universities were represented and more than 2,000 students participated. Sponsors, who range from Goldman Sachs and the US Army to Microsoft (which recently has dealt with a high-level vulnerability with its Internet Explorer browser), heavily recruit student competitors.

That's because need for trained cyber defenders has skyrocketed since the first NCCDC competition and 2010 CSIS report. Burning Glass Technologies monitors the supply and demand for cybersecurity jobs and found that between 2007 and 2013, cybersecurity job postings grew 74 percent, but postings took 24 percent longer to fill than normal information-technology jobs and 36 percent longer than postings in general.

The private sector discovered its need the hard way. PricewaterhouseCoopers's 2014 Global Economic Crime Survey found that over the last three years, 7 percent of US organizations lost more than $1 million each to cybercrimes, and 19 percent lost between $50,000 and $1 million.

"This is no longer a back-room discussion, this is a boardroom discussion," says former Air Force Gen. Harry Raduege, chairman of the center for cyber innovation at Deloitte, a previous top-level sponsor of NCCDC, and co-chair of the CSIS commission. "Frankly, some progress had been made, but there [is] an obvious need for much much more."

General Raduege says there aren't enough workers that have the combined science, technology, engineering, and math training needed to effectively build cybersecurity-specific skills, especially when technology is refreshing every year. He adds that the need is also diversifying. From cyber attack insurance agents to cyber fluent communications officers, Raduege says that the need to get the next generation of workers cyber-ready extends even beyond information technology.

"We need attorneys who know the difference between a botnet and a spearfish…but can also explain that to a judge and a jury," he says.

However, creating a cyber-talent pipeline isn't without its challenges. Raytheon, a defense company and top sponsor of this year's NCCDC, and Zogby Analytics conducted a survey of Millennials on cybersecurity, and found 82 percent of young adults ages 18 to 26 had never had a high school teacher or guidance counselor suggest a cybersecurity career. Less than 25 percent are even interested in a cybersecurity job. That number drops to 14 percent for young women.

"We teach our young children right from wrong, and I think we need to do this specifically in their [digital] connectedness," says Jeff Jacoby, a director for Raytheon intelligence, information, and services. "The term 'cyber' has not made it into the mainstream [careers]."

Mr. Jacoby's solution? Advance education and awareness as early as possible.

For example, Raytheon sponsors a scholarship for elementary school teachers who innovate ways to teach STEM concepts, in addition to sponsoring numerous competitions.

"[Competitions are] really a way for colleges and universities to assess their own cyber security programs to make improvements," he says.

These early initiatives could be paying off. For Duffey, his interest in cybersecurity started with competitions in high school and continued when he joined RIT's Security Practices and Research Association (SPARSA), which runs its own national cybersecurity competition. The competition, he says, is key.

"When you look at other fields, like sports, [there's a football] quarterback – it is kind of sensationalized. People look up to these people," Duffey says. "I think something really important is having some milestones people can shoot for to get recognition."

The 2014 competition, which took place this weekend, at least had one storybook championship moment: the underdog won. University of Central Florida, who participated in the competition for the first time last year, beat RIT for the top prize.

DIRECTORATE FOR MANAGEMENT

Homeland Security Secretary Coming To Port Huron Friday

Port Huron (MI) Times Herald, April 29, 2014

A member of President Barack Obama's Cabinet will tour the Blue Water Bridge plaza Friday.

Homeland Security Secretary Jeh Johnson was invited by U.S. Rep. Gary Peters to discuss the construction of new Customs trade plazas at locations including Port Huron and the Detroit-Windsor border.

The Bloomfield Township Democrat introduced a bill in February to authorize funding for the project. Peters is currently running to fill retiring Sen. Carl Levin's senate seat.

Further details about Johnson's visit were not immediately available.

Intentions for a plaza expansion at the Blue Water Bridge were announced in 2002 and a half a dozen plans were designed, including a 56-acre plan that would have cost half a billion dollars. U.S. Customs and Border Protection told city officials in early 2013 funding for the expansion was not in its five-year plan.

TERRORISM INVESTIGATIONS

Milder View Of Suspect In U.S. Case On Terror

By Benjamin Weiser

New York Times, April 30, 2014

It was around a year ago that the government unsealed charges against a Tunisian citizen named Ahmed Abassi, saying he had come to the United States to develop a network of terrorists and commit acts of terror. Prosecutors

said he had "radicalized" one supposed terrorist and spoken of killing 100,000 people through bioterrorism.

But at a hearing on Tuesday in Federal District Court in Manhattan, a prosecutor told a judge that the government was now prepared to allow Mr. Abassi, 27, to plead guilty to two counts that did not involve terrorism.

The prosecutor noted that the government also might not seek a special terrorism enhancement under the advisory sentencing guidelines, which would mean Mr. Abassi's recommended sentence would not exceed six months.

The prosecutor, Michael Ferrara, did not elaborate as to why the government's portrayal of the defendant had changed since his arrest.

But Mr. Abassi's lawyer, Sabrina Shroff, told Judge Miriam Goldman Cedarbaum that her client had been "entrapped," and she suggested that the government's recordings of his conversations with an undercover agent from the Federal Bureau of Investigation would show that he was not the terrorist the authorities had made him out to be.

The authorities tried to "build up a case that they thought would be the case of the century, which never came to bear, because Mr. Abassi refused to engage in any concrete plan of terrorism," Ms. Shroff said.

The government is often given great leeway in how undercover agents or informants obtain evidence against terrorism suspects; arguing entrapment rarely works as a defense tactic. In the case of Mr. Abassi, who has pleaded not guilty, the fairness of the government's tactics in the investigation has, however, been a running theme.

"The fact that he repeatedly told their undercover officer that no, he would not go and blow up a building and he would not do anything in the present time is very, very important," Ms. Shroff told the judge in a January hearing.

The office of Preet Bharara, the United States attorney in Manhattan, has said in court papers that Mr. Abassi came to the attention of law enforcement during an investigation by the F.B.I. that revealed he had "radicalized" one of two men arrested last year in Canada and charged with participating in a plot, linked to Al Qaeda, to derail a passenger train.

Mr. Abassi entered the United States in March 2013 and remained under constant surveillance by law enforcement while he maintained regular contact with a man who was the undercover F.B.I. agent, prosecutors have said.

In a recent hearing, Ms. Shroff said Mr. Abassi's arrival followed promises made by the undercover agent in calls to Mr. Abassi's family members in Tunisia, so they would allow him to come to New York.

"During these calls, the undercover takes great pains to reassure Mr. Abassi's parents that he is going to give Mr. Abassi a job," Ms. Shroff said.

"He's going to sponsor him and give him a visa," she added. "He's going to give him a good life in the United States."

Prosecutors have said that after Mr. Abassi arrived, he was secretly recorded discussing "his desire to engage in terrorist acts against targets in the United States and other countries," to provide support and money to Al Qaeda in Iraq and other terrorist groups, and to recruit people for terrorist acts.

Mr. Abassi also suggested a plot to contaminate the air or the water with bacteria as a way to kill up to 100,000 people, prosecutors said.

In mid-April 2013, Mr. Abassi talked with the undercover agent about how he might obtain a work visa to remain in the United States and engage in "projects" related to terrorism, prosecutors said.

The government has said there are more than 100 hours of recordings of Mr. Abassi and the agent. Mr. Ferrara, the prosecutor, said in January that many of the conversations were irrelevant. "Sometimes they go out to dinner and they talk about the food," he said.

But Ms. Shroff, a federal public defender, suggested that the tapes supported her position. "They certainly go to show that he does not have the mind-set that they want him to have," she said.

Spokesmen for the United States attorney's office in Manhattan and the F.B.I. declined to comment on Tuesday, as did Ms. Shroff.

Mr. Abassi was arrested on April 22 of last year and was charged with two counts of making false statements on immigration forms to facilitate an act of international terrorism. Each count carries a maximum prison term of 25 years. In statements made before his arrest, he lied to agents about his activity, prosecutors said.

Over the next week, Mr. Abassi voluntarily waived his Miranda rights and his right to a speedy court appearance and was questioned on a near-daily basis, prosecutors said.

Ms. Shroff has challenged the government's interrogation tactics, claiming in court that the F.B.I. essentially baited Mr. Abassi by telling him that he could call his wife, who lived in Canada, if he would be more forthcoming.

When Mr. Abassi would begin speaking to his wife, Ms. Shroff said, the call would be cut off. "They would say, 'We will give you another call if we deem your information valuable,' " Ms. Shroff said, adding, "It goes to the voluntariness of Mr. Abassi's statement."

The government's offer would call for Mr. Abassi to plead guilty to a false-statement count and a second, misdemeanor charge, and for him to be deported after completing his sentence. "Mr. Abassi would not be asked at the time of the plea, if he accepted this offer, to in any way admit that either of these crimes touched on a crime of international terrorism," Mr. Ferrara said.

Judge Cedarbaum scheduled a hearing next week to give Mr. Abassi time to consider the offer.

Plotter Recalls Al-Qaida Brainstorming Targets

By Larry Neumeister

Associated Press, April 30, 2014

NEW YORK (AP) — Shoe-bomb plotter Saajid Badat admits he was once in the thick of al-Qaida's plans, winning a hug from Osama bin Laden for his quest to blow up a U.S. plane in midair and brainstorming with the self-professed architect of the Sept. 11 attacks about new English and American targets.

But the 35-year-old British man testifying in a New York City terrorism trial said he's reformed from the man who reacted with "jubilance" when he saw news reports of the hijacked-plane attacks against the World Trade Center and with laughter when 9/11 mastermind Khalid Sheik Mohammed crossed out the demolished twin towers in an almanac's listing of the world's tallest buildings.

In two days of videotaped testimony from a site in London that concluded Tuesday, Badat gave fresh details about his three years with al-Qaida and coming "to know about (Mohammed's) involvement in the 9/11 attacks."

Last month, Badat testified at the trial of bin Laden's son-in-law. Tuesday's testimony came in the trial of Mustafa Kamel Mustafa, an Egyptian cleric who became well known as an extremist Islamic figure in London in the late 1990s. He has pleaded not guilty to charges he supported al-Qaida by assisting kidnappers in Yemen in 1999, when four hostages died, and by plotting to open a training camp in Bly, Oregon.

Badat, arrested in 2003 in a shoe-bomb plot he says he abandoned after his father threatened to kill him if he was a terrorist, said he began fully cooperating with British and American authorities only after seeing a 2007 news report that Mohammed faced trial and hoping he could testify against him. Badat said he cannot come to the United States because he'll be arrested on federal charges in Boston accusing him of plotting to down an aircraft.

Badat said he had abandoned his radical views and wanted to get "my revenge on those most senior to me who were promoting these views."

At times, Badat struggled to reconcile his past. "I had a twisted version of Islam," he said.

Badat testified that he and failed shoe-bomber Richard Reid were enlisted days after the Sept. 11 attacks. He said Mohammed discussed blowing up a U.S.-bound flight or, if that was not possible, a flight over Europe.

Mohammed also discussed looking for a target on the West Coast of the United States or a building in the Canary Wharf financial district in London, Badat said.

In a meeting with bin Laden that ended with "him giving me a hug," the al-Qaida leader told him to read a Quran passage about "holding firm, standing fast, keeping the faith," he said.

Soon afterward, Badat said, he and Reid traveled to Pakistan with Malaysian men tasked by al-Qaida to carry out a Sept. 11-style attack by barging into a cockpit, using the expertise of a pilot among them, and crashing the plane into a building.

He said he and Reid met the leader of the Malaysian group at a McDonald's and afterward gave the group one of Badat's shoe bombs.

Badat also recalled a brainstorming session he had with Sept. 11 conspirator Zacarias Moussaoui and others six months before an attack on the USS Cole in 2000 killed 17 American sailors. Badat said he suggested al-Qaida put explosives in a small boat and crash it into a large ship. He said Moussaoui wanted to mention it to al-Qaida's top leaders.

He said the Ministry of Defense in London was also mentioned as a good target.

Jeremy Schneider, Mustafa's lawyer, asked Badat if he felt partially responsible for the Cole attack.

Badat said he doubted it originated with him because "bin Laden would have come up to me and said: 'Thanks for the idea.'"

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Shoe Bomber: Hate Preacher's Sermons Didn't Mention 'jihad'

New York Post, April 30, 2014

Maybe the feds should have changed the channel.

Speaking as a government witness from London via closed-circuit TV in the terror trial of handless accused terror teacher Abu Hamza al-Masri, former shoe-bombing plotter Saajid Badat told a Manhattan federal jury Tuesday that he met Osama bin Laden 20 to 50 times — and the since-killed al Qaeda leader never mentioned the defendant or any of his lieutenants.

Badat previously testified that he never met al-Masri but did watch him give two "shouty" sermons at a London mosque. On Wednesday, he was asked while being cross examined by al-Masri's lawyer Jeremy Schneider if the preacher spoke about "jihad" or anything "political."

Badat repeatedly answered, "No," saying al-Masri's sermons were strictly religious. He also reiterated that he never spoke to the one-eyed, hook-handed hate preacher in person or by phone or had any contact with him via email or other correspondence.

Although Badat's latest testimony seemed to distance al-Masri from bin Laden and al Qaeda, prosecutors are hoping his previous remarks on Tuesday will help convince jurors that the defendant was a terrorist leader with global

reach who deployed young lieutenants worldwide to engage in terror training.

For instance, Badat testified that he encountered Feroz Abbasi – who the feds allege was an al-Masri lieutenant – while both attended Afghanistan training camps in early 2001. Badat revealed that Abbasi while there met with two senior al Qaeda leaders and said he'd be willing carry out attacks against American and Jewish targets.

Al-Masri, 56, is accused of setting up a terrorist training camp in Bly, Oregon, conspiring in a 1998 kidnapping in Yemen that resulted in the deaths of four tourists and committing other terror crimes. He faces life in prison if convicted.

Badat is a self-proclaimed reformed terrorist who had a last-minute change of heart two months after 9/11 and pulled out of trying to blow up airplanes with failed shoe bomber Richard Reid.

FBI: Washington Man Wanted 'Carnage,' Plotted Bombings As Diversion For 3 Bank Robberies

Associated Press, April 30, 2014

TACOMA, Wash. – A Washington state man who said he wanted "carnage" plotted to blow up a Wal-Mart and two gas stations to divert police while he engaged in a bank-robbery spree, authorities said Tuesday.

Larry Gillette, 53, of Shelton, was arrested Monday as he tried to ignite what he thought was a car bomb, said the U.S. attorney's office in Seattle. In reality, it was a dud provided by investigators.

Gillette was due to appear in U.S. District Court in Tacoma on Tuesday afternoon on charges of soliciting a crime of violence and being a felon in possession of a firearm.

According to a federal complaint unsealed Tuesday, Gillette began plotting the spree while serving time for identity theft at the Washington state prison in Shelton, west of Tacoma on the Olympic Peninsula. He told others at the prison, one of whom offered to put Gillette in touch with his "cousin" — really an undercover officer, the complaint said.

In meetings after he was released on April 14, Gillette told the undercover agent that he was serious about the plan, the complaint said, and he showed the agent where he wanted explosives planted and the three banks he wanted to rob.

"Gillette believed that the chaos caused by the explosions would allow Gillette to commit a series of bank robberies in the old town area of Shelton," FBI special agent Dean W. Giboney wrote in the complaint. "In addition, aside from wanting the explosions to create a diversion, Gillette expressed that he wanted to kill as many individuals as possible with these devices. Gillette stated he wanted the targeted Walmart levelled, and intentionally wanted the explosives placed in areas which would prompt secondary explosions causing more damage."

He also said he wanted "carnage," Giboney wrote.

Gillette asked the undercover agent to provide the explosives, including two that would be hidden in vans, as well as handguns to use during the robberies, the complaint said, with the agent being reimbursed from proceeds of the robberies. The agent was to do all the talking during the robberies, while Gillette would serve as the trigger man, shooting several victims before any demands were even made, it said.

The agent provided four inoperable 9 mm handguns, which Gillette inspected and accepted, Giboney wrote.

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Shelton Man Accused Of Bomb Plot In Robbery Scheme

By John De Leon

Associated Press, April 30, 2014

SEATTLE — Federal authorities say a Shelton man plotted to blow up a Wal-Mart and two gas stations with "maximum loss of life" so he could rob three banks while emergency responders were diverted.

FBI agents arrested 53-year-old Larry Gillette on Monday as he met with an undercover agent and attempted to ignite a car bomb. The bomb was inoperable.

The U.S. Attorney's Office says Gillette was scheduled to appear in federal court in Tacoma Tuesday afternoon on charges of solicitation to commit a crime of violence and being a felon in possession of a firearm.

The Olympian reports the FBI learned about the plot while Gillette was serving a prison sentence for identity theft and an undercover agent befriended him after his April 14 release.

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FBI: Would-be Walmart Bomber Wanted 'Carnage'

By Levi Pulkkinen

Seattle Post-Intelligencer, April 30, 2014

A recently released Shelton ex-con hoped to kill as many people as possible in a bombing of a Walmart store there, meant to cover up a series of bank robberies, according to federal prosecutors

Arrested Monday, Larry Gillette is alleged to have told an undercover police officer he hoped for "carnage" in the bombing of the Walmart and two nearby gas stations. Federal

prosecutors claim Gillette, 53, tried to acquire a bomb and four pistols from an undercover officer during a sting operation.

Gillette is alleged to have shared his big idea with an undercover detective shortly after his April 14 release from the Washington Corrections Center, the Shelton prison where Gillette served time for identity theft.

According to prosecutors, Gillette first told other prisoners about his plans to rob banks in Shelton during a bombing spree. Gillette is alleged to have plotted to blow up the city's Walmart as well as several gas stations.

Wise to the ill-fated plot, a police officer attached to an FBI task force posed as a bomb and weapons dealer, a U.S. Attorney's Office spokeswoman said in a statement. Gillette is alleged to have met with the officer twice, receiving four disabled pistols as well as a fake car bomb.

Prosecutors contend Gillette was caught on tape detailing plans to set off the bombs and then rob three Shelton banks while police were busy.

More than a diversion, though, Gillette "wanted to kill as many individuals as possible" with the bombs, an FBI special agent said in court papers.

"Gillette stated he wanted the targeted Walmart leveled, and intentionally wanted the explosives placed in areas which would prompt secondary explosions causing more damage," the agent said, recounting conversations between Gillette and the undercover police officers.

"He wanted 'carnage,'" the agent continued, and had been planning the bombing for nine years.

That "carnage" was to extend to the bank robberies, where Gillette hoped to shoot several people at each bank before even making demands, according to the agent's statement. He is alleged to have planned to shoot bank workers who didn't comply or move quickly enough for his tastes.

Gillette was arrested Monday and has since been charged with solicitation to commit a violent crime and unlawful gun possession. He is expected to make an initial appearance Tuesday afternoon at U.S. District Court in Tacoma.

Shelton Man Arrested In Alleged Plot To Blow Up Walmart, Two Gas Stations While He Robbed Banks

Tacoma (WA) News Tribune, April 29, 2014

Federal authorities arrested a 53-year-old Shelton man Monday and charged him with plotting to blow up the Shelton Walmart and two gas stations as part of a scheme to rob three banks.

Updated 4 hours ago

A criminal complaint filed in U.S. District Court, in Tacoma, outlines Larry Gillette's alleged scheme to plant powerful bombs at the Shelton Walmart and two nearby gas stations.

Federal authorities arrested a 53-year-old Shelton man Monday and charged him with plotting to blow up the Shelton Walmart and two gas stations as part of a scheme to rob three banks.

A criminal complaint filed in U.S. District Court, in Tacoma, outlines Larry Gillette's alleged scheme to plant powerful bombs at the Shelton Walmart and two nearby gas stations. Gillette wanted to inflict "maximum loss of life," so he could divert emergency responders and simultaneously rob three banks, according to a news release from the U.S. Attorney's Office in Seattle.

Gillette, who got out of prison on April 14 after serving a sentence for identity theft, is scheduled for a first appearance in U.S. District Court in Tacoma at 2:30 p.m. today. He is charged with solicitation to commit a crime of violence and being a felon in possession of a firearm.

An undercover FBI agent befriended Gillette in Shelton after Gillette's release from prison. According to the criminal complaint law enforcement had learned that Gillette told other prison inmates of his plans to rob three banks and set off bombs as a diversion.

Gillette enlisted the undercover FBI agent to assist him after his release from prison, according to the news release. The undercover FBI agent posed as someone who could help Gillette obtain guns and explosives for the plot.

On two different occasions in April, the FBI recorded Gillette on audio and video as he described his plot to the undercover agent while they drove around Shelton.

Gillette obtained four Glock pistols for his plot, but they were modified by authorities so they would not fire.

The FBI arrested Gillette Monday when he met with the FBI agent and attempted to ignite a car bomb. The "bomb" was inoperable.

The Seattle Safe Streets Task Force investigated the case, including FBI agents and Seattle police officers, along with the Mason County Sheriff's Office, the Shelton Police Department and the Bureau of Alcohol, Tobacco and Firearms.

Keeping Track: Air Pollution And Drones

By The Editorial Board

New York Times, April 30, 2014

In a victory for clean air, the Supreme Court on Tuesday voted 6-to-2 to uphold the authority of the Environmental Protection Agency to find the most cost-effective way of reducing harmful air pollution that crosses state lines.

Because soot and ozone from power plants don't respect borders, states are required by the Clean Air Act to establish plans to avoid "significantly" polluting their neighbors. If the E.P.A. decides a state's plan isn't adequate,

or if a state doesn't establish one at all, the agency must make its own plan.

That's what it did in 2011, using a formula that required polluting states to reduce emissions by the cheapest method possible. Industry groups and 14 "upwind" states complained that the new rule charged them for more than their fair share of pollution.

But it isn't technologically possible to determine exactly how much pollution each state contributes to any other state. As Justice Ruth Bader Ginsburg wrote for the majority, quoting the New Testament: "The wind bloweth where it listeth, and thou hearest the sound thereof, but canst not tell whence it cometh, and whither it goeth."

Given this reality, and the broad language of the Clean Air Act, the court was right to defer to the agency's expertise to manage a hugely complex national problem, and to protect human health and the environment at the lowest cost.

In the Dark on Drones

The Obama administration says it wants to be more transparent about its officially secret drone-strike program in Pakistan, Yemen and other terrorism trouble spots, but it has resisted sunlight at every opportunity. This week, it successfully killed a Senate proposal that would require an annual report on the number of casualties from the drone attacks, whether civilians or combatants, adding to the sense that its pledge was never serious.

The proposal had been approved by the Senate Intelligence Committee, but James Clapper, the director of national intelligence, objected, saying it could hurt the drone operations by disclosing too much information. Republican senators agreed, and the committee's chairwoman, Dianne Feinstein of California, decided to pull the provision from the larger intelligence bill to guarantee its passage.

That's a setback. The United Nations says hundreds of civilians have been killed by drones in Pakistan, but there has been no accountability by the C.I.A. or the White House, which won't even acknowledge that the operations are taking place. Mr. Clapper says the administration is exploring ways to "provide the American people more information about the United States' use of force outside areas of active hostilities."

That's hardly reassuring. If the White House is serious, there's a simple way to start: explain what it's doing and why. Then the public can judge whether it's a good idea.

Snag Delays Guilty Plea In 1984 Cuba Hijacking

Associated Press, April 30, 2014

FORT LAUDERDALE, Fla. (AP) – A last-minute disagreement delayed a planned guilty plea Tuesday by an American who returned from Cuba decades after hijacking a jetliner to the communist island.

The attorney for William Potts, 57, objected to language in a proposed plea deal concerning the 13 years Potts spent in a Cuban prison for the crime. U.S. District Judge Robin Rosenbaum set another hearing for Thursday after prosecutor Maria Medetis said she needed senior-level Justice Department authorization to make any changes.

Prosecutors have opted to charge Potts with kidnapping rather than the previous count of air piracy, which carried a mandatory 20-year prison sentence. The new charge would give Rosenbaum flexibility to give Potts credit for some or all of his Cuban prison years toward his U.S. sentence. He could still get life, and Rosenbaum is under no obligation to consider the Cuban years.

Potts' attorney David Berube said a plea agreement included language forbidding him to comment on Potts' time in Cuban prison, which he said would undercut their goal of obtaining a relatively lenient sentence.

"Mr. Potts knows he needs to be punished but we need to take that into consideration," Berube said of his years behind bars in Cuba. "We don't want to go to trial. We want to resolve this."

The FBI says Potts claimed in a note to a flight attendant that he had explosives and threatened to blow up a Piedmont jetliner when he hijacked a New York-to-Miami flight to Havana in March 1984. He also demanded $5 million.

According to the FBI, the New Jersey native described himself then as a black militant using the name "Lt. Spartacus" who was "a soldier in the Black Liberation Army." The note also discussed freedom for "brothers and sisters" in South Africa and criticized U.S. interference with Nicaragua's Sandinista government

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American Who Hijacked Miami-bound Jetliner To Cuba To Plead Guilty To New Kidnapping Charge

By Jay Weaver

Miami Herald, April 30, 2014

Williams Potts Jr., the self-described black militant who hijacked a U.S. jetliner to Cuba 30 years ago, planned to plead guilty to a new kidnapping charge Tuesday. But it was delayed until Thursday because of a disagreement over the wording in his plea agreement that dealt with the time Potts had spent in a Cuban prison for the offense.

Under the agreement, the kidnapping offense will help Potts avoid a minimum-mandatory 20-year prison sentence for the original charge, air piracy.

The former New Jersey man, who commandeered the Miami-bound commercial jet to Havana in 1984, finally surrendered to U.S. authorities in November after living the

life of a prisoner and fugitive in Cuba. Potts said he wanted to face the American justice system and reconnect with his two daughters now residing in the United States.

Assistant federal public defender Robert Berube negotiated the plea agreement with prosecutors, but language preventing him from commenting about his client's incarceration in Cuba delayed Tuesday's hearing. The deal would allow Potts, now being held in the Miami Federal Detention Center, to get some credit for the 13 years of prison time he served in Cuba for the hijacking.

In November, Potts, 57, entered a not-guilty plea to the air-piracy charge, which carries between 20 years and life in prison. The U.S. attorney's office plans to drop that charge, and Potts will plead guilty to the new kidnapping offense in Fort Lauderdale federal court on Thursday.

Although that new offense carries up to life in prison, it gives U.S. District Judge Robin Rosenbaum leeway to craft a prison sentence that takes into account Potts' lengthy incarceration in Cuba. The kidnapping offense imposes no minimum-mandatory punishment.

During the defendant's bond hearing in November, a prosecutor said that Potts "described what he did as an act of terrorism" to federal agents who brought him back from Havana early that month.

Potts also confessed to air piracy verbally and in writing after he was formally arrested by FBI agents at Miami International Airport on Nov. 6, Assistant U.S. Attorney Maria Medetis told a federal magistrate judge during the bond hearing.

Judge Jonathan Goodman granted the prosecutor's request that Potts be held before trial because he is both a risk of flight and danger to the community, citing a potentially long prison sentence and the legal "presumption" of detention for such an offense.

An FBI affidavit describing the case said Potts claimed to have explosives aboard the New York-to-Miami flight on March 27, 1984, demanding its diversion to Havana.

Potts, aka "Lt. Spartacus," described himself then as a black militant who threatened to blow up the Piedmont Airlines jet and kill passengers if it landed in Miami, according to a note he handed to the flight crew. He also demanded $5 million.

An FBI agent, Affell Grier, testified at the bond hearing that Potts "explained that he committed the crime" and "wrote out a statement" after his recent arrest at MIA.

In interviews in Cuba, Potts said he wanted to return home and face justice after all these years. He got married while living in Cuba, and his two daughters now live in the United States.

In the interviews, Potts said that when he hijacked the Piedmont flight to Cuba, he had hoped to be welcomed in the communist-run island nation as a revolutionary and be given guerrilla training.

Instead, the Castro government arrested him, tried him for the hijacking, and imprisoned him. Potts' commandeering of the airliner came several years after a wave of similar hijackings had largely subsided.

According to the FBI, Potts paid $119 for the ticket he used to hijack the Piedmont flight. An aunt in Paterson, N.J., said she had given him $120 the day before to pay her electric bill and had not seen him since.

US Backtracks On Terror Claim Against Tunisian Man

By Larry Neumeister, Associated Press

Associated Press, April 30, 2014

NEW YORK (AP) – The government revealed Tuesday that it is offering a plea deal that may result in freedom for a Tunisian man who last year was accused of plotting to build a U.S.-based terrorism cell and radicalizing a Canadian man charged in a train derailment plot.

Assistant U.S. Attorney Michael Ferrara announced the offer in federal court in Manhattan at a pre-trial hearing for Ahmed Abassi.

The plea would be to charges of making false statements and possessing an identification document with intent to defraud the United States. Abassi has pleaded not guilty. The false statements charge carries a maximum of five years in prison while the other charge, a misdemeanor, carries a potential sentence of up to one year in prison.

Ferrara said federal sentencing guidelines would call for a sentence of up to six months in prison if the government declines to ask for a terrorism enhancement at sentencing. If it did, the guidelines would call for six years in prison, he said.

Assistant Federal Defender Sabrina Shroff said her client has not yet decided whether to accept the deal or go to trial. He has been incarcerated without bail since his arrest.

Abassi was arrested at John F. Kennedy International Airport on April 22, 2013, five weeks after he arrived from Canada and began being watched by law enforcement.

Authorities said Abassi met regularly with an undercover FBI agent and with another Tunisian citizen, Chiheb Esseghaier, who later was arrested in Canada in the plot to derail a train that runs between New York City and Montreal.

Prosecutors had claimed Abassi had radicalized Esseghaier, who was charged in Toronto with conspiring with al-Qaida members in Iran in the plot. He is awaiting trial.

Manhattan's top federal prosecutor, Preet Bharara, said a year ago that Abassi wanted to remain in the United States to commit acts of terror and develop a network of terrorists that could use the U.S. as a base to launch international attacks.

Shroff told U.S. District Judge Miriam Goldman Cedarbaum on Tuesday that Abassi was entrapped by the

government after an undercover agent provided him with a life of luxury in downtown Manhattan.

She said the government sought to "build up a case that they thought would be the case of the century which never came to bear because Mr. Abassi refused to engage in any concrete plan of terrorism."

Ferrara said the United States does not currently seek to ask for a terrorism enhancement to the sentence if he accepts the deal, but said prosecutors could eventually decide to do so. He also said Abassi would have to agree to be deported if he pleads.

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Ahmed Abassi Won't Have To Admit Terror Link Under Plea Deal

By JOHN RILEY

Newsday, April 30, 2014

A year after accusing a Tunisian man of being linked to a Canadian plot to derail a train and of coming to the United States to develop a terror network, Manhattan federal prosecutors have offered to let him plead to charges that don't involve terrorism at all.

Assistant U.S. Attorney Michael Ferrara told U.S. District Judge Miriam Cedarbaum on Tuesday that Ahmed Abassi, 27, facing 50 years in prison under the original charges, would face a maximum of 6 years under the deal, and would not have to admit any terror link.

The prosecutor also said that without an "enhancement" based on a finding that the case was tied to terrorism, federal guidelines call for Abassi – who has been jailed for a year – to serve less than 6 months.

Ferrara told the judge that prosecutors still haven't made a final decision on whether to ask for that finding, but "as of now the government does not intend to seek the enhancement."

Abassi was charged last April with two counts of lying in visa applications to "facilitate an act of international terrorism." Each charge carried up to 25 years in prison.

Prosecutors alleged that after arriving in the United States last March he had met with Chiheb Esseghaier, the Tunisian charged in Canada with the train plot, and had "previously radicalized" Esseghaier.

Prosecutors also alleged that in conversations monitored by an undercover agent, Abassi also had discussed using bacteria to contaminate air and water supplies and kill up to 100,000 people.

In a news release last year, Manhattan U.S. Attorney Preet Bharara said, "Ahmed Abassi had an evil purpose for seeking to remain in the United States – to commit acts of terror and develop a network of terrorists here, and to use this country as a base to support the efforts of terrorists internationally."

Bharara's official spokesman had no comment Tuesday on why the office is now willing to accept a plea that doesn't involve terrorism.

Under the offer outlined by Ferrara, Abassi would plead to making false statements, a misdemeanor punishable by up to 1 year in prison, and attempting to possess an identification document with intent to defraud the United States, with a 5-year maximum.

Sabrina Shroff, Abassi's lawyer, said he is still considering the plea offer, which would require that Abassi be deported when released from jail.

Cedarbaum gave Abassi a week to think about the deal, and set another hearing for May 7.

Milder View Of Suspect In U.S. Case On Terror

By Benjamin Weiser

New York Times, April 30, 2014

It was around a year ago that the government unsealed charges against a Tunisian citizen named Ahmed Abassi, saying he had come to the United States to develop a network of terrorists and commit acts of terror. Prosecutors said he had "radicalized" one supposed terrorist and spoken of killing 100,000 people through bioterrorism.

But at a hearing on Tuesday in Federal District Court in Manhattan, a prosecutor told a judge that the government was now prepared to allow Mr. Abassi, 27, to plead guilty to two counts that did not involve terrorism.

The prosecutor noted that the government also might not seek a special terrorism enhancement under the advisory sentencing guidelines, which would mean Mr. Abassi's recommended sentence would not exceed six months.

The prosecutor, Michael Ferrara, did not elaborate as to why the government's portrayal of the defendant had changed since his arrest.

But Mr. Abassi's lawyer, Sabrina Shroff, told Judge Miriam Goldman Cedarbaum that her client had been "entrapped," and she suggested that the government's recordings of his conversations with an undercover agent from the Federal Bureau of Investigation would show that he was not the terrorist the authorities had made him out to be.

The authorities tried to "build up a case that they thought would be the case of the century, which never came to bear, because Mr. Abassi refused to engage in any concrete plan of terrorism," Ms. Shroff said.

The government is often given great leeway in how undercover agents or informants obtain evidence against terrorism suspects; arguing entrapment rarely works as a defense tactic. In the case of Mr. Abassi, who has pleaded not guilty, the fairness of the government's tactics in the investigation has, however, been a running theme.

"The fact that he repeatedly told their undercover officer that no, he would not go and blow up a building and he would not do anything in the present time is very, very important," Ms. Shroff told the judge in a January hearing.

The office of Preet Bharara, the United States attorney in Manhattan, has said in court papers that Mr. Abassi came to the attention of law enforcement during an investigation by the F.B.I. that revealed he had "radicalized" one of two men arrested last year in Canada and charged with participating in a plot, linked to Al Qaeda, to derail a passenger train.

Mr. Abassi entered the United States in March 2013 and remained under constant surveillance by law enforcement while he maintained regular contact with a man who was the undercover F.B.I. agent, prosecutors have said.

In a recent hearing, Ms. Shroff said Mr. Abassi's arrival followed promises made by the undercover agent in calls to Mr. Abassi's family members in Tunisia, so they would allow him to come to New York.

"During these calls, the undercover takes great pains to reassure Mr. Abassi's parents that he is going to give Mr. Abassi a job," Ms. Shroff said.

"He's going to sponsor him and give him a visa," she added. "He's going to give him a good life in the United States."

Prosecutors have said that after Mr. Abassi arrived, he was secretly recorded discussing "his desire to engage in terrorist acts against targets in the United States and other countries," to provide support and money to Al Qaeda in Iraq and other terrorist groups, and to recruit people for terrorist acts.

Mr. Abassi also suggested a plot to contaminate the air or the water with bacteria as a way to kill up to 100,000 people, prosecutors said.

In mid-April 2013, Mr. Abassi talked with the undercover agent about how he might obtain a work visa to remain in the United States and engage in "projects" related to terrorism, prosecutors said.

The government has said there are more than 100 hours of recordings of Mr. Abassi and the agent. Mr. Ferrara, the prosecutor, said in January that many of the conversations were irrelevant. "Sometimes they go out to dinner and they talk about the food," he said.

But Ms. Shroff, a federal public defender, suggested that the tapes supported her position. "They certainly go to show that he does not have the mind-set that they want him to have," she said.

Spokesmen for the United States attorney's office in Manhattan and the F.B.I. declined to comment on Tuesday, as did Ms. Shroff.

Mr. Abassi was arrested on April 22 of last year and was charged with two counts of making false statements on immigration forms to facilitate an act of international terrorism. Each count carries a maximum prison term of 25 years. In statements made before his arrest, he lied to agents about his activity, prosecutors said.

Over the next week, Mr. Abassi voluntarily waived his Miranda rights and his right to a speedy court appearance and was questioned on a near-daily basis, prosecutors said.

Ms. Shroff has challenged the government's interrogation tactics, claiming in court that the F.B.I. essentially baited Mr. Abassi by telling him that he could call his wife, who lived in Canada, if he would be more forthcoming.

When Mr. Abassi would begin speaking to his wife, Ms. Shroff said, the call would be cut off. "They would say, 'We will give you another call if we deem your information valuable,' " Ms. Shroff said, adding, "It goes to the voluntariness of Mr. Abassi's statement."

The government's offer would call for Mr. Abassi to plead guilty to a false-statement count and a second, misdemeanor charge, and for him to be deported after completing his sentence. "Mr. Abassi would not be asked at the time of the plea, if he accepted this offer, to in any way admit that either of these crimes touched on a crime of international terrorism," Mr. Ferrara said.

Judge Cedarbaum scheduled a hearing next week to give Mr. Abassi time to consider the offer.

Nigerian Pleads Guilty To U.S. Charges Of Aiding Al Qaeda Group

Reuters, April 30, 2014

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

Senator: E-mails Show How Benghazi Story Shaped

By Oren Dorell

USA Today, April 30, 2014

Republicans say e-mails released Tuesday on the attack in Benghazi, Libya, include "the smoking gun" that shows a White House official urged that the assault on the U.S. consulate be blamed on a protest that never happened.

The e-mails, obtained by conservative watchdog group Judicial Watch through a Freedom of Information Act request, include one in which White House official Ben Rhodes lists "goals" for then-U.N. ambassador Susan Rice to meet in explaining the attack and protests occurring across the Middle East that week to the American public.

Ambassador Chris Stevens and three other Americans died in the assault, which the White House subsequently acknowledged was an al-Qaeda-linked terror attack.

The e-mail, sent to various officials including White House spokesman Jay Carney, said one goal was "to

underscore that these protests are rooted in an Internet video, and not a broader failure of policy."

Another goal was "to reinforce the president and administration's strength and steadiness in dealing with difficult challenges."

Rhodes is assistant to the president and deputy national security adviser for strategic communication and speechwriting.

During appearances on five Sunday news programs, Rice did blame the attack on Sept. 11, 2012, on a protest against an anti-Islam video produced by an American. So did Secretary of State Hillary Rodham Clinton, and President Obama would not say whether it was a terrorist attack until several days later.

The CIA station chief in Libya reported from the beginning that the attack was an al-Qaeda-linked operation and that there was no protest. Though there was some dispute over the manner of the attack, former CIA deputy director Mike Morell testified earlier this month that he had no idea where the story about a video protest came from when he saw Rice make the claim on television.

Republicans say the protest story emanated from a White House bent on protecting the president from charges that he was wrong to claim during his campaign in 2012 that al-Qaeda was on its heels.

Sen. Lindsey Graham, R-S.C., called the e-mails "a smoking gun" that points to White House efforts "to shape the story" of what happened in Benghazi.

Rather than have Rice provide "the best information that was available" in her TV appearances, the administration's goal was "to put a political stance on a disaster six weeks before an election," Graham said.

The White House said it relied on the best intelligence available at the time, and when better intelligence arrived, the story was clarified.

Bernadette Meehan, spokeswoman for the White House National Security Council, said Rhodes' e-mail contains general talking points on unrest spreading throughout the Middle East and North Africa at the time.

"There were protests taking place across the region in reaction to an offensive Internet video, so that's what these points addressed," Meehan said in an e-mail.

Protests in Cairo; Sanaa, Yemen; Khartoum, Sudan; and Tunis, Tunisia, and early reports of similar protests in Benghazi "contributed to questions of how the attack began," she said.

The e-mails also show that then-deputy national security adviser Denis McDonough, on Rhodes' behalf, assigned Clinton aide Jake Sullivan to work with Morell to finalize the initial talking points on Benghazi. At that time, the talking points did not include the story about the protest.

Email Ensuring 'Obama Looked Good' Was Post-Benghazi Priority

By Cheryl K. Chumley

Washington Times, April 30, 2014

Key communication chiefs at the White House waged an all-out strategy to rally behind President Obama and help him push the mantra that the Sept. 11, 2012, terrorist attacks on the U.S. facility in Benghazi were due to an Internet video — and not policy failure, a watchdog revealed.

Key to the messaging: Making sure the president appeared strong in the face of adversity, the nonprofit Judicial Watch found, in a recently received FOIA request.

Judicial Watch found — after sifting through documents that were requested from the Department of State on June 21, 2013 — an email from Ben Rhodes, then-White House deputy strategic communications adviser, that showed he joined with others to devise a public relations campaign to "reinforce" Mr. Obama's statements that an anti-Islam video spurred the attacks.

The main point of the White House team's strategy was to paint the terrorist attack as being "rooted in an Internet video and not a failure of policy," Judicial Watch said in an emailed release. Meanwhile, the State Department — at the same time that message was being shaped — initially considered the incident simply an "attack," and perhaps even a kidnap try, the watchdog said.

The email from Mr. Rhodes, dated Sept. 14, 2012, read in part: "Goal: ... To underscore that these protests are rooted in [an] Internet video and not a broader failure or policy."

Mr. Rhodes also went on, Judicial Watch reported: "[W]e've made our views on this video crystal clear. The United States government had nothing to do with it. We reject its message and its contents. We find it disgusting and reprehensible. But there is absolutely no justification at all for responding to this movie with violence. And we are working to make sure that people around the globe hear that message."

In the email, Mr. Rhodes also advises key White House and administration officials to make sure they presented Mr. Obama as "steady and statesmanlike" whenever speaking of the crisis. Another "goal," he said, in his email, was to "reinforce the president and administration's strength and steadiness in dealing with difficult challenges," Judicial Watch reported.

The recipients of the email included White House press secretary Jay Carney and then-White House Communications Director Dan Pfeiffer, along with several others, Judicial Watch said.

Judicial Watch President Tom Fitton said the latest email only proves that the White House's main concern in the wake of the Benghazi attack that left four Americans dead was image — more than truth.

"Now we know that Obama White House's chief concern about the Benghazi attack was making sure that President Obama looked good," he said in a statement.

Four Americans, including U.S. Ambassador J. Christopher Stevens, died in the terror attack.

Obama Administration Accused Of Slow Walking Congress On Benghazi

The Daily Beast, April 29, 2014

An important email on Benghazi that showed the White House's role in the election season spin about the attack was only made available to a key Congressional committee two weeks ago.

Almost since Congress began investigating the Benghazi attacks of September 11, 2012 in Libya, the White House has stressed its unprecedented cooperation with lawmakers seeking to get to the bottom of the attack that killed Ambassador Chris Stevens and three other Americans.

Those claims were challenged Tuesday after the conservative watchdog group, Judicial Watch published an email from deputy national security adviser, Ben Rhodes to senior administration officials on what they should say about the Benghazi attacks. One of the four goals for the White House message was to stress that "these protests are rooted in an Internet video, and not a broader failure of policy."

By the time Rhodes wrote that email at 8:09 pm on September 14, 2012, the deputy U.S. chief of mission in Libya, the CIA station chief and the Tunisian President called those protests a terrorist attack. That email and others were published Tuesday after Judicial Watch filed a Freedom of Information Act request with the State Department. The Rhodes email offers the clearest evidence to date that the talking points read by Susan Rice two days later on Sunday talk shows were indeed directed by the White House. The Daily Beast has learned that these latest emails were only provided to the House Committee on Oversight and Government Reform two weeks ago, despite requests from the committee for such material that date back to August 2013.

"Even as Congressional Democrats were calling for an end to the Benghazi investigation with false claims that everything had been turned over and examined, the State Department was hiding this e-mail and other documents covered by the Committee's August 2013 subpoena," the committee's deputy staff director, Frederick Hill told The Daily Beast.

Hill added, "It is disturbing that this highly important e-mail showing a White House role in pushing a false narrative was only turned over after it was discovered by the Department's FOIA office in response to a specific request. While he had promised cooperation, by hiding subpoenaed documents from Congress, Secretary Kerry is failing to meet his legal obligations."

Hill's committee received the September 14 email from Rhodes in an April 17 letter from the State Department, along with other requested material. Of the congressional committees investigating Benghazi, the House Oversight Committee has received the least amount of cooperation from the Obama administration, in part because most of the staff and members of the committee lack the security clearances to view highly classified material like the House Armed Services Committee and the House Permanent Select Committee on Intelligence.

A year ago, the White House released a tranche of emails to the public that showed how the talking points about the Benghazi attacks in the final weeks of the 2012 elections were crafted with input from several government agencies including the CIA, the State Department, the FBI and the National Counterterrorism Center.

Those emails suggested a haphazard process for arriving at the final talking points on Benghazi in the days and weeks after the attack. It also showed that ultimately the CIA's then deputy director, Michael Morell removed lines in the drafts of those talking points saying it was an act of terrorism and linked to Islamic extremists.

The House Permanent Select Committee on Intelligence has since uncovered a report from the CIA station chief in Libya during the attacks and others that said the attack was an act of terror and not a demonstration against an Internet video

In The Loop: Snowden Retains A Legal Heavy Hitter

By Al Kamen And Colby Itkowitz

Washington Post, April 30, 2014

Edward Snowden's new attorney is well versed in the world of espionage, but Plato Cacheris is also well known as a stealth legal navigator for those who find themselves suddenly notorious. In some instances, such as Snowden's case, the two go hand in hand.

But a New York Times story published Tuesday morning about Cacheris taking on Snowden's case leaves out perhaps the lawyer's most famous clients: Monica Lewinsky, President Bill Clinton's mistress, and Fawn Hall, the Oliver North secretary involved in the Iran-contra scandal. Cacheris helped Lewinsky receive immunity from prosecution, freeing her to testify about her sexual relationship with Clinton. He also got immunity for Hall so she could speak freely.

A veteran D.C. legal warrior, Cacheris, born just before the Great Depression, brings Snowden's case a level of credibility, which is precisely what The Washington Post

wrote when Lewinsky retained him. From a June 4, 1998, article:

"Cacheris, who started his career as a federal prosecutor but has three decades of experience as a defense lawyer, has worked out plea bargains in recent years for many of his high-profile clients. 'He is known for keeping people out of trouble, and one way to do that is by keeping them from going to trial,' said Mark Hulkower, who prosecuted one of Cacheris's best-known clients, Soviet spy Aldrich H. Ames."

The mega-lawyer has been the go-to defense attorney for D.C. scandals since he represented Attorney General John Mitchell during the Watergate crisis. Now Cacheris, who declined to comment to the Times on his involvement in the Snowden case, has the formidable task of getting the former National Security Agency contractor a deal that would allow him to return to the United States.

Better call Plato.

Vlad, speaking his mind

If Vladimir Putin doesn't like you, he'll say it to your face.

Michael McFaul, who quit as U.S. ambassador to Russia in February after a turbulent two years, went on a little media tour (and he's not even promoting a book — yet), appearing on Comedy Central's "The Colbert Report" on Monday night and MSNBC's "Morning Joe" on Tuesday.

Acknowledging that Putin considered him a "personal enemy," McFaul told Colbert: "He didn't like me, that's right. In fact, he told me once or twice."

Putin thought McFaul was sent to Russia to organize opposition against him, a charge Putin had also made about former secretary of state Hillary Clinton.

McFaul said that he was under surveillance "all the time" while in Moscow. Colbert asked the diplomat how the United States could be sure he hadn't been turned by the Russians.

"If they were trying to recruit me," he said, "I would have preferred a little better treatment." (Note to Sheila Gwaltney, acting ambassador in Moscow: Beware if Putin invites you over for a little beluga caviar and Russo-Baltique vodka.)

McFaul's publication of "My Life With Vlad" is inevitable, right?

Benghazi talking points

New White House e-mails made public Tuesday by the conservative group Judicial Watch further support the contention that President Obama's team wanted then-

U.N. Ambassador Susan Rice to stress that a video disparaging the prophet Muhammad was the catalyst for a series of anti-American protests across the Islamic world, including the deadly attacks on the mission in Benghazi, Libya, in September 2012.

In an e-mail with the subject line "PREP CALL with Susan," Ben Rhodes, the deputy national security adviser for strategic communications, wrote that one of the goals before Rice went on the Sunday news shows after the killing of four Americans was to "underscore these protests are rooted in an Internet video, and not a broader failure of policy."

While the video appeared to be the cause of dozens of protests, it remains in question what impact it had on the attackers in Libya, where four Americans were killed, including U.S. Ambassador J. Christopher Stevens. The video was produced in the United States by a California real estate developer.

These e-mails were left out of the collection released in May 2013 that showed the back-and-forth within the Obama administration over talking points. The new Rhodes e-mail, which was sent to Rice and others on the Friday night before her Sunday-morning appearances, mentions Libya only briefly and focuses on responses to possible questions she could be asked about the widespread protests.

It clearly showed that a White House top priority was to shield Obama from criticism less than two months before voters decided whether to give him a second term.

Separately, the White House was involved at the same time on Friday night, several days after the attack, in assembling a series of talking points about the Benghazi attacks that the House Intelligence Committee requested. Those talking points were given to Rice on Saturday afternoon.

The previously released Benghazi-specific documents revealed that State Department spokeswoman Victoria Nuland sent an e-mail Friday night to Rhodes and others expressing her concern that her agency appeared to be taking the blame for failing to heed general CIA warnings of a possible attack on the anniversary of Sept. 11, 2001.

Ultimately, the new e-mails do little more than buttress what has been known for a year about the immediate communication among the Obama team as it rushed to cobble together talking points from the information it had to feed to Rice, who was asked only late in the day Friday to speak for the White House.

A GOP maverick on p-o-t

A conservative Republican is leading an effort to legalize medical marijuana.

Rep. Morgan Griffith (R-Va.) told the Loop on Tuesday that he surprised some colleagues when he told them he was the author of a new marijuana bill but that he hopes having a Republican stating the case will "make people take another look at it."

It's not a new perspective for Griffith, who staked this position as majority leader in the Virginia House of Delegates and even drafted a bill in 2010, though it swiftly died.

As a member of Congress, Griffith has taken this libertarian view to a larger stage, introducing LUMMA, the Legitimate Use of Medicinal Marijuana Act. Griffith's bill would ensure that states could make their own decisions about

medical marijuana without the federal government stepping in. His bill would also reclassify marijuana under the Justice Department's controlled-substance lists so it wouldn't be linked with harder drugs, such as heroin.

"I am saying if we can use [opioids], why the fear of using [marijuana] for legit medicinal purpose?" Griffith said.

Public support for the medical use of marijuana is overwhelming. A CNN-ORC International poll in January found 88 percent of adults in the United States support legalizing the drug for medical reasons.

But Griffith said he still thinks that legalizing marijuana fully, so just anyone can go down to "Billy Bob's marijuana shop," is "irresponsible."

Email Shows White House Planned Benghazi Video Deception

By Neil Munro

Daily Caller, April 29, 2014

White House officials consciously planned to spin the successful 2012 jihadi attack on the Benghazi diplomatic compound as a spontaneous protest against an anti-Islam video, according to a new email exposed by the public-interest law firm Judicial Watch.

The Sept. 14 email by Ben Rhodes, President Obama's chief foreign policy spokesman, described the public relations goals for a planned briefing of a top official — Susan Rice — who was scheduled to appear Sept. 16 on the Sunday talk-shows.

She was invited on the shows to explain the September 2012 attack, which killed the U.S. ambassador and three other Americans. The subject of the email was "PREP CALL with Susan."

The goal of the appearances, said Rhodes, is "to convey that the United States is doing everything that we can to protect our people and facilities abroad; [and] to underscore that these protests are rooted in an Internet video, not a broader failure of policy."

In her Sunday appearances, Rice implemented the White House's spin. "Our current best assessment, based on the information that we have at present, is that, in fact, what this began as, it was a spontaneous — not a premeditated — response to what had transpired in Cairo," she claimed on ABC.

"In Cairo, as you know, a few hours earlier, there was a violent protest that was undertaken in reaction to this very offensive video that was disseminated," said Rice, who was promoted last year to become Obama's national security advisor.

The email is black-and-white evidence of deception and spin by top White House officials, who have denied since shortly after the 2012 attack that they tried to portray it as an out-of-control protest. In fact, the Cairo demonstration — which was not blocked by the Obama-supported Muslim Brotherhood government of Egypt — was organized to demand the release of a jihadi locked up in a U.S. jail.

The new email is a problem for Obama, whose poll ratings are sliding amid his failure to block Russia's advance in Ukraine, and his decision to lie about the impact of Obamacare on Americans' legal ability to keep their preferred health plans.

The damning email is also a problem for Hillary Clinton, who was secretary of state at the time, and was responsible for implementing Obama's foreign policy in Libya, following Obama's decision to help kill the country's leader in 2010.

Immediately after the successful attack, Clinton joined other White House officials in blaming a video made by an Egyptian immigrant in California. The video-maker was sent to jail for several months. "The future must not belong to those who slander the prophet of Islam," Obama told a U.N. meeting Sept. 25.

Since then, Clinton has tried to downplay the failure. "With all due respect, the fact is we had four dead Americans. If it was because of a protest or if it was because guys out for a walk decided to go kill some Americans. What difference at this point does it make?" Clinton said in a January hearing.

The Rhodes email was sent to several top officials who were involved in the briefing, including White House spokesman Jay Carney, deputy spokesman Josh Earnest, and Obama's top political advisor, David Plouffe.

Ever since Rice's much-criticized appearance on the five TV shows, officials have denied that the White House tried to spin the attack. Instead, they have claimed that Rice relied on "talking points" prepared by intelligence officials, and that the claims about the video were simply a a consequence of confusion about the attackers and their goals.

Since the attack, FBI officials have picked up one Libyan believed to be a leader of the attack. However, officials have acted very cautiously, because they worry that any counterstrike would undermine Libya's weak government.

SW Portland Man Accused Of Supporting Terrorism Challenges Government Monitoring Of Legal Calls

The Oregonian, April 30, 2014

At least one phone call between accused terrorism supporter Reaz Qadir Khan and an attorney was recorded and turned over to the prosecution team hoping to convict him, a lawyer in Khan's criminal case said in court filings on Monday.

That 2010 recording and three others between Khan and defense investigators talking with him on behalf of another criminal defendant raise concerns about whether the government is capturing conversations that should be off-

limits, Amy Baggio, Khan's court-appointed attorney, said in filings.

"Mr. Khan's rights to counsel, to due process, to present a defense, and to a fair trial are all threatened if the government can monitor, and the prosecution team can access, communications such as these," Baggio wrote, noting that she received the recordings from the prosecution through the discovery process, in which the government must share evidence with the defense.

She asked that a federal judge order

the prosecution to disclose past and present monitoring of privileged communications as well as any agency procedures in place that are supposed to minimize such recordings. She also asked that the U.S. Attorney's Office disclose whether there is a "filter team" in place to block sharing of such confidential communications with the prosecution and what its procedures are. And if there is no such filter team in place, she asked that the judge order one.

The government is to file its response to the allegations by May 19.

The calls, which date to 2010 and 2011, are believed to have been recorded under the authority of the Foreign Intelligence Surveillance Act and its amendments, she wrote. Those acts permit interception of communications, and the government has already disclosed that it obtained or derived intelligence under FISA and its amendments.

But there do not appear to have been efforts to minimize seizing such protected communications, Baggio wrote, as FISA procedures call for.

The calls all predate the December 2012 indictment of Khan on the charge of conspiring to provide material support to terrorists. The city of Portland employee is accused of giving money to Ali Jaleel, a man from the Maldives who claimed responsibility in a pre-recorded video for a May 2009 assault and car bombing at the intelligence headquarters in Lahore, Pakistan. The attack killed about 30 people and injured 300.

Khan, 49, of Southwest Portland, faces up to a life sentence if convicted. A judge has allowed him to remain out of custody on certain conditions pending his trial, which is now scheduled to begin April 2015.

Baggio wrote that one eight-minute call, from January 2010, involves a call from Khan to an immigration lawyer seeking advice after having been told by the FBI that he would not be allowed to fly overseas. The call should have fallen under the protection of the attorney-client privilege, she wrote.

Two other calls, from June 2011, are between Khan and an employee with the federal public defender's office who was conducting investigation on behalf of an unnamed criminal defendant. In that call, the investigator shared defense theories with Khan. A fourth call, from July 2011, is a recording of a message left by the Federal Public Defender's office that asks him to look for certain information requested for the client's defense.

Those calls in which the investigators discussed defense strategy and their investigation for the unnamed defendant should have been protected from government by the attorney work product doctrine, she argued. "Instead, this privileged work product was given to the prosecutor in Mr. Khan's case, who is also the prosecutor in the other federal criminal case," she wrote.

The recordings reveal that the government targets calls that defense team members make to potential defense witnesses – who themselves are under investigation and may end up becoming targets of criminal prosecution, Baggio argued. She noted that she will need to conduct confidential calls with overseas witnesses, noting that the government may be eavesdropping by virtue of the FISA Amendments Act, which allows warrantless interception of overseas communications.

"Government monitoring of conversations with potential defense witnesses or experts, absent adequate procedural safeguards, effectively places a member of the prosecution team inside the defense camp," she wrote.

Baggio questioned whether more privileged recordings may be in the prosecution team's possession but have not yet been disclosed to the defense.

OTHER CYBER NEWS

After Data Breach, Target Plans To Issue More Secure Chip-and-PIN Cards

By Elizabeth A. Harris

New York Times, April 30, 2014

Still pushing to right itself after an enormous data breach by cybercriminals, Target announced on Tuesday that it would switch its debit and credit cards over to a more secure technology by early next year, most likely making it the first major retailer in the country to do so.

The company also said on Tuesday that it had hired a new chief information officer to oversee the company's technology team and data security.

The new debit and credit card technology, called chip and PIN, is widely used in Europe and considered to be far more secure than most cards used in the United States, which rely on magnetic strips. While it does not address all fraud, the chip makes a card hard to duplicate, and the pin, or personal identification number, more difficult for a thief to use.

"The move toward chip and PIN had been a very slow process in the United States because so many players have to restructure everything," said Suzanne Martindale, a staff lawyer at Consumers Union. "We're hoping that Target moving in this direction will encourage other retailers and

financial institutions to create more secure payment cards, because it's long overdue."

Target has said it would spend $100 million switching to the new system, which includes changing its branded credit and debit Redcards, as well as the cost of installing new payment terminals.

Company executives have been promoting the chip and PIN system industrywide since the breach, and in the wake of several prominent data hacks, the transition to this technology appears to have gained traction in recent months. In February, for example, JPMorgan Chase said it would begin issuing some chip-and-PIN-enabled credit cards this year.

Experts stress, however, that these cards would not have necessarily helped those whose data was stolen in the Target breach.

But Target is eager to lead the charge all the same as part of its monthslong effort to restore consumer confidence.

"Target is snakebit," said David Robertson, publisher of the Nilson Report, a trade publication about payment cards. "In this post-breach era, they're going to do everything they can to let their customers know that they're trying to be as security conscious as possible."

At the helm of Target's new cybersecurity apparatus will be Bob DeRodes, who has held senior technology positions at a variety of companies including Home Depot and Delta Air Lines, and has served as a consultant to several federal agencies, including the Homeland Security, Justice and Defense departments, Target said.

The previous head of technology at the retailer, Beth M. Jacob, resigned in March after facing questions about whether she had the appropriate training to oversee protection of the company's computer networks that housed huge amounts of private consumer data.

The company also outlined some of the security measures it had been adapting. In some instances, it has deployed advanced technology like white-listing, which allows only web traffic that the company knows is innocuous to enter its systems. In other cases, the company is adding more sophisticated security around its network, including for its payment systems and customer data, which security experts say the company should have done long ago.

"I believe Target has a tremendous opportunity to take the lessons learned from this incident and enhance our overall approach to data security and information technology," Gregg Steinhafel, Target's chief executive, said in a statement.

On Dec. 19, 2013, just days before Christmas and in the crush of the holiday shopping season, Target publicly acknowledged that credit and debit card information for 40 million customers had been exposed. A few weeks later, the company said a second batch of information, the personal information of some 70 million people, had been compromised as well. The company has since said it believed there was overlap of at least 12 million people in the two groups.

The company's earnings underscored how much the breach had hurt store traffic and sales. Its fourth-quarter profits were down 46 percent compared with the same period the year before. During that quarter, the company said, it spent $61 million on breach-related expenses, and executives said they expected the costs to continue.

Several other retailers and a hotel company have also been hacked in recent months.

Data breaches at Neiman Marcus and the arts and crafts retailer Michaels are believed to have been committed by the same band of criminals in Eastern Europe that infiltrated Target, according to people involved in the investigation, who were not authorized to speak publicly.

Target Names New Chief Information Officer, Announces Partnership With MasterCard

By Amrita Jayakumar

Washington Post, April 30, 2014

The leadership shuffles at Target continue.

The retailer appointed a new chief information officer to replace Beth Jacob — the executive who stepped down in March and the only high-level departure since the company suffered a data breach last year that affected up to 110 million customers.

Bob DeRodes, a former technology consultant to government agencies, including Homeland Security and Justice departments, will take the reins on May 5, Target said in a statement Tuesday. DeRodes will be responsible for guiding the company through a major security overhaul in wake of the breach. He will also develop a long-term digital strategy for the company, the company said.

Target also announced a partnership with MasterCard as it moves toward implementing more secure payment technology in its stores. The retailer has already been working on switching its in-store terminals to accept chip-and-PIN cards, which the company said should be completed by September.

Target said it will replace all existing REDcards, starting in early 2015, and issue new cards with MasterCard-branded chip-and-PIN technology.

"Target and MasterCard are taking an important step forward in providing consumers with a secure shopping experience, and the latest in payments technology," said Chris McWilton, MasterCard's president for North American markets.

Target said it is still conducting an "active search" for a chief information security officer and a chief compliance officer and re-iterated its support for a uniform data breach notification law.

Target Names New Chief Information Officer

By ANNE D'INNOCENZIO

Associated Press, April 29, 2014

NEW YORK (AP) — Target has announced more steps in its efforts to regain trust with its shoppers in the wake of a massive pre-Christmas data breach.

The Minneapolis-based retailer said Tuesday that it named outsider Bob DeRodes, who has 40 years of experience in information technology, as its new chief information officer. He replaces Beth Jacob, who abruptly left in early March.

DeRodes has been a senior information technology adviser for the Center for CIO Leadership, the U.S. Department of Homeland Security, the secretary of defense and the Department of Justice. He will assume oversight of the company's technology team and operations, effective May 5.

The nation's third-largest retailer also announced that MasterCard Inc. will provide its branded credit and debit cards with the more secure chip-and-PIN technology that it says will be coming out next year. That will make Target the first major U.S. retailer that will have its own branded cards with this technology, experts say.

"Establishing a clear path forward for Target following the data breach has been my top priority," Gregg Steinhafel, Target's chairman, president and CEO, said in a statement. "I believe Target has a tremendous opportunity to take the lessons learned from this incident and enhance our overall approach to data security and information technology."

Target said it is continuing its search for a chief information security officer and a chief compliance officer.

Target is still dealing with fallout from a massive breach that has hurt profits and sales and its reputation among shoppers worried about the security of their personal data. The company disclosed Dec. 19 that a data breach compromised 40 million credit and debit card accounts between Nov. 27 and Dec. 15. Then on Jan. 10, it said hackers stole personal information — including names, phone numbers and email and mailing addresses — from as many as 70 million customers.

In the wake of the breach, Target has been making changes, including overhauling some of its divisions that handle security and technology. The company has also been accelerating its $100 million plan to roll out chip-based credit card technology in all of its nearly 1,800 stores.

The new payment terminals will be in the stores by September, six months earlier than planned, Target reiterated. But the company said Tuesday that beginning in early 2015, Target will be able to accept these payments from all of its Target branded credit and debit cards. Existing Visa Inc. cards will be reissued as MasterCard co-branded chip-and PIN cards. Shoppers will be required to type in their personal identification numbers.

Target had long been an advocate for the widespread adoption of chip-and PIN card technology but hadn't outlined specific plans until now for its own branded cards.

Jason Oxman, CEO of the Electronics Transaction Association, which represents the payments technology industry, described the steps as "significant."

During a hearing on Capitol Hill on data security, John Mulligan, executive vice president, chief financial officer for Target, said its branded cards accounted for 15 percent of all the cards compromised. Of Target's various types of cards, only the REDcard Visa credit card has seen a small increase in fraud, about an 0.1 percent uptick

While magnetic strips transfer a credit card number, chip cards use a one-time code that moves between the chip and the retailer's terminal, resulting in data that is useless except to the parties involved. They're also regarded as nearly impossible to copy, at least for now. The technology has been a standard in Europe and other regions for years.

But naysayers say that the protections chips provide only go so far, noting that they don't prevent fraud in online commerce, where consumers still have to enter their credit card numbers. Some also point to other technologies as better long-term solutions.

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Target Hires Bob DeRodes As New Chief Information Officer

By Victor Luckerson

TIME, April 30, 2014

A former Department of Homeland Security adviser is stepping in to help fix security problems at Target, which is still reeling from a data breach last year in which tens of millions of customers had personal and financial data stolen.

Bob DeRodes has been the named the company's new chief information officer, the Wall Street Journal reports, replacing Beth Jacobs, who left in March. In addition to working with the DHS, DeRodes has served as an adviser for the Center for CIO Leadership, the Department of Defense and the Justice Department. At Target, he'll be tasked with overseeing the company's technology team and data security enhancements.

Target is attempting to rebuild consumer trust after November's data breach, in which 40 million customers' credit and debit card numbers were stolen. The company later disclosed that up to 70 million customers' personal information, such as their names and phone numbers, was also stolen. The theft was one of the largest data breaches in retail history.

Target is still seeking a chief information security officer and a chief compliance officer.

Target Hires Information Chief, Switches To Chip-and-PIN MasterCards

By Tiffany Hsu

Los Angeles Times, April 30, 2014

Target Corp. is hoping its newly hired chief information officer Bob DeRodes and its plan to switch its in-house payment cards to a more secure chip-and-PIN system from MasterCard Inc. will help it avoid another massive data breach.

The Minneapolis retail giant has made deep changes to its information security systems ever since cyber-criminals broke in during the holiday season last year and made off with data from up to 110 million customers.

On Tuesday, the chain said that DeRodes would step into his new position overseeing digital safety enhancements on May 5.

His resume includes stints advising the secretary of Defense and the departments of Homeland Security and Justice as well as technology roles at Citibank, Delta Air Lines and Home Depot.

His predecessor, Beth Jacob, stepped down last month. Target said it continues to search for a chief information security officer and a chief compliance officer.

The company also said Monday that it will switch its credit and debit REDcards to MasterCard's system from Visa Inc.'s early next year.

The new cards will store data on a more secure system that uses embedded chips and personal identification numbers rather than magnetic strips – the current norm.

Target said earlier this year that it will invest $100 million to speed up its move to the so-called chip-and-PIN setup.

The company said it will have new payment readers and accompanying software in all of its nearly 1,800 U.S. stores in September, six months ahead of its original schedule.

Target has already tried to buffer its data security by resetting passwords for 445,000 employees and contractors while disabling many vendor accounts and reducing access privileges for others.

The retailer is not alone in struggling through the consequences of a breach. In recent months, arts supply chain Michaels Stores Inc. and department store company Neiman Marcus Group indicated that they were targeted by hackers.

Target Names New Chief Info Officer Following Data Breach

Bob DeRodes Will Oversee Technology Operations

By Lauren Pollock

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Target Names New Technology Chief, Card Partner

By Kevin Orland And Elizabeth Dexheimer

Bloomberg News, April 30, 2014

Target Corp. (TGT) took two big steps to put the holiday data-breach nightmare behind it today.

The second-largest U.S. retailer said in a statement that Bob DeRodes, who has advised the U.S. Department of Homeland Security, the Department of Justice and the Secretary of Defense, will become chief information officer on May 5. The company also named MasterCard Inc. (MA) as the processor for the more secure house-brand credit and debit cards it plans to introduce early next year.

Chief Executive Officer Gregg Steinhafel has been working to regain customers' loyalty after hackers stole card data and personal information from tens of millions of shoppers during the holiday season. The Minneapolis-based retailer said earlier this year that it would spend $100 million to accelerate the rollout of cards with better security technology. Beth Jacob, who had served as Target's top technology officer during the breach, stepped down last month.

"Establishing a clear path forward for Target following the data breach has been my top priority," Steinhafel said in the statement. "Target has a tremendous opportunity to take the lessons learned from this incident and enhance our overall approach to data security and information technology."

Target shares slid 0.3 percent to $61.97 at the close in New York. The stock has dropped 2.1 percent this year, compared with a 1.6 percent gain for the Standard & Poor's 500 Index.

As part of its plan to convert to cards that store information on embedded chips, rather than less-secure magnetic strips, Target will have its REDcards use MasterCard technology. The transactions will run on the the Purchase, New York-based company's network instead of larger rival Visa Inc.'s. (V) The new cards also will require customers to enter a personal identification number, or PIN.

"MasterCard has been vocal and steadfast on the importance of moving to EMV," Chris McWilton, the company's president, said today in an e-mailed statement. "Our road map provides merchants and issuers with choices on how to implement EMV based on their individual needs. This effort – as well as advances in our proprietary chip offerings – is certainly being recognized by merchants such as Target."

Paul Cohen, a spokesman for Foster City, California-based Visa, declined to comment.

The technology, which makes it more difficult for hackers to clone card data, has become a standard in Europe and much of the rest of the world. Starting October 2015, retailers and banks that don't use EMV – named for its founders EuroPay International, MasterCard and Visa – will be liable for counterfeit transactions.

Target said today that it will introduce new payment devices in all of its almost 1,800 U.S. stores by September, six months earlier than originally planned. It's also limiting vendor access to its network to make it more secure.

DeRodes, the new technology chief, is on the board of NCR Corp. and has held technology positions at companies including Home Depot, Citigroup Inc. (C) and Delta Air Lines.

Target isn't the only retailer to have had its systems attacked in the past year. Luxury department-store chain Neiman Marcus Group Ltd. said in January that about 1.1 million credit cards may have been compromised in a data breach. Days later, arts-and-crafts retailer Michaels Stores Inc. said some customer payment-card data may have been used fraudulently.

Target Names New CIO To Oversee Technology, Security

Reuters, April 30, 2014

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

Armed Services Seeks More Cyber Oversight

By Kristina Wong

The Hill, April 30, 2014

The House Armed Services Committee recommended Tuesday that it have greater oversight of U.S. cyber capabilities, including reports on efforts to protect information technology systems from insider threats such as another Edward Snowden.

In the first of a series of portions of the 2015 National Defense Authorization Act, the Intelligence, Emerging Threats and Capabilities Subcommittee released language seeking to "fully support cyber operations and U.S. Cyber Command" but also requiring further assessments and reports.

Sections of the defense bill will be marked up on Wednesday by their respective subcommittees for later inclusion in the full bill.

The subcommittee, which oversees the Pentagon's programs on counterterrorism, counterproliferation, defense intelligence, special operations, technology, and cyber operations, fully supports IT requests in the Defense budget. But it also requires a Government Accountability Office report on efforts to guard IT systems from threats such as Snowden, a former National Security Agency contractor who stole government data and leaked it to the press.

It also directs the Pentagon to review and assess intelligence activities by the U.S. Special Operations Forces and U.S. Special Operations Command, in order to maintain oversight of these activities.

It also extends "critical Counter Terrorism authorities including 'Section 1208' " for support of U.S. special operations forces to combat terrorism through 2017, and the secretary of Defense's authority to establish rewards programs for information used in combating terrorists

In addition, it extends authorities for U.S. forces to conduct "non-conventional assisted recovery" designed to rescue isolated U.S. personnel in harm's way around the globe.

How The NSA Undermined One Of Obama's Top Priorities

By Brendan Sasso

National Journal, April 30, 2014

But critics argue that the National Security Agency has actually undermined cybersecurity and made the United States more vulnerable to hackers.

At its core, the problem is the NSA's dual mission. On one hand, the agency is tasked with securing U.S. networks and information. On the other hand, the agency must gather intelligence on foreign threats to national security.

Collecting intelligence often means hacking encrypted communications. That's nothing new for the NSA; the agency traces its roots back to code-breakers deciphering Nazi messages during World War II.

So in many ways, strong Internet security actually makes the NSA's job harder.

"This is an administration that is a vigorous defender of surveillance," said Christopher Soghoian, the head technologist for the American Civil Liberties Union. "Surveillance at the scale they want requires insecurity."

The leaks from Edward Snowden have revealed a variety of efforts by the NSA to weaken cybersecurity and hack into networks. Critics say those programs, while helping NSA spying, have made U.S. networks less secure.

According to the leaked documents, the NSA inserted a so-called back door into at least one encryption standard that was developed by the National Institute of Standards and Technology. The NSA could use that back door to spy on suspected terrorists, but the vulnerability was also available to any other hacker who discovered it.

NIST, a Commerce Department agency, sets scientific and technical standards that are widely used by both the government and the private sector. The agency has said it would never "deliberately weaken a cryptographic standard," but it remains unclear whether the agency was aware of the

back door or whether the NSA tricked NIST into adopting the compromised standard. NIST is required by law to consult with the NSA for its technical expertise on cybersecurity.

The revelation that NSA somehow got NIST to build a back door into an encryption standard has seriously damaged NIST's reputation with security experts.

"NIST is operating with a trust deficit right now," Soghoian said. "Anything that NIST has touched is now tainted."

It's a particularly bad time for NIST to have lost the support of the cybersecurity community. In his executive order, Obama tasked NIST with drafting the cybersecurity guidelines for critical infrastructure such as power plants and phone companies. Because it's an executive order instead of a law, the cybersecurity standards are entirely voluntary, and the U.S. government will have to convince the private sector to comply.

The Snowden leaks weren't the first to indicate that the NSA is involved in exploiting commercial security. According to a 2012 New York Times report, the NSA developed a worm, dubbed "Stuxnet," to cripple Iranian nuclear centrifuges. But the worm, which exploited four previously unknown flaws in Microsoft Windows, escaped the Iranian nuclear plant and quickly began damaging computers around the world. The NSA and Israeli officials have also been tied to "Flame," a virus that impersonated a Microsoft update to spy on Iranian computers.

Vanee Vines, an NSA spokeswoman, said the U.S. government "is as concerned as the public is with the security of these products."

"The United States pursues its intelligence mission with care to ensure that innocent users of those same technologies are not affected," she said.

According to Vines, the NSA relies on the same encryption standards it recommends to the public to protect its own classified networks. "We do not make recommendations that we cannot stand behind for protecting national security systems and data," she said. "The activity of NSA in setting standards has made the Internet a far safer place to communicate and do business."

But due to concern over the NSA damaging Internet security, the president's review group on surveillance issues recommended that the U.S. government promise not to "in any way subvert, undermine, weaken, or make vulnerable generally available commercial encryption."

"Encryption is an essential basis for trust on the Internet; without such trust, valuable communications would not be possible," the group wrote in its report, which was released in December. "For the entire system to work, encryption software itself must be trustworthy."

In response to the report, the administration adopted a new policy on whether the NSA can exploit "zero-days"—vulnerabilities that haven't been discovered by anyone else yet. According to the White House, there is a "bias" toward publicly disclosing flaws in security unless "there is a clear national security or law enforcement need."

In a blog post Monday, Michael Daniel, the White House's cybersecurity coordinator, said that disclosing security flaws "usually makes sense."

"Building up a huge stockpile of undisclosed vulnerabilities while leaving the Internet vulnerable and the American people unprotected would not be in our national security interest," he said.

But Daniel added that, in some cases, disclosing a vulnerability means that the U.S. would "forego an opportunity to collect crucial intelligence that could thwart a terrorist attack, stop the theft of our nation's intellectual property, or even discover more dangerous vulnerabilities."

He said that the government weighs a variety of factors, such as the risk of leaving the vulnerability un-patched, the likelihood that anyone else would discover it, and how important the potential intelligence is.

But privacy advocates and many business groups are still uncomfortable with the U.S. keeping security flaws secret. And many don't trust that the NSA will only exploit the vulnerabilities with the most potential for intelligence and least opportunity for other hackers.

"The surveillance bureaucracy really doesn't have a lot of self-imposed limits. They want to get everything," said Ed Black, the CEO of the Computer & Communications Industry Association, which represents companies including Google, Microsoft, Yahoo, and Sprint. "Now I think people dealing with that bureaucracy have to understand they can't take anything for granted."

Most computer networks are run by private companies, and the government must work closely with the private sector to improve cybersecurity. But companies have become reluctant to share security information with the U.S. government, fearing the NSA could use any information to hack into their systems.

"When you want to go into partnership with somebody and work on serious issues—such as cybersecurity—you want to know you're being told the truth," Black said.

Google and one other cybersecurity firm discovered "Heartbleed"—a critical flaw in a widely used Internet encryption tool—in March. The companies notified a few other private-sector groups about the problem, but no one told the U.S. government until April.

"Information you share with the NSA might be used to hurt you as a company," warned Ashkan Soltani, a technical consultant who has worked with tech companies and helped The Washington Post with its coverage of the Snowden documents.

He said that company officials have historically discussed cybersecurity issues with the NSA, but that he wouldn't be surprised if those relationships are now strained.

He pointed to news that the NSA posed as Facebook to infect computers with malware.

"That does a lot of harm to companies' brands," Soltani said.

The NSA's actions have also made it difficult for the U.S. to set international norms for cyberconflict. For several years, the U.S. has tried to pressure China to scale back its cyberspying operations, which allegedly steal trade secrets from U.S. businesses.

Jason Healey, the director of the Cyber Statecraft Initiative at the Atlantic Council, said the U.S. has "militarized cyber policy."

"The United States has been saying that the world needs to operate according to certain norms," he said. "It is difficult to get the norms that we want because it appears to the rest of the world that we only want to follow the norms that we think are important."

Vines, the NSA spokeswoman, emphasized that the NSA would never hack into foreign networks to give domestic companies a competitive edge (as China is accused of doing).

"We do not use foreign intelligence capabilities to steal the trade secrets of foreign companies on behalf of—or give intelligence we collect to—U.S. companies to enhance their international competitiveness or increase their bottom line," she said.

Jim Lewis, a senior fellow with the Center for Strategic and International Studies, agreed that NSA spying to stop terrorist attacks is fundamentally different from China stealing business secrets to boost its own economy.

He also said there is widespread misunderstanding of how the NSA works, but he acknowledged that there is a "trust problem—justified or not."

He predicted that rebuilding trust with the tech community will be one of the top challenges for Mike Rogers, who was sworn in as the new NSA director earlier this month.

"All the tech companies are in varying degrees unhappy and not eager to have a close relationship with NSA," Lewis said.

Why Ukraine Has Already Lost The Cyberwar, Too

By Patrick Tucker

National Journal, April 30, 2014

Don't wait for cyberwar between Ukraine and Russia to break out ahead of the actual shooting. Ukraine already lost that, too. Russia may have unfettered access into the Ukrainian telecommunication systems according to several experts. It's access that Russia can use to watch Ukrainian opposition leadership, or, in the event of an escalation in the conflict, possibly cut off telecommunications within Ukraine.

The ongoing situation in Ukraine has been marked by bloody protests, sieges of government buildings, ethnic clashes and misinformation campaigns. In cyberspace, relatively low-level exchanges between hacker groups have taken the form of temporary website attacks called displacements and distributed denial of service, or DDOS, which flood sites with phony traffic rendering the site inaccessible. (For a quick timeline of Russian and Ukrainian hactivist cyber-volleying, check out Ukraine Investigation's coverage here.)

Russia has no need to attack that which it already owns, say several experts. "Russia already had access [to the Ukrainian telecommunications infrastructure] for years. That's true for almost all of the Commonwealth of Independent States. They all rely at some point on Russian technology," Jeffrey Carr, CEO of the cyber-security firm Taia Global and of the author of Inside Cyber Warfare: Mapping the Cyber Underworld, told Defense One.

Russia's access stems from two factors. The first: Ukraine's communications intercept system, which allows the Ukrainian government to tap into civilian electronic communications, very closely resembles the Russian intercept system called SORM. SORM was developed by the Russian KGB as a means to surveil electronic communications within the Soviet Union. Essentially SORM serves as a backdoor for intelligence spooks to listen in on electronic communications. Think of the NSA's PRISM program, but far more robust in terms of capability and with far fewer legal restrictions on its use. The current iteration, SORM 3, allows the Russian Federal Security Service, or FSB, backdoor access into landline, mobile and email communications.

Ukraine has its own SORM system modeled after Russia's. But, as Russian journalists Andei Soldatov and Irina Borogan explained in Wired in 2012, Russian companies such as IsKratel manufacture equipment that Ukraine uses to maintain its system. Other manufacturers of SORM equipment include Juniper Networks, Huawei, Cisco and Alcatel-Lucent out of France. The simple fact that SORM equipment manufacturing firms are a matter of public record suggests vulnerability to hacking. The same technology that allows Ukraine's Intelligence Service to eavesdrop in Ukraine may give Russia the same amount of access into Ukrainian communications.

"With local Ukrainian media sources reporting Ukrtelekom outages, it is unclear what reach Russia has into the Ukraine due to its use of the SORM standard," Scott Donnelly, open source analyst with Recorded Future, told participants of an online webinar on Thursday. "While multiple additional pieces of information are necessary to definitively conclude Russia has a backdoor into the Ukrainian telecom system, it is clear the telecom equipment and layout are quite familiar to Russian military and intelligence officials operating

in the cyber arena." Ukrtelekom is the primary landline phone operator in Ukraine, servicing 80 percent of the country's users.

Additionally, Russian telecom firms Vimpelcom and MTS do considerable mobile business in Ukraine. MTS reportedly has 22.4 million subscribers in the country as of September 2013, making it the second largest mobile player. "It's Russian companies that are providing the mobile services. That gives the Russians an avenue in," James Andrew Lewis, director and senior fellow of the Strategic Technologies Program at the Center for Strategic and International Studies, told Defense One. "There's an advantage to having ownership, having insight, knowing the legacy system and having relationships, and being physically present in adjacent areas. That all makes it easier for them." Russian dominance into the Ukrainian mobile space was on full display back in January when protestors taking part in street demonstrations against the pro-Russian regime of then-President Viktor Yanukovych received ominous text messages reading, "Dear subscriber, you are registered as a participant in a mass disturbance," according to the New York Times.

A similar phenomenon occurred in the first week in March, as reported by Reuters, just before the Russian incursion into Crimea, when Ukrainian security chief Valentyn Nalyvaichenko revealed to journalists "I confirm that an…. attack is under way on mobile phones of members of the Ukrainian parliament for the second day in a row."

Private Russian companies colluding with the Russian government to give Vladimir Putin a backdoor into clients' systems is a practice that falls in line with the way the Putin government exercises influence over sectors of the Russian economy.

"These companies invested in Ukraine to make money. But now, if their friends from the FSB show up, say 'Can you give us a hand? Tell us about the networks that you invested in. Give us some of the technical details or specifications?' [The companies are] not well-placed to say no to that request. The companies did this for commercial reasons, but because [the companies] are subject to Russian control, that means that at any moment when its in Russia's interest to extend that control, they can do so," said Andrews.

Russia has other levers to pull in exerting control over communications in Ukraine, besides technological, as demonstrated by the strange story of Ukrtelekom, which was purchased in 2013 by Ukraine's richest man, Rinat Akhmetov. Akhmetov, a coal and mining magnate, is a native of the region of Dombass, which has been a hotbed of separatist protests and police clashes. He was a staunch ally of Yanukovych. But not long after the former President fled the country, Akmetov made a series of public comments stating his intention to use his power and resources to keep "Donbass and Ukraine are together forever."

He may be earnest in that promise, or simply aligning himself with what he perceives to be the winds of change bellowing through Kiev. But his coal mining operations in the Donbass region, the chief source of his wealth, are extremely vulnerable to Russian meddling. Not long after Akmetov issued his statement, a deputy of the State Duma of the Russian Federation, speaking to a Russian newspaper, said that if Russia were to annex Donbass, most of the Donbass coal mines would be shut down.

Wherever Akmetov's true loyalties rest, he's not averse to quickly shifting sides to protect his interests.

On Friday, Feb. 28, armed gunmen broke into the Ukrtelekom's operation center in Crimea and were able to cause phone and Internet disruptions. Western media treated the incident as unremarkable. But the annexation of Crimea probably improved Russia's ability to derive signals intelligence from Kiev—exponentially—according to Andrews. "Where they were getting ten messages before, now maybe they're getting 70," he said.

Does unfettered Russian access over the communications space in Ukraine necessarily mean that Russia could stage a telecom blackout?

The company Renesys, which monitors Internet services globally, has called the possibility of a fast Russian takedown of Ukrainian telecommunications and infrastructure unlikely. John Bumgarner, chief technology officer at the U.S. Cyber Consequences Unit agrees. "Ukraine has approximately six [trunk lines] running through the country. Most of the telecommunication points were going through Kiev."

It's a subject of continual dispute among experts, (see this article in Newsweek for background,) but history suggests that Russia is holding back considerably. In 2008, pro-Russian forces successfully attacked key web sites of Georgian groups, such as the site for the Ministry of Foreign Affairs as well as several news sites. Russian groups were able to launch a similar, coordinated cyberwar campaign against Estonia in 2007. When asked if Russia could stage a Ukrainian version of the Georgia cyberattack in 2008, Andrews replied that Russia "could probably do something similar to what they did to Georgia."

Bumgarner disagreed. "In Georgia, there were only two primary access points, one was through Moscow and the other through Turkey. The Kremlin was able to control data flowing through both of these access points, thus squeezing Georgia's presence on the Internet. Russia would have a difficult time controlling the full cyber spectrum in Ukraine," he told Defense One.

Andrews added that he thought that a takedown of Ukraine's telecommunications infrastructure was unlikely, not because of technological limitations, but because a blackout wasn't in Russia's immediate interests. "They already have

total intelligence dominance. And they have achieved their political ends, they don't need to do much more," he said.

Carr, Taia Global's chief, was less equivocal. "The bottom line is that if the Russian government wanted to shut down Ukraine's power and telecommunications, they could do so at will. If this becomes a full-scale war, you can expect a definite interruption of services – strategically planned. And there's nothing that Ukraine could do to stop it," he said in an email. Such an assault would signal a departure from the stealth-invasion tactics Russia has employed to great effect so far.

Recorded Future's analysis said that heavy DDoS activity around a few upcoming events may signal conflict escalation. On May 1, NATO will expand its air-policing mission in the Baltic. On May 11, the Eastern cities of Donetsk, Luhansk, and Kharkiv face possible referendums. Most importantly, on May 25, the Ukrainian presidential election.

NATIONAL SECURITY NEWS

HAYDEN: Snowden Driving Intel Officers To Weigh Security Of Secrecy Vs. PR

By Michael Hayden

Washington Times, April 30, 2014

Edward Snowden — that incredibly naive, hopelessly narcissistic, and insufferably self-important defector in Moscow — is, in his own peculiar way, a gift. He has performed like a canary in a coal mine.

Mr. Snowden is the visible effect, not the cause, of a broad cultural shift that is redefining legitimate secrecy, necessary transparency and what constitutes consent of the governed.

Long before Mr. Snowden, I asked the CIA's civilian advisory board, "Will America be able to conduct espionage in the future inside a broader political culture that every day demands more transparency and more public accountability from every aspect of national life?" Even though the board had serious doubts, we did little to accommodate to changing realities.

An early National Security Agency (NSA) defense of the 215 metadata program was that the White House, Congress and the courts were all witting and supportive. In a post-Watergate Church Committee era, that should have been sufficient. It wasn't. A lot of our countrymen, and not just the crazy ones, concede the intra-governmental transparency but then add, "But you didn't tell me!"

That's new, and Mr. Snowden's "gift" was to make that clear. It's also clear that if we are going to conduct espionage in the future, we are going to have to make some changes in the relationship between the intelligence community and the public it serves.

American intelligence routinely assumes that it is operating with at least the implied sanction of the American people. Its practitioners believe that if the American people knew all of what they were doing, they would broadly have their support. Former NSA Director Keith Alexander famously said that he wished he could tell all 300+ million of us exactly how the agency operates.

He couldn't, of course. Espionage thrives in the shadows, and secrecy is an essential component of its success. Despite a latent plus side (legitimacy, support, understanding), American intelligence has judged the minus side of going public (decreased effectiveness) to be determinative.

It's a noble calculus and one the community rarely gets credit for. Dutifully, the intelligence community (IC) responds to leaks by hunkering down, neither confirming nor denying, and hoping for the best. There is a plus side to an accurate story being out there, but traditional thinking has held that that is outweighed by the operational cost of anything being out there at all.

Increasingly, though, the IC doesn't control the "openness" agenda. Things that are better kept hidden now routinely enter the public domain. Often they enter via political masters who see gain in a supportive press story; things like the detailed process for approving targeted killings or the contents of a "secret" Senate report on CIA interrogations are made public with barely an eyebrow raised. Other, less official leaks usually enter the public consciousness in a piecemeal fashion, and the story lines they spawn often get rushed to the darkest corner of the room.

Put another way, American intelligence is already paying 70 to 80 to 90 percent of the operational cost of this stuff being out there, but is still denying itself any potential upside to a cogent, (fairly) complete description of what is actually going on. The result is that American intelligence is losing both effectiveness and legitimacy.

Before any of my old colleagues hyperventilate, let me admit to and list the downsides of an intelligence community being more aggressive in telling more of its story.

This could be a slippery slope. Once started, where or when do you stop? Specifically, once having put some facts out there, the "Glomar defense" (neither confirming or denying the existence of something) becomes problematic. We may also see a weakening of state secrets' claims in frivolous lawsuits. Of course, a coherent public storyline also creates a baseline for aggressive reporters to start pressing their sources for additional information. Finally, voluntary disclosures could legitimate claims that this or that leak really doesn't harm national security.

There is also a political danger. Intelligence poking its head out of the bunker will require at least the tacit approval of senior officials, something that will require political finesse (or a thick skin) on the part of intelligence leadership. Matt

Olson, head of the National Counterterrorism Center, made us all proud when he identified the Benghazi attack as terrorism, but his candor came with a bureaucratic risk.

Congress may be offended, too. When I publicly released the "Family Jewels," a catalog of past CIA missteps, and suggested it was because of our social contract with the American people, I was verbally beaten up the next day by the House Permanent Select Committee on Intelligence for "going over their heads."

So I get it; this will be hard. Doing it stupidly could be incredibly damaging because many things have to stay secret.

And this is all easy enough for me to say since I'm out of government and I don't have to implement anything.

But at the moment we are living with the strategic impact of individually justifiable decisions to remain silent, and that impact is an intelligence community that is less trusted and less effective than we need it to be.

It's up to my old friends in the IC to settle on the final course of action, but others can and should contribute to this dialogue.

I'll try to do that. I won't be bleeding any secrets in these commentaries but I will try to add some straight talk. I'm looking forward to it.

• Gen. Michael Hayden is the former director of the CIA and the National Security Agency. He can be reached at mhayden@washingtontimes.com.

Chinese Man Charged With Avoiding US Sanctions

By Eric Tucker

Associated Press, April 30, 2014

WASHINGTON (AP) — A Chinese man previously accused of contributing to Iran's ballistic missile program has been charged in the United States with making millions of dollars in illegal financial transactions to avoid economic sanctions, the Justice Department said Tuesday.

Li Fangwei, who is also known as Karl Lee, faces charges of money laundering, wire fraud and other crimes as part of an indictment issued in New York City. Prosecutors say the federal government also seized nearly $7 million used by front companies he set up to evade sanctions previously imposed on him for his business dealings with Iran.

"These actions send a loud and clear warning to those involved in the illegal proliferation of sensitive materials to Iran that the United States will not spare any efforts to disrupt their actions and bring them to justice," John Carlin, assistant attorney general for national security, said in a statement.

A fugitive living in China, Li was indicted on similar allegations in 2009 by the Manhattan District Attorney's Office and is now the subject of a $5 million bounty being offered by the State Department for information leading to his capture. The Treasury Department also imposed a new round of sanctions Tuesday, against individuals and front companies, designed in part to prevent Iran from developing a nuclear weapon.

Prosecutors say Li, who controls a network of companies in China that have done millions of dollars in business with Iran, has for years supplied the country with ballistic missile parts.

Though the products were banned, and Li and his company previously sanctioned, prosecutors say Li thwarted the sanctions by creating a web of front companies through which he did roughly $8.5 million in business in more than 165 separate transactions. According to the indictment, Li went "underground" after the sanctions, continuing to deal with Iran but through his front companies and using aliases and fake business names to hide the beneficiaries of electronic wire transfers.

Though money was moved through U.S.-based financial institutions, no bank is accused of any wrongdoing, the Justice Department said.

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U.S. Offers $5 Million Reward In Iran Weapons Case

By Brian Wingfield

Bloomberg News, April 30, 2014

The Obama administration offered a $5 million reward and took other steps against a Chinese man it said is involved in sales of missile parts to Iran in violation of U.S. sanctions.

Li Fangwei today was charged in a New York federal court for money laundering and other violations, the Justice Department said. The departments of State, Treasury and Commerce also acted against Li, also known as Karl Lee, and companies the administration said were associated with him.

The Commerce Department's Bureau of Industry and Security added eight Chinese companies and Li to a list of entities subject to special license requirements to receive U.S. exports. The Treasury Department imposed sanctions to prevent alleged proliferator Li from supplying weapons parts to Iran.

"As alleged, Li Fangwei has used subterfuge and deceit to continue to evade U.S. sanctions that had been imposed because of his illicit trade in prohibited materials with Iran," Preet Bharara, the U.S. Attorney for the Southern District of New York, said in a statement.

The Commerce Department's actions "send a message that we will not tolerate proliferation networks and will use

every means available to shut them down," Under Secretary Eric L. Hirschhorn said in a statement.

The U.S. has said Li operates front companies to obtain missile parts for Iran, according to the Commerce Department. The companies include Beijing Aeronautical Manufacturing Technology Research Institute, Chengdu Latest Electronics Technology Co. and Weihai New Era Chemical Industrial Co.

The U.S. has charged Li with conspiracy to commit money laundering, bank fraud and wire fraud, the Justice Department said.

The U.S. actions follow sanctions yesterday on 17 companies in Russia's financial, energy and transportation industries, and seven individuals with ties to Russian President Vladimir Putin, as punishment for the annexation of the Crimea region of Ukraine. The sanctions imposed today are unrelated to Russia.

U.S. Offers Bounty For Chinese Businessman Linked To Iran Missiles

Authorities Offer $5 Million Reward for Li Fangwei, Who Is Accused of Selling Missile Parts to Iran

By Devlin Barrett And Jay Solomon

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

U.S. Offers $5 Million For Chinese Businessman Accused Of Iran Dealings

Reuters, April 30, 2014

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

Claims Of Syrian Chemical Attacks To Be Investigated By International Watchdog

By Liz Sly

Washington Post, April 30, 2014

BEIRUT — The international chemical weapons watchdog said Tuesday that it plans to send a fact-finding mission to Syria to investigate allegations that the government used chlorine gas in attacks against civilians in recent weeks.

The announcement came as mortar fire and a bombing killed more than 50 people in government-controlled parts of Damascus and Homs, underscoring the risk that a prolonged insurgency will continue to bleed areas where rebels are being quashed.

In a statement issued at its headquarters in The Hague, the Organization for the Prohibition of Chemical Weapons (OPCW) said inspectors would leave "soon" to verify whether chlorine gas was used in bombs dropped on at least two villages in rebel-held areas of northern Syria.

President Bashar al-Assad's government has agreed to the mission and has promised to provide security in territory under its control, the statement added. But it is not clear how the inspectors will cross dangerous front lines to reach the opposition areas where the attacks occurred.

Although the attacks have not been independently verified, videos posted on YouTube showed scores of civilians gasping for breath in hospitals after reportedly inhaling gases unleashed by bombs dropped from planes. The number of deaths has been relatively low, however, compared with the hundreds who died in August's sarin gas attacks in the suburbs of Damascus, which triggered threats of U.S. airstrikes.

Syria is in the process of dismantling its chemical weapons arsenal under the terms of a U.S.-Russian deal negotiated to avert the strikes. The task is set for completion by June 30, and the OPCW said Sunday that 92.5 percent of the arsenal had been destroyed or shipped out of the country, making the deadline feasible.

But chlorine is not covered by the Chemical Weapons Convention, which Syria agreed to sign, so the government is not obliged to reveal its stores of the substance. Syria has denied using chlorine in bombs.

It is highly unlikely that a discovery by the inspectors that chlorine has been used in bomb attacks would trigger any meaningful response, said Firas Abi Ali of the London-based IHS Country Risk consultancy. "If confirmed, it indicates that Assad assesses he can use these weapons with impunity given U.S. unwillingness to intervene directly," he said.

Meanwhile, violence continued throughout the country, with some of the deadliest attacks occurring in areas where the government has been consolidating its control.

A car bomb in the central city of Homs killed 36 people and injured more than 40, according to the official Syrian Arab News Agency (SANA). The attack targeted the mainly Alawite Zahra neighborhood, where residents mostly

support Assad, a member of the Shiite Alawite sect. It occurred at a time when the government is looking to squeeze the last few pockets of resistance left in the once-rebellious city.

In Damascus, mortar shells struck a renowned Islamic school in the Old City, killing 17, according to SANA. Mortar attacks elsewhere in Damascus province killed at least four people.

The violence comes as Syria prepares to hold a presidential election on June 3 that Assad is certain to win because the laws are not structured to permit real competition. Eleven candidates, including Assad, have filed to run, SANA reported.

Ahmed Ramadan contributed to this report.

Pro-Assad Areas Are Attacked In Syria, Pointing To Election Trouble

By Anne Barnard And Nick Cumming-bruce

New York Times, April 30, 2014

BEIRUT, Lebanon — More than 50 people were killed in bomb, mortar and rocket attacks in government-controlled areas of Syria on Tuesday, as the international chemical weapons monitoring group declared that it was sending inspectors to the country to investigate suspected use of chlorine gas.

The wave of attacks on civilian, mainly pro-government, areas in the capital, Damascus, and in the central city of Homs, came a day after President Bashar al-Assad formally announced plans to run for re-election. Taken together, the day's events underscored the uncertainties around the elections planned for June 3, which government opponents widely regard as a sham, saying Mr. Assad's victory is guaranteed.

It remains unclear how the vote can be carried out safely amid the war, while insurgents still strike in the heart of government territory and the government bombards insurgent-held areas in major cities like Aleppo on a daily basis.

While the government has aimed to gain a new measure of international credibility by pledging elimination of its chemical weapons program, it now faces new questions not only about the suspected chlorine attacks, but about its repeatedly missed deadlines — most recently on Sunday — to remove the declared toxic arsenal from the country.

Also on Tuesday, Human Rights Watch issued a report documenting what it said were at least 85 barrel bomb attacks by the government in Aleppo since Feb. 22, when the United Nations Security Council passed a unanimous resolution calling on all parties to stop the use of barrel bombs and other indiscriminate weapons on civilian areas. Two of the attacks, the report said, hit clearly marked government hospitals.

The report came a day before a planned Security Council meeting to discuss compliance with the resolution, which also called for unimpeded humanitarian aid access, a request that rights groups say has been basically ignored.

Officials with the group that monitors compliance with the treaty banning chemical arms, the Organization for the Prohibition of Chemical Weapons, said in a statement after a closed meeting at its headquarters in The Hague that the Syrian government had agreed to accept a mission investigating suspected chlorine attacks and would provide security for such a mission.

Ahmet Uzumcu, the director general of the group, said he hoped the mission would start next week, according to a European diplomat who attended the meeting. The session was also punctuated by complaints about delays in eliminating Syria's toxic arms under an agreement that averted American airstrikes on Syria after sarin gas attacks last August near Damascus. All the arms are scheduled to be destroyed outside the country by June 30, but 7.5 percent remain in Syria.

"I think all of us expected to be at a very different stage of the effort than we are today," Robert P. Mikulak, the American ambassador to the monitoring group, said in remarks posted on the State Department's website, adding that the Syrian government had "delayed the operation at every opportunity."

The government has denied carrying out the suspected chlorine attacks in the village of Kfar Zeita in central Hama Province, blaming them on the Qaeda-linked insurgent group the Nusra Front. Government opponents say recent suspected chlorine gas attacks there and in other insurgent-held areas were carried out by helicopters, which only the government possesses.

They charge that Mr. Assad's forces are defiantly carrying out new chemical attacks using arms not listed in Syria's declaration of its stockpiles last year, allegations that the United States and France have said they are taking seriously.

Chlorine is a common industrial chemical not banned by the Chemical Weapons Convention that Syria signed last year. But the treaty bans using any chemicals as weapons.

On Tuesday morning, mortar shells struck the Shaghour neighborhood in Damascus, killing at least 14 people and wounding 86, according to state news media. The attack, one of the deadliest mortar strikes in central Damascus, hit a school of Islamic jurisprudence where some students are children.

Hours later, a car bomb hit a largely pro-government neighborhood in Homs, killing at least 40 people, according to state news media and residents. Another explosion, either from a rocket or a second car bomb, according to conflicting reports, later struck the same area, hitting those who had gathered to help.

No group immediately took responsibility, but some antigovernment activists attributed the attack to the Nusra Front, which has claimed similar bombings.

Mustafa Aboud, a neighborhood official who recently survived a car bomb just yards from his office in the adjacent Zahra neighborhood of Homs, said in a telephone interview that the area hit was a busy civilian neighborhood. "There's kindergartens, primary and intermediate schools, no military headquarters," he said.

Photographs from the scene showed blackened bodies. In Talbiseh, one of the few remaining insurgent-held areas in Homs Province, Hassan Abu Noa, an antigovernment fighter, declared himself "really happy" and called members of the Nusra Front "heroes" for killing people in a pro-government area.

"Let them grieve and feel the same sadness that we feel," he said via Internet chat. "Don't think that I am an angry animal. I am just someone who lost everything because of Bashar."

Anne Barnard reported from Beirut, and Nick Cumming-Bruce from Geneva. Hwaida Saad and Mohammad Ghannam contributed reporting from Beirut, and Rick Gladstone from New York.

Al Qaeda Group In Syria Killing People And Hanging Them From Crosses: Report

By Douglas Ernst

Washington Times, April 30, 2014

A Syrian opposition group says that al Qaeda-backed rebels are executing people and hanging them crucifixion-style, Fox News reported Tuesday.

"It's very dangerous," Abu Ibrahim Alrquaoui, told Fox News. "They threaten us directly and want to kill us."

Mr. Alrquaoui is a member of a group named Raqqa is Being Slaughtered Silently. He told the news station that he witnessed the alleged executions in Northern Syria and posted evidence on the group's Facebook page.

"They want to stay in control. Everything they do is to scare people," Mr. Alrquaoui told Fox News. "That's why they kill people publicly."

The Britain-based Syrian Observatory for Human Rights believes that more than 150,000 people have died since Syria's civil war began in March 2011, the Associated Press reported April 1.

Afghan Officials Accuse US, British Military Of Maintaining Secret Prisons On Their Bases

By Sayed Salahuddin

Washington Post, April 30, 2014

KABUL — President Hamid Karzai's government is accusing the U.S. and British military of operating secret detention facilities in Afghanistan, a development that could further strain relations between Afghanistan's leader and the West.

After receiving reports about Afghan detainees at coalition bases, Karzai established a fact-finding commission to study the matter. On Tuesday, it announced that it had found six detention centers that run afoul of an Afghan law requiring all prisoners from the country be held in Afghan-run jails.

Abdul Shokur Dadras, a member of the commission, said two of the jails were overseen by British soldiers at Camp Bastion in Helmand province, while a third jail at that base was under American military control. At Kandahar Airfield, also in the southern part of the country, three more foreign-run prisons were discovered — one controlled by American soldiers, one by the British and one managed by a joint coalition force, Dadras said.

"The prisons are in clear contradiction of the president's order, which says that foreigners cannot run prisons, hold Afghans as detainees or investigate them," Dadras said in an interview, adding that the facilities must be closed immediately.

In separate statements, Pentagon and coalition officials appeared surprised that Afghan leaders had chosen to make an issue out of the matter.

From Kabul, the U.S.-led military coalition said that "every facility that is used by coalition forces for detention is well known" by the Afghan government and is routinely monitored by the Red Cross.

"We are waiting to receive the commission's official report to better understand the basis of the allegations and findings," the statement said.

In Washington, a U.S. official familiar with the matter said Dadras appears to be referring to detention facilities that NATO troops use to hold detainees for up to 96 hours after they are picked up on the battlefield by foreign troops.

"These are sites the Afghans know about," said the official, who spoke on the condition of anonymity because he was not authorized to be quoted by name.

Dadras said the commission discovered one prisoner who had been detained for 31 months.

"It's a clear violation of Afghan laws and Afghan sovereignty," said Karzai spokesman Aimal Faizi. "We have been in direct contact on this issue with American and British officials."

The committee's findings were first reported Saturday by the New York Times.

On Tuesday, there was still some confusion about how many Afghan prisoners were found by the fact-finding team. Dadras said detainees were found at all sites except the joint-coalition-operated facility at Kandahar Airfield.

But the Associated Press, quoting commission leader Gen. Ghalum Farooq Barakzai, reported six Afghan detainees were discovered at the British-run facility at Kandahar Airfield while 17 were at the British jail at Camp Bastion.

Barakzai told the wire service that the panel found no prisoners in any American-run jails.

The allegations come at a sensitive time in the relationship been Washington and Karzai, who is in the final months of his presidency.

For months, Karzai has refused to sign a security agreement that would allow a residual force of American troops to remain in Afghanistan after the end of this year, when most NATO troops are scheduled to withdraw.

He has also repeatedly lashed out at the U.S. military over allegations of civilian casualties.

In February, Karzai ordered the release of 65 Taliban prisoners from Bagram prison outside Kabul, ignoring repeated pleas from U.S. military commanders and diplomats to hold off since the prisoners were likely to return to the battlefield.

Tim Craig in Kabul and Ernesto Londoño in Washington contributed to this report.

Karzai: UK, US Still Run Illegal Detention Centers

By Rahim Faiez

Associated Press, April 30, 2014

President Hamid Karzai accused British and U.S. forces on Tuesday of continuing to operate "illegal" detention facilities in the country, another volley in the rancorous disagreement between the Afghan leader and his foreign backers over what to do with captured Taliban suspects.

A Karzai-appointed investigation panel found six Afghan detainees at a British-run facility at Kandahar Air Field in the south and another 17 at a British detention facility at Camp Bastion in Helmand province, according to commission leader Gen. Ghalum Farooq Barakzai. He said no detainees were found at the American facilities but said they should no longer even exist.

The coalition has in recent years transferred thousands of detainees to Afghan authorities, and earlier this year American and U.K. officials protested when Karzai ordered dozens of suspects they considered a danger to be freed instead of tried in court.

British military authorities said in a statement that "detainees are held at the request of the Afghan authorities when there is evidence linking them to criminal activities." The statement said detention is crucial to removing insurgents trying to injure and kill troops and civilians.

U.S. Defense Department spokeswoman Elissa Smith said in a statement that "Every facility that we use for detention is well known not only by the Government of the Islamic Republic of Afghanistan, but also by the (International Committee of the Red Cross)."

The flare-up is the latest rift between Karzai and his ostensible allies, who have been frustrated with the president's increasingly anti-American rhetoric and his refusal to sign a security agreement to keep a small U.S. force of trainers in the country after the NATO-led coalition ends its mission and withdraws at the end of the year. Washington is hoping Karzai's successor will help reset relations, but a presidential election held April 5 has yielded no clear winner and so a runoff must be held. That means it may be mid-July before a new leader is named, leaving Karzai in charge

Karzai has long railed against the existence of a U.S. – and British-run detention centers on Afghan soil – where hundreds of other prisoners were held without charge as enemy combatants starting in 2002 – as an illegal violation of Afghan sovereignty and a symbol of disregard for his elected government.

His statement Tuesday appeared to have come after the revelation that some detainees were still being held by British forces after dozens of others were handed over to the Afghan side last year. The U.S., under pressure from Karzai, signed an agreement to transfer its prisons and detainees into Afghan custody. British forces in Afghanistan are allowed to detain suspects for 96 hours but can hold them longer in "exceptional circumstances."

Karzai has repeatedly said any foreign-run prisons or jails in Afghanistan are illegal.

"After many decrees that have been issued by the presidential palace about not having any detention centers run by foreign forces, still foreign forces are detaining Afghan and putting them in prisons," a statement from Karzai's office said. "It's a clear violation of the law of Afghanistan."

On Tuesday, commission chief Barakzai demanded that the British immediately hand over any Afghans being held, saying the 23 detainees seen by the commission had been held for times ranging from several weeks to 31 months.

"All the detainees should be transferred to Afghan security forces in the areas where they were arrested, "he said. "Then the judicial officials in that area will investigate them and put them on trial. If they are guilty they should be jailed, if they are innocent they should be freed."

The U.S. handed over the Parwan Detention Center – near the American military's Bagram Air Field, north of Kabul – to Afghan authorities in 2012 under an agreement that they would be tried in Afghan courts.

Karzai has referred to the Parwan prison as a "Taliban-producing factory," where innocent Afghans have been tortured into hating their country. He called it a "very big step regarding the sovereignty of Afghanistan" when the prison was finally handed over to Afghan control.

The British military also transferred dozens of its detainees from Camp Bastion to the Afghan government last year, but the U.K. has denied its detention centers are illegal. It was unclear Tuesday how many of the 23 detainees seen by the Afghan commission were newly captured or if they remained behind during last year's detainee transfer.

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Social Media In Afghanistan Takes On Life Of Its Own

By Ron Nixon

New York Times, April 30, 2014

WASHINGTON — Afghans have long been resistant to central authority — as the United States has found to its

frustration — with Afghanistan divided along tribal, cultural, religious and linguistic lines. Its mountains and valleys have stood in the way of communications breakthroughs that have unified other societies.

But a social media network initially financed by the United States is finding a way around those barriers. It is connecting millions of Afghans equipped with cellphones and other mobile devices, allowing an exchange of ideas that has never been possible in Afghanistan outside Kabul, the capital.

Similar American-financed programs elsewhere have failed, most spectacularly in Cuba, but Afghanistan is considered one of the great success stories from the United States' effort to counter extremists' violent ideology with social media. In Afghanistan, the network has achieved far more, allowing Afghans access to information as never before, bolstering education efforts and encouraging political debate, Obama administration officials say.

Called Paywast, or "to connect" in Dari, a Persian language spoken by half the population, the network currently has 1.6 million users and has continued operations, although the United States ended its backing for the project in 2011.

The Afghan company that runs the network, also called Paywast, said it began charging a small fee when American financing ended. American-backed programs in other countries have faltered after the money ran out.

The projects were encouraged by former Secretary of State Hillary Rodham Clinton, who saw social media as an important tool for diplomacy after observing how Facebook and YouTube were used to organize protests in Egypt and Tunisia during popular uprisings in 2010.

But in Cuba, The Associated Press recently reported, the program was a covert effort set up to encourage dissent on the island in hopes of bringing about a "Cuban Spring" similar to the Middle East uprisings. Administration officials acknowledged that they wanted to be discreet in carrying out the program, but they denied that it was covert and said it was set up to provide Cubans with a platform to share ideas and information.

The United States spends millions of dollars a year on social media programs as part of efforts to promote democracy and better governance. Some programs operate openly, but others have not been publicly disclosed.

Eileen O'Conner, deputy assistant secretary of state for South and Central Asia and the senior director of communications and public diplomacy in the office of the Special Representative for Afghanistan and Pakistan, said Paywast was one of several media-related programs financed by the United States in Afghanistan.

Paywast was an effort to make up for the lack of Internet access in Afghanistan. "It's a place where different ethnic groups historically didn't talk to other ethnic groups and where leaders in the country had little capacity to reach the population," she said.

Paywast does not openly acknowledge that it was financed by the United States, but Ms. O'Connor said that fact was never hidden from the Afghan government or its citizens. The State Department did not disclose how much the service cost, but a similar program in Pakistan cost about $1 million.

Jes Kaliebe Petersen, co-founder of the company that created the network, said that despite the United States backing, the program never had a specific political objective. "We have run the social network autonomously, and there is no relation between the Cuban program and our activities," Mr. Petersen said.

In Kabul, a number of young people said they had stopped using Paywast after the company started charging for the service. Many said they now perceive it as more of a tool for private companies and government ministries to send messages to their employees.

Waheed Arash, 26, said he used Paywast to message women, and he and his friends set up a group to share jokes, news and updates about their personal lives.

"But almost everyone stopped using it when they were surprised by the company charging us lots of money," Mr. Arash said. "We no longer have the group."

Haris Kakar contributed reporting from Kabul, Afghanistan.

Sectarian Strife Rises As Iraq Election Approaches

By Sherif Tarek

Los Angeles Times, April 30, 2014

Iraq's worst surge in sectarian violence since 2008, fueled by protracted political disputes, makes the first parliamentary election since the U.S.-led occupation anything but promising.

Over the last year, Islamic militants have targeted officials from the Shiite Muslim-led government of Prime Minister Nouri Maliki, who is poised to win a third term in Wednesday's balloting. In turn, government security forces have struck back.

The United Nations says at least 8,868 people, 88% of them civilians, were killed in 2013, the highest toll in five years. The pace has continued in the first two months of this year, when about 1,400 were killed in attacks that have occurred nearly on a daily basis.

One attack killed 28 when the Islamic State of the Iraq and Syria, a Sunni Muslim militant group that is loyal to Al Qaeda, detonated two bombs on April 25 at a political rally staged by the Sadiqun bloc, the political wing of the Shiite Asaib Ahel al-Haq, or League of the Righteous.

Fears abound that violence will overshadow the election and plunge Iraq into the kind of violence typical of 2006-08, when U.S. troops were still confronting militants.

That civil strife came after the Sunni Arab minority had boycotted the 2005 election, the first after the fall of Sunni autocrat Saddam Hussein two years earlier. When a Shiite-dominated government assumed power, many Sunni dissidents formed the main part of the insurgency.

The violence led then-President Bush to send more than 20,000 additional U.S. troops to Iraq, beginning in 2007. The so-called surge strategy was generally seen as successful in reducing sectarian violence.

Although violence continued to mar the next election, in 2010, voter turnout reached 62%. The poll was hailed by President Obama, who at the time said that "the future of Iraq belongs to the people of Iraq."

Analysts expect far less from this election, in which more than 9,000 candidates will compete for 328 seats in parliament.

"Unfortunately things are worse than in 2010," said Michael O'Hanlon, a senior fellow with the Center for 21st Century Security and Intelligence and director of research for the foreign policy program at the Brookings Institution.

"Back then, there was a sense of national cohesion after the success of the surge — even if it was difficult to get through the [political] process itself," he said. "Today, I am reminded more of how things felt in 2005, which is, of course, very unsettling."

The presence of Al Qaeda-allied militants, some based in neighboring Syria, increased after U.S. forces pulled out of Iraq in 2012, in part because of a power vacuum in Syria, now in its fourth year of civil war, said John Drake, an Iraq analyst at AKE, a consultancy that advises companies doing business with Iraq.

The war in Syria probably emboldened Islamist militants on both sides of the Iraq-Syria border, Drake said. "It was as if these groups thought that they had a chance to establish some sort of Islamist emirate encompassing territory of both Syria and Iraq," he said.

"The breakdown in authority on the Syrian side has also allowed these groups the opportunity to smuggle more equipment, money and personnel, allowing them to raise funding and consolidate their power," he said.

Early this year, the Islamic State of the Iraq and Syria seized partial control of Fallouja and Ramadi in the western province of Anbar, sparking the closure this month of the prison in Abu Ghraib, outside Baghdad. Both cities are among a number of Sunni-dominated areas in central Iraq where it's too dangerous for election officials to set up polling stations. Consequently, hundreds of thousands of voters are expected to be unable to cast ballots.

O'Hanlon believes the areas under Sunni militant groups' control make up "about 5% to 10% of the country, but it is an important 5% to 10%."

Drake added that "around 95% of the violence in Iraq currently takes place in seven provinces: Anbar, Babil, Baghdad, Diyala, [Tamim], Nineveh and Salahuddin. The areas where violence will prevent elections is still comparatively small, but it is in very sensitive areas, such as eastern Anbar province."

Drake also noted that Iraqi security forces didn't seem to have the same access to intelligence as they did in 2010. "Back then," he said, "the U.S. was able to provide intelligence support, while the public was more able, and willing, to cooperate with the security forces and provide information."

Militants are more likely now to avenge such cooperation, and much of the public in that area feels marginalized by the current government, which has been slow to improve infrastructure and quick to detain people on terrorism charges, Drake added.

"Many have been detained for extended periods without trial or significant evidence, and a lot of people feel that the move has been politically motivated by the predominantly Shiite government," Drake said.

O'Hanlon said Maliki's "sectarian-style leadership" has added fuel to fire in Iraq over the last year.

The prime minister "has used the opportunity of the U.S. departure to consolidate his centralized rule and has alienated both the Kurdish and Sunni communities," wrote Paul Salem, a vice president of the Middle East Institute leading an initiative on Arab transitions, in an analysis published this year on the institute's website.

"His policies since the U.S. withdrawal have increased sectarian and ethnic tensions in the country, and he has posed as the champion of Shiite interests against Sunni radicalism and Arab interests against Kurdish claims," Salem wrote.

In the 2010 election, Maliki came in second to Iyad Allawi's Iraqiya bloc, which had strong Sunni and Shiite representation. But Maliki eventually retained the premiership as part of a power-sharing pact among Sunnis, Shiites and Kurds.

Analysts agree that the pact ushered in a period of relative stability that has only recently begun to show signs of weakness as Maliki loses his ability to be a conciliator among competing interests.

Political experts believe Maliki will be reelected, but will lose the support of Kurds. And it is unclear how a third term will be viewed by neighboring Iran and by the U.S., which robustly backed him in 2010.

"If Maliki secures a third term and maintains his current policies, the Kurdish region of the north might move toward secession and Al Qaeda groups might more firmly consolidate their hold on the western, Sunni parts of Iraq, effectively splintering the country," Salem said.

"Unless Maliki is replaced or drastically changes his policies, these might be the last elections in a nominally united Iraq."

Tarek, a reporter from Cairo, is a visiting journalist at The Times sponsored by the Daniel Pearl Foundation in partnership with the Alfred Friendly Press Fellowships.

Unrest In Iraq Narrows Odds For Maliki Win

By Tim Arango And Michael R. Gordon

New York Times, April 30, 2014

BAGHDAD — When a well-known journalist was shot dead at a checkpoint here last month, Prime Minister Nuri Kamal al-Maliki rushed to the scene. Speaking to a television camera, he promised "blood for blood."

In a city where hundreds die every month from explosions and gunshots, it was unusual for the prime minister to focus on a single murder. That scene, though, coming as it did just before elections, was a vivid demonstration of what diplomats and analysts say is Mr. Maliki's best and last hope for securing a third term as prime minister: playing the strongman, a role Iraqis, for better or worse, are accustomed to seeing in their leaders.

"Maliki is a man of power," said Salah al-Robaei, 46, a university professor in Baghdad, who also called him "wise," "tough" and a "great leader."

A strategy of showing toughness may win votes among Mr. Maliki's Shiite constituency, but as Iraqis prepare to vote on Wednesday in the first national elections since the withdrawal of American forces, it is far from certain that he will be able to win over enough others to lock down another term.

Many American officials would welcome his defeat. American intelligence assessments have found that Mr. Maliki's re-election could increase sectarian tensions and even raise the odds of a civil war, citing his accumulation of power, his failure to compromise with other Iraqi factions — Sunni or Kurd — and his military failures against Islamic extremists. On his watch, Iraq's American-trained military has been accused by rights groups of serious abuses as it cracks down on militants and opponents of Mr. Maliki's government, including torture, indiscriminate roundups of Sunnis and demanding bribes to release detainees.

A long list of political rivals are determined to unseat him. Judging by their subtle calls for "change," he may have lost the support of the Shiite religious authorities in Najaf, the holy city in southern Iraq, who hold great sway over Iraq's Shiite majority. Many Iraqis, while acknowledging their desire for strong leadership, also say they are weary of the violence and political dysfunction that have defined life under Mr. Maliki.

Yet, Mr. Maliki's prospects have brightened from six months ago, when he had few genuine accomplishments to point to. Heavy fighting against Sunni Islamist extremists in Anbar Province and other areas of the country has allowed him to campaign as a wartime leader and present himself to the Shiite majority as the leader of an existential fight that he has defined in starkly sectarian terms.

"All the elements are working in his favor," said Izzat Shabender, a Shiite politician who was once allied with Mr. Maliki but now wants him out of power.

Referring to the crisis in Anbar in which Mr. Maliki's military campaign against the insurgents has failed, a Western diplomat said, "It seems to be helping his electoral prospects."

Mr. Maliki, 63, will face stiff opposition as he fights to remain in power. Iraqi voters are likely to deliver him a plurality of seats, political experts here say, but far from a majority that would assure him a new term. After the election the back-room negotiating will begin, chiefly between Mr. Maliki and his Shiite rivals, but Sunni and Kurdish leaders will be involved, too.

The postelection period is expected to be messy and protracted, not atypical in Iraq, but this time experts say it could be even longer — perhaps as long as a year.

Iran, perhaps Mr. Maliki's most important supporter as he consolidated power in recent years, has supported his re-election campaign with millions of dollars, according to American intelligence reports. But Iran has also funneled money to some Shiite rivals of Mr. Maliki, demonstrating that Iran's chief aim is to maintain Shiite dominance, not necessarily Mr. Maliki's rule.

Mr. Maliki, who rarely smiles and lacks any outward signs of charisma, has distinguished himself from other Iraqi politicians by keeping long hours, often leaving the office at 1 a.m. or later. He also rarely leaves the country and has kept his family here, while many other politicians have moved their families abroad. And, by all accounts, he shows no outward affinities for wealth and the trappings of power.

"He didn't worry about protocol issues," said the former American ambassador to Baghdad, Zalmay Khalilzad, in an interview. "He had no problems coming to my residence or office."

Mr. Maliki does worry, though, Mr. Khalilzad said, about former Baath Party officials mounting a coup.

It was Mr. Khalilzad who encouraged Mr. Maliki to seek the prime minister's post in 2006, after concluding that his predecessor, Ibrahim Jaafari, was ineffectual and overly sectarian. In 2010, Mr. Maliki secured a second term with the backing of American officials, who thought he was likely to prevail anyway and appeared to be the most acceptable candidate to the fractious Shiite majority.

In an effort to bridge the political and sectarian divide in Iraq and guard against Mr. Maliki's growing authoritarianism, the Obama administration had sought to persuade Mr. Maliki to share power with his bitter rival, Ayad Allawi, who was the leader of a bloc with broad Sunni support. But the effort failed, and Mr. Maliki never developed the inclusive government the White House had hoped for.

Mr. Maliki's character, shaped by his decades in the political underground working to overthrow Saddam

Hussein's regime, has largely defined his governing style. In exile, in Iran and Syria, Mr. Maliki was in charge of military operations inside Iraq for the Shiite Islamic Dawa Party, a life experience that has instilled a lasting sense of paranoia that is deepened by the constant threat of assassination he lives under now.

"I think the very core of his problem is his fear," said Maria Fantappie, Iraq analyst at the International Crisis Group. "He sees enemies everywhere. It can be the Kurds, the Sunnis, even his own advisers."

In the campaign, Mr. Maliki has sought to blame the violence in Iraq on foreign Sunni countries, namely Saudi Arabia, and, by extension, Iraq's own Sunni leaders.

"Voters have no excuse before God and history if they do not make the right choice," Mr. Maliki said in a recent speech. "Iraqis know who is supporting the rebuilding of the country and democracy, and who is supporting terrorism and seeking to destroy the country."

Ramzy Mardini, an Iraq expert at the Atlantic Council, said: "Maliki is not a democrat. He's not a nationalist or sectarian ideologue. His ideology and doctrine are grounded in survivalism.

"In many ways Maliki is a typical Arab ruler: paranoid and conspiratorial," he said.

In the village of Janajuh, Mr. Maliki's hometown in southern Iraq, garbage is strewn across the irrigation canal that runs past the low, crumbling house that was his childhood home. The village looks like any other in Iraq: poor and run-down, with no evident sign that the country's vast oil wealth has been put to use.

"They have done nothing," said Shakur Jabour, one of Mr. Maliki's cousins. "Look at the garbage."

Mr. Jabour said the state of the village showed that Mr. Maliki had larger concerns.

"I'm telling you, in all honesty, when you look at this neighborhood, he says, 'You are the same as any other place in Iraq. I can't do anything special for you.' "

Many, though, are troubled by what they describe as Mr. Maliki's attempt to build a family dynasty, which inevitably, for Iraqis, recalls the legacy of Mr. Hussein. He has given his son, Ahmed, broad, vaguely defined powers over security within the prime minister's office and inside the Green Zone. And both of his sons-in-law, who work for his office, are running in the election.

Many of the campaign posters that have blanketed the capital, dressing the drab urban landscape in greens and yellows, call for change. So do ordinary Iraqis, their capacity for endurance in the face of suffering tested by a new surge in violence.

Wednesday's vote will be the fourth since the American invasion in 2003, so Iraqis are familiar with the mechanics of elections. But they are also weary of what the voting has produced: bickering, corruption, violence and a sense of permanent stasis.

"My life?" said Firas Younis, 33, who owns a clothing store in the northern city of Mosul. "I don't have one. Explosions, blast walls blocking the ways, no services. And because of all this my business has stopped."

Despite all of this, Latif Rashid, a senior adviser in the office of President Jalal Talabani, said that many within Iraq's political class believe that Mr. Maliki will find a way to stay in power for another term.

Mr. Rashid said that indications — anecdotal, at best, given the lack of reliable polling data in Iraq — are that Mr. Maliki retains strong support among Iraqis, partly because of a reluctance to change leaders when the country is facing a growing insurgency.

That Mr. Maliki seemed to be in such a strong position, despite the condition of the country and the rivals arrayed against him, is confounding, Mr. Rashid said.

"There are lots of things I don't understand," he said. "Do you understand why people are blowing themselves up? Do you understand why people are bringing car bombs to a school?"

Duraid Adnan contributed reporting from Baghdad, Yasir Ghazi from Seattle, and an employee of The New York Times from Mosul, Iraq.

Iraq's Al-Maliki Facing Discontent In Election

By Hamza Hendawi And Qassim Abdul-zahra

Associated Press, April 30, 2014

If Iraqi Prime Minister Nouri al-Maliki wins a third four-year term in parliamentary elections Wednesday, he is likely to rely on a narrow sectarian Shiite base, only fueling divisions as Iraq slides deeper into bloody Shiite-Sunni hatreds.

After eight years in power, al-Maliki is facing sharper criticism from all sides.

The Sunni minority views him as a diehard champion of Shiite power. His former Kurdish allies now shun him, accusing him of trying to impose Baghdad's power over their autonomous region in the north. And even some of al-Maliki's Shiite backers denounce him as a would-be dictator, amassing power for himself.

The 63-year-old al-Maliki is still seen as likely to keep his post. Many in the Shiite majority see no alternative, and he holds a trump card – the support of neighboring powerhouse Iran, which al-Maliki's own aides say will use its weight to push discontented Shiite factions into backing him for another term.

That, however, could mean a victory on an even narrower base than in his re-election four years ago, when he barely managed to cobble together enough Shiite, Kurdish and Sunni backers to form a government.

The Shiite al-Maliki rose from relative obscurity to office in 2006, when Iraq's sectarian bloodletting began to spiral out of control, with Sunni militants and Shiite militias butchering each other's communities. He quickly became known for a tough hand, working in alliance with American forces in the country since the 2003 invasion that toppled Saddam Hussein.

Over the years that followed, Sunni tribes backed by the Americans rose up to fight al-Qaida-linked militants, while al-Maliki showed a readiness to rein in Shiite militiamen – and by 2008, the violence had eased.

Since the withdrawal of American forces in late 2011, however, it has swelled again, stoked in part by al-Maliki. His moves last year to crush protests by Sunnis complaining of discrimination under his Shiite-led government sparked a new wave of violence by militants, who took over the city of Fallujah in the western, Sunni-dominated province of Anbar and parts of the provincial capital Ramadi. Iraqi army and police forces battling them for months have been unable to take most areas back.

At the same time, many Iraqis increasingly complain of government corruption and the failure to rebuild the economy.

"Al-Maliki has had enough chance to prove himself, but he failed," said Hassan Karim, a university graduate from Baghdad's Shiite Sadr City district. "Iraqis lack security, services and housing. The only two things available in the country right now are corruption and checkpoints."

The normally aloof al-Maliki has struck a populist tone in his campaign, aiming to show he is tackling problems like corruption and poverty that cross sectarian boundaries.

He has distributed plots of land to poor Iraqis in ceremonies carried live on state television. He made heavily televised visits to government departments that provide vital services, like car registration and ID and passport offices, comforting Iraqis standing in line. During one visit, he berated an employee for being insensitive to the hardships endured by Iraqis seeking services.

In a slick campaign video, he speaks of growing up in a village south of Baghdad in a family of clan chiefs and fondly recalls playing football and swimming in a local river. He affectionately remembers a grandfather who used his poetry to criticize British colonial rule and talks of his own love for Iraq.

"I believe the election will not produce a prime minister better than al-Maliki. He is the lesser of many evils," said hotel employee Mohammed Hadi, a Shiite from eastern Baghdad. "Al-Maliki has good experience ... Any other prime minister will be starting from scratch."

Al-Maliki's political bloc, State of Law, is widely expected to win the most seats in Wednesday's election for a new, 328-seat parliament. But cobbling together a majority in the chamber so he can be the next prime minister will be the tough part. It took months of tortuous negotiations after the 2010 elections to put together a coalition to ensure al-Maliki's re-election.

This time the discontent among his allies is even stronger, with complaints that al-Maliki has monopolized power and put his trust in a handful of close aides and relatives.

Prominent Shiite cleric Muqtada al-Sadr, recently issued a fatwa, or religious decree, saying his Sadrist group, a one-time backer of al-Maliki, will no longer support him.

"I offer brother al-Maliki a piece of advice: Forget about a third term," said al-Sadr, a fiercely anti-American cleric whose movement holds about 40 seats in the outgoing parliament.

The Supreme Islamic Iraqi Council, a major Shiite party that was part of every ruling coalition since Saddam's ouster, has been less than enthusiastic about a third term for al-Maliki and forged a tactical alliance with the Sadrists.

Also, one of Iraq's top Shiite clerics, Grand Ayatollah Bashir al-Najafi, issued a startling statement calling on voters not to elect al-Maliki, though he avoided mentioning him by name. The Pakistani-born al-Najafi has the smallest following from among Iraq's top four grand ayatollahs, based in the holy city of Najaf, south of Baghdad. But his thinly veiled denunciation of al-Maliki was unprecedented.

"We had hoped after Saddam that we will have freedom and the Iraqis will live in peace ... Four years after four years, and the dead and wounded are in the hundreds," he said. "Where does all the money go?"

An aide to al-Maliki, Sheik Halim al-Zuheiri, said al-Najafi's comments were "regrettable" and violated what he called the traditional neutrality on political matters by Najaf's Shiite religious establishment.

Iraq's powerful Kurdish minority, which has had its own self-ruled region in the north since 1991, has also fallen out with al-Maliki. In a strongly worded statement this week, the Kurdish zone's government described al-Maliki's eight years in power as among the worst in Iraq's history, something traditionally reserved for Saddam's rule.

"There is not a single Kurdish party that is prepared to commit political suicide by entering an alliance with a man who does not believe in the rights of Kurdish people and stands against them," said the statement.

Al-Maliki's Shiite and Kurdish rivals could try to forge an alliance with Sunnis to push al-Maliki out. The Supreme Council has hinted at possible alternatives, such as former interior and finance minister Bayan Jabr. But he and other possibilities are seen as unlikely to be able to rally enough support.

A top al-Maliki aide predicted Iran would push rival Shiite groups to close ranks behind al-Maliki to retain political dominance, as it did in 2010.

"Iran will be looking for someone to protect its interests ... There have not been any problems between al-Maliki and

Iran during his time in power," he said, speaking on condition of anonymity to discuss the backroom politics.

The Sunnis are deep in a predicament of their own. Fighting in Anbar will make voting impossible in some areas, reducing their voice.

"Iraq's Sunni Arab component stands to lose a great deal in this election because they are under siege," Deputy Prime Minister Saleh al-Mutlaq, a Sunni, told The Associated Press.

"They have reached such a deep state of despair and fear that they see no reason to go and vote. Today, many Sunnis see secession as a possible solution."

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Secularist Underdogs Fight To Be Heard In Iraq Election

By Isra' Al Rubei'i And Ned Parker

Reuters, April 30, 2014

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

South Korea: North Holds Live-fire Drills At Sea

Associated Press, April 30, 2014

North Korea conducted live-fire artillery drills near its disputed western sea boundary Tuesday, South Korean officials said, in a possible indication of rising frustration in Pyongyang as it pushes unsuccessfully for outside aid.

Both Koreas conduct such drills routinely, but they can be sensitive because North Korea doesn't acknowledge the U.N.-drawn sea boundary near South Korean islands and the North Korean mainland in the Yellow Sea.

Last month, South Korea fired artillery shells into the North's waters after North Korean shells from a live-fire drill landed south of the boundary. After South Korean drills in 2010, North Korea shelled a South Korean island, killing four people.

On Tuesday afternoon, the North tested 50 rounds of artillery shells over 10 minutes, South Korean Defense Ministry spokesperson Kim Min-seok told reporters.

On the frontline Yeonpyeong Island, motel owner Kim Oh-mok said she went to a shelter with other residents after hearing a broadcast telling her to do so. But she didn't hear the sound of artillery fire. Ongjin county official Hwang Young-mi said island residents were later told they could return home.

Analysts have said Pyongyang's announcements about such drills are driven by frustration that the country has achieved little in a recent push to win outside aid.

The sea boundary was drawn without Pyongyang's consent at the close of the 1950-53 Korean War, which ended with a truce, not a peace treaty, leaving the peninsula still technically in a state of war. North Korea argues the line should run farther south.

A year after threatening each other with war, the Koreas had restored some trust and held reunions earlier this year of families divided by the war. But ties have since steadily soured. Pyongyang this week made a sexist rhetorical attack on President Park Geun-hye, calling her to a "despicable prostitute."

North Korea test-fired two medium-range ballistic missiles in March and held a series of shorter-range rocket launches to protest annual military drills by the U.S. and South Korea. South Korean officials also think the North could be preparing for its fourth nuclear test.

Tuesday's artillery drills occurred while South Korea copes with the tragedy of a ferry sinking in which more than 300 people are dead or missing.

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NATIONAL NEWS

White House Releases PSA On Sexual Assault

TIME, April 30, 2014

The White House has released a star-studded public service announcement on YouTube to accompany its plan announced Tuesday to combat sexual assault in the United States.

The video's message is simple, direct and though it doesn't say so explicitly, targeted at one class of people in particular: men.

"If I saw it happening I'd never blame her. I'd help her," says actor Daniel Craig.

"It's up to all of us to put an end to sexual assault and that starts with you," says President Barack Obama.

Other leading men who make an appearance in the PSA, which is titled "1 is 2 Many," include West Wing actor Dulé Hill, Vice President Joe Biden, actor Benicio del Toro, late night host Seth Meyers and comedian and actor Steve Carell.

Watch: The White House's New Sexual Assault PSA Starring Daniel Craig And Benicio Del Toro

By Asawin Suebsaeng

Mother Jones, April 30, 2014

On Tuesday, the White House posted their new, star-studded PSA on sexual assault and rape. The video (which features Benicio Del Toro, Steve Carell, Daniel Craig, Seth

Meyers, Dulé Hill, Joe Biden, and Barack Obama) was released as part of the Obama administration's 1 is 2 Many campaign. The video's release coincides with Vice President Biden's big speech on the subject, and with the formal unveiling of the first report from the White House Task Force to Protect Students From Sexual Assault. (The White House is pressuring college and universities to improve their handling of cases of rape and sexual assault.)

"If she doesn't consent, or if she can't consent, it's rape, it's assault," Del Toro says in the video. "If saw it happening, I'd never blame her—I'd help her," Craig says.

Watch the extended 60-second PSA here:

"I'm not used to making calls to big old movie stars," Biden said. "But I called them. And every one of them said immediately, 'What can I do?'"

The PSA is set to air in select Regal Entertainment Group and Cinemark movie theaters, and in theaters on military installations starting in May. Here are statements from three of the participating actors, via the White House:

Benicio Del Toro:

This PSA is about reaching out to people and letting them know that there is an epidemic of sexual assaults. Those who commit sexual assaults will be condemned, whoever they are. The PSA also encourages any witness to such acts to speak up, do the right thing, and be a hero. It is about protecting and respecting our loved ones—our mothers, sisters, daughters, wives, and girlfriends.

Dulé Hill:

One sexual assault is one too many. My desire for this PSA is that it will heighten awareness and in turn be a catalyst for more prevention.

Daniel Craig:

I am honored to be part of such an important and crucial project. The message is clear and simple; everyone has a responsibility. There are no exceptions. There are no excuses. Please watch it and pass it on.

Front page image: Screenshot: The White House/YouTube

Biden: Colleges 'Need To Step Up' To Address Sexual Assaults

The Hill, April 29, 2014

Vice President Biden on Tuesday called on colleges and universities to adopt a new series of steps that Obama administration officials say will reduce the "epidemic" of sexual assaults on college campuses.

"Colleges and universities need to face the fact of what exists on their campuses," Biden said during an event at the White House. "They need to step up to it."

Biden called on colleges and universities to begin taking anonymous surveys on their campuses in an effort to better understand the how often sexual assault occurs. He noted that only 13 percent of student victims reported their assaults to campus or local police.

"Colleges and universities can no longer turn a blind eye and pretend like sexual assaults and rape don't happen on their campuses," Biden said.

The administration will partner with Rutgers University to develop a pilot version of the survey and seek legislative or regulatory ways to require schools to conduct such a survey of their student bodies by 2016.

The vice president's speech coincided with the release of a report from a presidential task force examining campus sexual assault and the launch of a new website — NotAlone.gov — that will serve as a clearinghouse of resources and data for victims and advocates.

The report says the administration will produce sample confidentiality and reporting policies for universities, offer specialized tracings to school officials, and provide guidance on how colleges can improve their investigative and disciplinary protocols. The federal government will also facilitate partnerships between universities and community-based organizations like rape crisis centers, the White House said.

The White House is also launching an ad campaign encouraging men to intervene and help potential victims. Biden debuted a public service announcement featuring celebrities including James Bond actor Daniel Craig, "Late Night" host Seth Meyers, and "The Office" star Steve Carell encouraging men to root out sexual violence.

"Every one of them said immediately, 'what do you want me to do?' " Biden said. "What can I do? This is about letting young men, boys [know] what it means to be a man."

A separate ad featuring Biden, President Obama, Philadelphia Phillies shortstop Jimmy Rollins, New York Giants quarterback Eli Manning and soccer star David Beckham encourages men to never strike a woman.

Biden said that when he was growing up in Pennsylvania, he was taught that "if I man raised his hand to a woman, you had the job to kick the living crap out of him."

Noting that the comment wasn't "very presidential or vice presidential," Biden said, nevertheless, men had to play a larger role.

"Do something. Speak up. Stand up," Biden said.

Vice President Biden calls on Democrats to "stand up and fight back" against efforts to impose new voter identification requirements in a video for the Democratic National Committee posted Monday.

"I've got to tell you, if someone had told me 10 years ago I'd have to make a pitch for protecting voting rights today, I would have said, 'you've got to be kidding,' " Biden said.

Biden said that voting access issues had seemed settled, and cited instances of former President Reagan or former Sen. Strom Thurmond (R-S.C.) backing voting rights legislation.

"I thought at that time the only debate we'd be having now is how to continue to expand the voting franchise," Biden said. "But last year, when the Supreme Court cut the heart out of the Voting Rights Act, it opened up the floodgates to voter-suppression efforts nationwide."

"We have to stand up," Biden continued. "It's time to stand up and fight back."

The ruling struck down a provision of the law that required certain jurisdictions with a history of voting suppression to clear any changes in their voting laws with the Justice Department. The court said Congress could update the pre-clearance formula, but lawmakers have been unable to agree on new standards.

Some Southern states have subsequently moved aggressively to impose new, tougher voter ID requirements. Supporters of the legislation, including many Republicans, argue the new standards help prevent voter fraud.

But civil rights groups and Democrats have blasted the legislation as an attempt to suppress the vote among poor and minority voters, who are less likely to have government-issued photo identification. They also argue that instances of voter fraud are exceedingly rare.

The vice president's video was cut in support of the Democratic National Committee's Voter Expansion Project, a bid to educate voters and campaign staffers about the voting process.

Last month, former President Clinton also cut a Web video for the DNC touting the campaign.

"There is no greater assault on our core values than the rampant efforts to restrict the right to vote," Clinton said.

President Obama will deliver the keynote address at a civil rights summit on Thursday at the LBJ Presidential Library commemorating the 50th anniversary of the Civil Rights Act. Clinton and former Presidents Jimmy Carter and George W. Bush are also expected to speak at the summit.

Vice President Biden on Monday urged Americans to check out the ObamaCare insurance exchanges on the final day of open enrollment during an appearance on the Rachel Ray Show.

The vice president and talk show host chatted about how those individuals with preexisting conditions could now gain coverage, and Biden told young Americans to enroll even if they feel "invincible." Biden stressed that while Monday was the last day of the enrollment period, those who started their applications now could finish later.

"Get in the queue," the vice president implored.

Biden also predicted that at the end of the open enrollment period, Americans would be surprised at how popular it was, despite the technical problems that plagued the early months of the exchange.

"I think everyone is going to be surprised and pleased at how this has turned out," he said.

A White House official described Biden's appearance as part of a last-effort push to encourage enrollment. According to the White House, 27,000 trained navigators will appear at 8,600 community health centers, among other locations, to enroll interested consumers on Monday.

Biden also used the interview to dish about his personal life, telling Ray that his wife, Jill, was tough to win over.

"I'll tell you the honest-to-God truth. I asked Jill to marry me five times. Literally, five times," he said.

"The fifth time, I finally said to her, 'Jill, my Irish pride has gotten a hold of me. This is the last time I'm gonna ask you,' I said, 'You don't have to tell me when you will marry me, just if you'll marry me.' She said, 'yes.'"

He said the second lady also recommended that he use an expensive skin cream to maintain his glow.

"On Jill's instructions, about five years ago, she said I should use Clinique," Biden said. "And there's a men's version that has SPF 20, she was worried about my face. So I do whatever Jill tells me."

He also revealed that the second lady's father was a notorious prankster, which has left him wary of April Fool's Day on Tuesday.

"What in the hell is Jill going to do this time?" Biden said. "I feel so stupid."

The vice president revealed that during one trip on Air Force Two, his wife hid in the overhead baggage compartment, jumping out to startle him.

"So, I know she's planning it," Biden said.

Former President Clinton would not be surprised if aliens one day visited Earth.

Clinton discussed the prospect of extraterrestrial life during an appearance on "Jimmy Kimmel Live" on Wednesday night.

"I'm trying to tell you I don't know, but if we're visited someday, I wouldn't be surprised. I just hope that it is not like 'Independence Day,' " Clinton said, referencing the film in which aliens attack Earth.

Clinton did, however, say that an outside invader might be the only way to unite the world.

"That may be the only way to unite this incredibly divided world of ours," he said. "They are out there — we better think of how all the difference among people on earth would seem small if we felt threatened by a space invader. That is the whole theory of 'Independence Day.' "

Clinton said shortly after taking office he had his staff go through files related to the Roswell UFO incident and Area 51. Clinton said the secretive base tested a lot of stealth technology, but no aliens were there.

Clinton said new technology has revealed it is "increasingly less likely that we are alone."

"What do we know?" he asked. "We know now we live in an ever expanding universe. We know that there are

billions of star and planets literally out there, and the universe is getting bigger."

"We know from our fancy telescopes that just in the last two years, more than 20 planets have been identified outside our solar system that seem to be far enough away from their suns and dense enough that they might be able to support some form of life, so it makes it increasingly less likely that we are alone," he said.

Biden Urges U.S. Colleges Do More To Prevent Sexual Assaults

By Steve Holland

Reuters, April 30, 2014

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

Biden: Colleges Must Step Up To Prevent Sexual Assault

By Aamer Madhani And Rachel Axon

USA Today, April 30, 2014

Vice President Biden said on Tuesday that the USA's colleges and universities have a moral responsibility to "step up" efforts to prevent sexual assault on campuses.

Biden's remarks follow the White House Task Force to Prevent Students from Sexual Assault's release of a series of recommendations late Monday, which detail the administration's plan to improve reporting by universities and colleges of sexual assault incidents as well as bolster efforts to educate students about sexual and gender-based violence.

"I understand all the excuses and I understand all the rationale ... but colleges and universities can no longer turn a blind eye or pretend rape or sexual assault doesn't occur on their campuses," Biden said. "I understand that the good guys (that) report feel like they may be damaging the reputation of their schools. I get it. But it doesn't matter. We need to provide survivors with support and we need to bring perpetrators to justice."

The administration also announced that it would launch the website NotAlone.gov, where enforcement data will be published, and begin a push to require colleges and universities to conduct "climate surveys" to better understand how frequently incidents happen on campus but are not reported to authorities.

"I challenge every college and university, if they are really serious about protecting students, to conduct anonymous surveys," Biden said. "They have a moral responsibility to know what is happening on their campus."

Among other recommendations in the 20-page report are calls to train campus officials on how to respond to victims of sexual assault and reshape existing policies to provide victims with greater flexibility to speak confidentially with on-campus counselors.

In addition, the Department of Education's Office for Civil Rights released a new guidance document on students' rights and schools' obligations under Title IX, which require colleges and universities that receive federal funds to investigate claims of sexual assault and provide a timely and impartial grievance procedure to resolve those claims.

Notably, the guidance extends Title IX protection for the first time to claims of discrimination based on gender identity.

"This guidance is crystal clear and leaves no room for uncertainty on the part of schools regarding their legal obligation to protect transgender students from discrimination," said Ian Thompson, an American Civil Liberties Union legislative representative. "The Office for Civil Rights must now take the next step and issue comprehensive guidance on Title IX and transgender students."

The White House also on Tuesday unveiled a public service announcement featuring Biden, President Obama and film and television actors Daniel Craig, Seth Meyers, Benicio Del Toro, Steve Carell and Dulé Hill. In the 60-second PSA, the men encourage other men to speak up and step in if they see someone in danger of being sexually assaulted.

Obama in January formed the task force as a bipartisan group of lawmakers and students who had lobbied the administration to embrace broad reform in policing how universities deal with sexual violence.

The survivor-led Know Your IX campaign said it was encouraged to see many of the group's demands — particularly its call for greater transparency — at the heart of the task force's report. But said "the changes will mean little until Title IX enforcement is finally given teeth."

Laura Dunn, a survivor and founder of the non-profit SurvJustice, said she was encouraged by the administration's call on universities to conduct climate surveys in 2015 and push to make the surveys mandatory in 2016.

But she did not feel enough had been done to make the federal government's investigations more transparent and to hold perpetrators and schools accountable. She noted that under new Department of Education guidelines schools under investigation for alleged Title IX violations would only be made available through a formal request to the Department.

"In other words, you can find out but you have to make the call," said Dunn, who became an advocate after she was sexually assaulted while studying at the University of Wisconsin. "And campus activists are getting really sick and tired of doing the federal government's jobs for them. When a school is being investigated, it should be publicly announced because you want every survivor who has ever been affected to feel free to come forward, and the only way they're going to know that is if it is made public."

Enforcement was another issue Dunn said was not adequately addressed in the report. As the Center for Public

Integrity found in an investigation in 2009-10, perpetrators found to be responsible for sexual assaults are seldom given meaningful punishments as are schools found to be out of compliance with Title IX.

Typically, OCR enters into a voluntary resolution agreement with schools out of compliance that require policy changes.

"We want to see a consequence for assault," she said. "Offenders are getting away with it. Institutions are getting away with it. I'm sorry, but a voluntary resolution agreement only changes policies. It doesn't make a victim whole. It doesn't give them any remedies."

It remains to be seen how colleges will respond to the White House push for an overhaul in how it approaches sexual assaults involving students.

American Council on Education President Molly Corbett Broad said "it will take some time to study all that the task force" recommended. ACE is the leading organization representing college universities and presidents.

Sen. Claire McCaskiill, D-Missouri, said pushing colleges toward the mandatory survey is crucial to addressing the problem of sexual violence on campus, but suggested that she is bracing for resistance from some schools.

"I think there is a self-preservation thing here that we..quite frankly saw in the military," she said. "We've seen it in the Catholic church where there were people that were worried about covering things up, because of how it would look as opposed to exposing them to get to the bottom of it. That's what we're finding again."

White House Debuts Public Service Message On Sexual Violence Targeting Men

By Caitlin Emma

Politico, April 29, 2014

Vice President Joe Biden and a White House task force on preventing and ending sexual assault on college campuses today unveiled a new public service announcement that targets men.

The message features a slew of celebrities, including Steve Carell, Daniel Craig, Dulé Hill, Seth Meyers and Benicio del Toro, along with Biden and President Barack Obama.

"If she doesn't consent or if she can't consent, it's rape. It's assault," del Toro says at one point in the message, dubbed "One is Too Many."

The message debuted during a formal White House unveiling of a new package of recommendations on addressing campus sexual assault and violence.

"Colleges and universities need to face the fact of what exists on their campuses," Biden said. "They need to step up to it."

He said campus climate surveys, just one of the recommendations, will help schools recognize their problem. The Obama administration hopes schools will pilot surveys that test students' attitudes about sexual violence next year with the eventual goal of making them mandatory by 2016.

"We're never going to solve this epidemic until we get men involved," Biden said. "Rape is rape. Don't look away. Do something. Speak up. Stand up."

White House Steps Up Fight Against Campus Rape

By Laura Bassett

Huffington Post, April 30, 2014

Vice President Joe Biden spoke passionately on Tuesday about the Obama administration's latest efforts to spotlight and combat the sexual assault epidemic plaguing college campuses across the country.

In his hometown of Scranton, Pennsylvania, "if a man raised his hand to a woman, you had the job to kick the living crap out of him," the vice president recalled.

"I realize that's not very presidential or vice presidential," Biden added, "but it's something every man should begin to understand."

Biden was speaking at the official unveiling of the report and recommendations of the White House Task Force to Protect Students from Sexual Assault, a summary of which was released Monday night. Along with those recommendations – for colleges and universities – the administration unveiled various steps that government agencies were quickly taking.

The White House on Tuesday launched a new website, NotAlone.gov, that is billed as a one-stop shop for information about federal sexual assault laws and resources for college students and administrators. NotAlone.gov includes a list of previous federal enforcement actions, information on how to file a complaint against a school and a map of rape crisis centers around the country.

One in five women is the victim of sexual assault in college, according to a 2007 study commissioned by the National Institute of Justice, and many U.S. colleges have come under fire in recent months for their poor handling of sexual assault complaints. The U.S. Department of Education's Office for Civil Rights has 54 pending Title IX investigations against schools involving allegations of sexual assault. It received 37 complaints in the first half of fiscal year 2014 alone – up from 30 in the entire previous year.

Addressing a room full of students, survivors, school administrators and members of Congress, Biden emphasized the need for young men, too, to take responsibility for the sexual assault problems on their campuses.

"It doesn't matter what clothes she was wearing, whether she drank too much, whether it's in the back of a car,

in her room, on the street – it does not matter," Biden said. "It does not matter if she initially said yes and then changed her mind and said no. No means no, whenever it is stated. ... And until we as a society acknowledge that, and men begin to step up to their responsibility, this will not be solved."

The task force, established by the Obama administration in January, also produced something that higher education lobbyists have long pleaded for: better guidance from the Department of Education. The department's Office for Civil Rights provided a lengthy FAQ document to colleges, including instructions on how to write a sexual misconduct policy. The Education and Justice departments will continue distributing guidance throughout the year through the new website.

The White House called for a nationwide survey of colleges to determine the frequency of sexual assaults and harassment on campuses.

"I challenge every college and university, if they are really serious about protecting students, to conduct anonymous surveys," Biden said. "They have a moral responsibility to know what's going on on their campuses."

In addition to the new guidance, the Education Department reaffirmed that campus adjudication of sexual misconduct cases should use the preponderance-of-the-evidence standard – is it more likely than not that misconduct occurred? – which is a lower standard than that used by the criminal justice system. An attempt to codify this standard in the Campus SaVE Act in 2012 was defeated by civil liberties groups.

The department clarified that colleges could identify staff members who are not required by law to report allegations of sexual assault to law enforcement and let them have confidential conversations with victims who are not ready to report. It is also stated that a victim may not questioned about her or his sexual history in the campus adjudication process, which may help prevent the kind of insensitive comments that some school officials have made in the past.

"We continue to ask questions like, 'Well, what were you wearing? What did you say? What did you do?'" Biden said of school authorities. "The real question is, what made him think that he had a right to do what he did?"

The task force spent 90 days speaking with higher education groups, college and university presidents and lawyers, sexual violence researchers and advocates, as well as sexual assault survivors and other students. While its recommendations do not include any new consequences for universities that fail to comply, Valerie Jarrett, senior adviser to President Barack Obama, told The Huffington Post that she hopes the administration's focus on the issue will help drive more students to apply to those colleges that don't sweep sexual assault under the rug.

"Our hope is by shining a spotlight on this issue, the [schools] that are willing to be transparent are going to be rewarded in the marketplace," Jarrett said. "Because I think as a parent or as a student-- everybody knows it's a problem on all campuses, but the question is, is any given college or university prepared to step up to the plate and do something about it?"

Survivor advocates applauded in particular the calls for greater transparency in enforcement efforts and clearer explanation of how students can file federal complaints. Alexandra Brodsky told The Huffington Post that she had to learn that on her own when she filed a complaint against Yale in 2011.

"We're definitely thrilled to see the administration taking on some of the work, particularly around public education, that's been left for students to tackle for so long," Brodsky said.

Biden Reveals Measures To Fight Sex Assault On Campus

By David S. Joachiim

New York Times, April 30, 2014

Colleges and universities can no longer turn a blind eye to sexual assault on the nation's campuses, Vice President Joseph R. Biden Jr. said on Tuesday, as he urged school administrators to adopt measures to improve reporting of assaults and protect the confidentiality of victims.

"These are our children, these are our wives, our daughters, our sisters — these people are you," Mr. Biden said at a White House event where he unveiled a series of prescriptions recommended by a presidential task force.

President Obama established the task force early this year to study the way universities handle reports of sexual assault, after many colleges and universities including Yale, Dartmouth, Swarthmore, Occidental, Wesleyan and Florida State received wide criticism for mishandling complaints.

The task force found that nearly 20 percent of female college students had been assaulted, but that only 12 percent of such attacks were reported. It concluded that many women and girls feared that reports of sexual assault might become public, discouraging them from coming forward.

On Monday, the White House released a report drafted by the task force that urged colleges to provide better assurance of confidentiality to those who reported such crimes; conduct standardized, anonymous surveys on campus assaults; and replicate programs at the University of New Hampshire, the University of Kentucky and others that train bystanders on how to intervene.

Mr. Biden said the standardized surveys offered a "true measure of the sexual assault climate" on campuses. He also showed a public service announcement featuring celebrities like Benicio Del Toro, Seth Myers and Steve Carrell, as well

as Mr. Biden and Mr. Obama, in which they call on men to recognize when women do not consent to sex and to intervene when they become aware of an assault by another man.

"We're never going to solve this epidemic until we get men involved," Mr. Biden said. He said that the public service announcement "sends a powerful message to guys: Rape is rape. Don't look away. Do something. Speak up. Stand up."

Beyond applying pressure on colleges to crack down on sexual assault, the government will operate a website, NotAlone.gov, to track enforcement on campuses and to provide victims with information on how to file complaints without the cooperation of their campus administrators.

The concern over sexual assault is decidedly bipartisan. For months, lawmakers in Congress have held hearings and debated how to combat an epidemic of sexual assaults in the military. In December, Mr. Obama signed legislation that prevents commanding officers from overturning sexual assault verdicts, expands a special victims counsel program for the survivors of sexual assault throughout the military and makes retaliation for reporting assault a crime.

In March, however, a Senate bill pushed by Senator Kirstin E. Gillibrand, Democrat of New York, that would have removed military commanders from decisions over the prosecution of sexual assault cases in the armed forces failed to attract enough votes to avoid a filibuster.

As the congressional fight over military sexual assault receded, lawmakers began broadening their focus to an array of sex crimes including college assaults, child molestation and human trafficking.

Among the bills being considered by Congress is a measure offered by Senator Patrick J. Toomey, Republican of Pennsylvania, and Senator Joe Manchin III, Democrat of West Virginia, that would tighten background checks on people who work in schools and ban the practice of pushing child molesters out of one school district and into another. A similar bill was passed by the House.

Senator Orrin G. Hatch, Republican of Utah, is pushing a bill that targets sex trafficking in the foster care system.

Last year, addressing critics who said that universities systematically underreported violent crime, Congress passed the Campus Sexual Violence Elimination Act, which requires that domestic violence, dating violence, sexual assault and stalking cases be disclosed in campus crime statistics.

Advocates for victims have said that the law does not go far enough, pointing to a predecessor law passed two decades ago that requires universities to disclose information about crime on their campuses but that they said was rarely enforced.

Sexual Assault On Campus: 'No More Turning A Blind Eye' To It, Biden Says

By Amanda Paulson

Christian Science Monitor, April 30, 2014

The White House is increasing its pressure on America's colleges and universities to reduce the number of sexual assaults that take place on their campuses and improve the way they handle them.

On Tuesday, the Obama administration released the first report from the White House Task Force to Protect Students From Sexual Assault, which was created in January, issuing guidance to schools on collecting data, establishing better prevention programs and responses to assaults, and announcing a new federal website that will be a clearinghouse of information and a public source of enforcement data. On the same day, the Department of Education's Office for Civil Rights (OCR) released a new "questions and answers" document clarifying schools' obligations under Title IX as it pertains to sexual violence. Title IX is a federal law prohibiting gender discrimination.

"Colleges and universities need to face the facts about sexual assault," Vice President Joe Biden said in a statement. "No more turning a blind eye or pretending it doesn't exist. We need to give victims the support they need – like a confidential place to go – and we need to bring the perpetrators to justice."

High-profile news about sexual assaults on college campuses – including at prestigious universities like Yale, Dartmouth, and Brown – has helped spawn a growing movement to hold colleges more accountable for sexual assaults and push them to be more proactive about preventing such assaults and changing their culture. According to the White House report, 1 in 5 women is sexually assaulted while in college.

The report Tuesday – one day after OCR found Tufts University in violation of Title IX for its handling of sexual assaults – is the latest in a series of signals that this administration is serious about pushing colleges to tackle the problem, says Lisa Maatz, vice president of government relations at the American Association of University Women.

"We see this as kind of a game-changer," Ms. Maatz says. "Especially when you couple the task force report and recommendations with the FAQ document that the Office for Civil Rights is releasing, what you have is a road map for how to better address college sexual assault.... This is a good day."

The report highlights four key areas for action:

• Better reporting through campus climate surveys. Such anonymous surveys, say sexual assault experts, provide far more accurate estimates of the extent of the problem. The administration is providing schools with a tool kit for conducting them and is considering making them mandatory by 2016.

• Better prevention. The Centers for Disease Control and Prevention has released a summary of the research on

sexual assault prevention and evidence-based practices that work. The White House task force is encouraging schools to begin implementing these practices, to incorporate the best research, and, in particular, to use "bystander intervention" in their prevention efforts – one of the most promising practices that the CDC found. "When men think their peers don't object to abusive behavior, they are much less likely to step in and help," says the report, which encourages schools to "enlist men as allies."

• Better response to sexual assault when it occurs. The task force directs schools to provide "trained, confidential victim advocates" who understand the dynamics of sexual assault. It's also giving schools guidance on how to create a confidentiality and reporting policy, how to train school officials, how to improve investigative and disciplinary protocols, and how to better partner with community resources.

• More transparent federal enforcement. On Tuesday, the administration is launching a new website – www.notalone.gov – that will serve as a clearinghouse of resources, research, and data related to sexual assault on campus and that is intended to be a resource for both students and schools. It will also make all enforcement data public.

The website is "game-changing," says Maatz, noting it's the first time that the Department of Education will be collecting, and publishing, the names and contact information for the Title IX coordinators at each school – something that in the past was not given a great deal of attention. It will also serve as a repository for all sorts of information, including best practices, services for survivors, and enforcement activities. A college trying to come into compliance with OCR's requirements could go there, for instance, to view voluntary agreements that the office has created with other colleges.

"It's a really big deal – for students, for administrations, and for advocates," Maatz says.

Maatz and others note that this administration has been signaling for some time that it intends to be far more proactive on the issue of campus sexual assault than the government has been in the past.

"For far too long, the incentives to prevent and respond to sexual violence have gone in the wrong direction at schools and on college campuses," said Secretary of Education Arne Duncan in a statement. "As interpreted and enforced by the department, Title IX and other federal laws are changing these incentives to put an end to rape-permissive cultures and campus cultures that tolerate sexual assault."

On Monday, OCR found Tufts University, located in Massachusetts, to be out of compliance with federal law on Title IX – an action stemming from a 2010 complaint about how Tufts handled a woman's sexual assault allegations. The university, which disputes being out of compliance with Title IX, had signed an agreement with the government earlier this month, promising to take certain steps, but then backed out of the agreement.

"The facts of this investigation underscore the continuing imperative to address sexual assault and harassment on our nation's campuses and to promote safe, secure environments for students," said Catherine Lhamon, assistant secretary for civil rights in the Education Department, in a statement. "OCR will take actions necessary to ensure that the agreement is fully and effectively implemented."

The office could move to terminate federal funding for Tufts – a punishment that is possible under Title IX, but that the government has never implemented.

The outspokenness of student advocates, stronger enforcement at OCR, the vocal support of Mr. Biden and the White House, and the passage of Campus SaVE last year (an amendment to the Clery Act that gives additional rights to campus victims of sexual violence or stalking) have all combined to create what Maatz calls "a perfect storm" of efforts to reduce the problem.

"I think the smart universities will use this as an opportunity to be proactive," she says.

College advocates for ending sexual assault, who have helped raise the issue in prominence over the past several years, welcomed the task force's report, though they also say that the key to its effectiveness will be in the implementation.

"We think it's very heartening and encouraging that this made it to the president's desk," says Selena Shen, board chair of Students Active for Ending Rape (SAFER). She's been encouraged, too, to see the attention that has come out of recent cases, as well as the administration's willingness to take action, as it did with Tufts. In a recent study that SAFER conducted of 300 schools, she notes, about one-third were not in full compliance with current federal guidelines.

"No school has ever had their federal funding rescinded because of complaints or violations," says Ms. Shen. "This is a step in the right direction, but implementation will be key."

Notalone.gov To Assist Campus Rape Victims

By Kimberly Hefling

Associated Press, April 30, 2014

Want to know whether there's been a history of sexual assaults on your college campus? The Obama administration has created a new website that will post enforcement actions it's taken against schools and provide information for victims on where to go for help.

A White House task force on sexual assault recommended actions Tuesday that colleges and universities should take to protect victims and inform the public about the magnitude of the problem, such as identifying confidential

victim's advocates and conducting surveys to better gauge the frequency of sexual assault on their campuses.

The recommendations stem from a 90-day review by the task force that President Barack Obama created after his administration heard complaints about the poor treatment of campus rape victims and the hidden nature of such crimes.

The task force also promised greater transparency. A new website, notalone.gov, will post enforcement actions and offers information to victims about how to seek local help and information about filing a complaint.

"Colleges and universities can no longer turn a blind eye or pretend that rape and sexual assault doesn't occur on their campus," Vice President Joe Biden said in announcing the results of the task force's work.

Advocates praised the rare, high-profile attention being given to the issue, even as they acknowledged that much of the action required will still need to come from college administrators.

Lisa Maatz, vice president for government affairs with the American Association of University Women, said the "smart schools" will take the recommendations and adopt them.

Rory Gerberg, a graduate student and advocate at Harvard University, said that while the task force recommendations will play a central role in determining how universities deal with sexual assaults, they only go so far.

"As students, it will be our responsibility to put pressure on our university administrations to ensure these recommendations are put into practice," Gerberg said.

Molly Corbett Broad, president of the American Council on Education, said her organization representing college and university presidents welcomed the chance to collaborate with the government on handling sexual assaults, "which the task force notes is a `complicated, multidimensional problem with no easy or quick solutions."

Eileen Wilson-Oyelaran, president at Kalamazoo College in Michigan and the immediate past chair of the National Association of Independent Colleges and Universities, said there's room for improvement in how college campuses and communities handle sexual assault cases. She said college presidents will have to review the recommendations to determine what works best in their particular situation.

"If you ask a president what keeps them up at night, more than anything it's the safety of our students," Wilson-Oyelaran said.

On the same day, the Education Department issued "questions and answers" that spelled out to colleges and universities and K-12 schools how to handle circumstances under Title IX, which prohibits gender discrimination at schools that receive federal funds. The 1972 Title IX law is better known for guaranteeing girls equal access to sports, but it also regulates institutions' handling of sexual violence and increasingly is being used by victims who say their school failed to protect them.

Among the directives:

-A victim's sexual history cannot be brought up in a judicial hearing unless it involves the alleged perpetrator and that those working in on-campus sexual assault centers can generally talk to a survivor in confidence.

-A school is required to process complaints of alleged sexual violence that happened off campus to determine whether it occurred in the context of an education-related activity.

-In a K-12 setting, when a school learns that a teacher or other employee has sexually harassed a student, it is responsible for taking "prompt and effective" steps.

-Straight, gay, lesbian, bisexual and transgender students are all protected and a school must resolve "same sex" violence in the same way it does for all such complaints.

In its report, the task force said the Justice Department will help develop training programs in trauma care for college officers and assess different models for schools to use to adjudicate such cases, since some sexual assault survivors are wary of a legal process that can expose them to potentially painful or embarrassing questions by students or staff.

While 1 in 5 female students is assaulted, the White House said the review was also about protecting male victims and engaging men in discussions about preventing such assaults. Research has shown that most campus sexual assault victims know their attackers, alcohol or drugs are often involved and only 12 percent of college women attacked report it to police.

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How Colleges Can Make Anti-Sexual Assault Recommendations Work

US News & World Report, April 29, 2014

While the Obama administration has continued pressuring colleges and universities to be more vigilant about reporting and responding to incidents of sexual assault on their campuses, the ball is now in the schools' court to make sure the White House's latest set of recommendations doesn't end up as just words on a page.

Immediate reaction to the report from the White House Task Force to Protect Students from Sexual Assault has been overwhelmingly positive. The report – which will be formally introduced Tuesday afternoon – proposes that by 2016, colleges and universities would be required to conduct campus climate surveys on sexual violence. The task force also made suggestions for increasing prevention and awareness strategies on campuses, provides schools with

guidelines of how to do so and launched a website (notalone.gov) dedicated to making enforcement data and other resources available to the public.

That website alone could be a "game-changer," but now it's up to colleges and universities to follow through on making those proposals a reality, says Lisa Maatz, vice president of government relations at the American Association of University Women.

"I think many colleges see campus sexual assault as a public relations problem, and I would really like for today to turn that on its head," Maatz says. "I

want colleges to step up to the plate and say, 'We know this is an issue, we're taking our head out of the sand, we've got these tools and we're now going to move forward on trying to make this better.'"

One way schools can take their prevention work to the next level is to get parents more involved, says Casey Corcoran, program director of the Children & Youth Program at the advocacy group Futures Without Violence. The Department of Education is also releasing a new set of guidelines Tuesday that address questions about schools' roles – both at the K-12 and college levels – in preventing and responding to sexual assault.

Schools can build off those guidelines to create online modules for parents and students to use, helping them better understand the issue of sexual assault, Corcoran says.

"Parents are key stakeholders and we need to make sure they're at the table when we're talking about solving and addressing the issue of sexual assault on college campuses," Corcoran says. "They are the national experts on their own children."

And that advocacy needs to start long before students turn 18 and head to college, he says.

"We need to set norms early so when they go to college they know this is not acceptable and they have the skills [to be prepared]," Corcoran says.

But moving the needle isn't the sole responsibility of schools, colleges and universities, Maatz says. The Department of Education's Office of Civil Rights needs to continue to provide technical assistance and enforce violations of Title IX and the Clery Act, which both include provisions related to preventing and reporting sexual assaults. Collecting the names and contact information of Title IX coordinators – a task that has not been accomplished, although Tuesday's task force announcement includes plans to do so – will help disseminate information more efficiently to the very people who are responsible for interpreting and applying federal law on campuses, Maatz says.

"I think it's going to bode well for transparency and technical assistance," she says.

Another option is for the Department of Education to fill a particular position that Maatz says has been vacant since the Clinton administration. The AAUW in March 2013 sent a letter to Education Secretary Arne Duncan asking him to fill the special assistant for gender equity position, which Maatz says could be used concentrate specifically on campus sexual assault or other gender equity issues. The person in that position is expected to "promote, coordinate, and evaluate gender equity programs, including the dissemination of information, technical assistance, and coordination of research initiatives," according to the AAUW letter.

"I always feel like if you've got this tool available to you, why wouldn't you use it?" Maatz says. "We think it's a missed opportunity, but the reality is the rest of the guidelines and the task force report and, quite frankly, the work of Vice President Biden is something that puts a big grin on my face."

Down the line, colleges can make a leap to connect what's happening on campuses with the criminal justice system, says Alison Kiss, executive director of the Clery Center for Security On Campus. Many cases of sexual assault are not being prosecuted or brought to law enforcement officials. Overall, only between 14 and 18 percent of reported sexual assaults are ever prosecuted, according to a 2010 report from the University of Kentucky's Center for Research on Violence Against Women.

The reporting of sexual assault is in and of itself another problem, Kiss says, as just 12 percent of the victim population reports such incidents. Connecting campus procedures to local law enforcement will not be an easy task, she says, but is something that could be beneficial.

"That's something I think is going to take quite a lot of time until we get to a place where students are comfortable reporting not only on campus, but also to local law enforcement, and that that process is a victim-centered process," Kiss says. "We need to recognize publicly that high numbers, high reports, does not necessarily indicate that a campus is unsafe. I would attribute it to more education and awareness leading students to come forward."

White House Outlines Efforts To Combat Campus Sexual Assault

By Lesley Clark And Renee Schoof

Kansas City (MO) Star, April 30, 2014

The Obama administration on Tuesday unveiled a celebrity public service announcement, a new website – NotAlone.gov – and a series of recommendations aimed at lowering the alarming rate of sexual assaults on college campuses.

The action came as Vice President Joe Biden said officials at colleges and universities, even if they fear their schools' reputations may be damaged, "can no longer turn a blind eye and pretend rape and sexual assault don't occur on their campuses."

"Colleges and universities need to face the fact of what exists on their campuses," Biden said. "They need to step up to it."

The first report of the White House Task Force to Protect Students from Sexual Assault estimates that one in five women are sexually assaulted while in college, most often in their freshman or sophomore years. In the majority of cases, it's by someone the woman knows, and most often women don't report what happened.

Biden, who was introduced by a woman who was assaulted at Harvard University, said only 13 percent of women attacked report the crime to their schools.

"They fear they'll be shamed. They're embarrassed," he said. "Or scared they won't be safe on campus with their attacker roaming around or maybe sitting in the same history class."

The steps include identifying the scope of the problem on individual college campuses, helping prevent assaults, helping schools respond effectively and making the federal government's enforcement efforts more transparent.

The recommendations were put forward after three months of 27 sessions with more than 2,000 people who made suggestions. The administration plans to hold more listening sessions and revise the report.

One theme from the sessions was that it was too hard for students who are victims of sexual crimes to find information about how to report them, said Tina Tchen, executive director of the White House Council on Women and Girls.

"We need to provide survivors with more support and we need to bring perpetrators to justice," Biden said.

The website will make enforcement data public and make other resources accessible to students and schools. Students can learn about their rights, search enforcement data and read about how to file a complaint. It also will provide schools and advocates with federal guidance on legal obligations.

The site also features resources from outside the federal government, such as hotline numbers and mental health services locatable with a zip code. The Department of Education will release new guidance clarifying that on-campus counselors and advocates can talk to survivors in confidence.

Biden said the task force heard from too many schools that believed counselors could not maintain confidentiality. The administration also wants to bring men into the equation. It released public service announcements featuring President Barack Obama, Biden and actors Daniel Craig, Seth Meyers, Benicio Del Toro, Steve Carell and Dule Hill.

"We've got to send a message to men everywhere, you've got to be part of the solution," Biden said. Women must give verbal consent, he said: "Everything else is rape and assault."

The new public service announcements encourage men to speak up and step in if they see someone in danger of being sexually assaulted.

"If I saw it happening, I'd never blame her. I'd help her," Craig says in the spot.

Biden called on schools to conduct a campus climate survey to gauge the prevalence of sexual assault and student awareness of the problem. The administration plans to make the campus climate surveys mandatory in 2016.

The administration also will provide training for school officials who are involved in investigating and adjudicating sexual assault cases.

"It's great to see the White House really putting a lot of effort into this issue," said Andrea Pino, a University of North Carolina at Chapel Hill student who, with former UNC student Annie Clark, were among those who filed a complaint about the handling of sexual assault cases against their university.

A separate complaint accused the university of noncompliance with the federal Clery Act, which requires universities that receive federal aid to collect and disclose information about crime that occurs on and near campus.

The cases are under federal investigation.

Pino and Clark also helped found a national advocacy network.

"It's inspiring to see advocates here of different generations and seeing unity on this issue," Pino said. "There's a lot more to do. This is a first step."

Clark said the policies aren't "exactly where we want them yet." Advocates will continue to work with the federal government, she said. One major problem is that the Department of Education doesn't have the funding and staffing to handle the complaints it's receiving and isn't enforcing the law, she said.

A task force at UNC-Chapel Hill has been meeting for more than a year to rewrite the university's sexual assault and harassment policies. The group has hashed out the structure of the adjudication process along with sanctions and grounds for appeal. Recommendations to Chancellor Carol Folt are expected soon.

A university spokeswoman said Tuesday that UNC-CH commends the White House for "making this important issue a priority, and we share their passion for providing safer campuses for our students."

Folt was one of about a dozen university leaders who attended the White House meeting on Tuesday. She also attended a listening session of the White House task force in February. North Carolina students also met with the group led by Biden, including a graduate student from UNC-CH and a student from North Carolina Central University.

The White House effort will elevate the issue "in a way that will get the attention of college campuses across the country," said Sen. Claire McCaskill, D-Mo., who has been

championing efforts to combat sexual assaults and who attended the event.

"This is a complex and difficult problem," said McCaskill, a former county prosecutor. "The more people who put their shoulder to this effort, the more progress we're going to make."

The campus climate surveys will show how students feel about their safety and whether they think rape cases are being handled appropriately.

McCaskill is working on a separate survey of 450 schools that will give a statistically valid sample of what all schools are doing to address the problem of campus rape. The 18-page surveys include questions about how colleges and universities report and investigate rapes and sexual assaults and what the institutions do to help victims of these crimes.

The surveys were sent out over the past few weeks. McCaskill said individual schools' responses would be kept confidential to encourage candid responses. Data from the surveys showing the extent of campus sexual assault would be released after a series of meetings beginning in May, she said.

McCaskill also plans to work on a new law that clarifies existing laws and "makes it simpler for universities to do the right thing," she said. She planned to hold hearings in the summer and get a draft of the bill prepared before the school year starts.

The report's recommendations drew praise from across the aisle, as well. Rep. Patrick Meehan, R-Pa., called it a "vital step forward" in efforts to keep students on college campuses safe.

"These recommendations will help victims navigate the reporting process, enhance transparency in federal enforcement efforts and help schools build community partnerships with organizations like rape crisis centers that provide critical services for victims," Meehan said.

Jane Stancill of The News & Observer of Raleigh, N.C., contributed.

White House Provides Path Forward In Combating Campus Sexual Assaults

National Journal, April 30, 2014

The White House on Tuesday will release recommendations from its Task Force to Protect Students from Sexual Assault, the first in a series of proposals from the Obama administration to combat the epidemic of rapes on college campuses.

Senior administration officials previewed the recommendations in a call with reporters on Monday evening, noting that the proposals are the result of 90 days of talks with colleges of all sizes and stripes, as well as administrators, students, parents, advocates, law enforcement, and victims.

The report is just the first step that the administration is taking to combat sexual assaults on college campuses. One in 5 college women are sexually assaulted during their college career, most often during the first two years of school and most often by a person they know, one official said, citing a 2007 survey. "This is not a woman's issue, in the sense that it is ours alone to fix," the official said, calling the report an "important step forward."

The recommendations include the launch of a new website, NotAlone.gov, which will provide information on local rape crisis services and the history of sexual violence at various institutions of higher learning. "[It's a] very poignant name for us because we heard from so many survivors who said they felt alone," one senior administration official said.

Perhaps most significantly, the task force is also borrowing a recommendation from Congress that has the support of members in both chambers. Under that proposal, universities will be encouraged to conduct so-called "climate surveys" annually to get more data on the prevalence of campus sexual assaults and attitudes that students hold towards rape, and to find out whether students are aware of how to get counseling and other services. The anonymous surveys, which have already had some success in the military, would be voluntary for colleges and universities to begin with, but administration officials hope to make them mandatory by 2016.

Additional recommendations include improving training for campus officials and health care workers and creating a model to help universities deal with sexual assaults while protecting the confidentiality of victims.

One official said that the universities participating in the task force's listening tour showed a "tremendous" amount of support for the process. "We think [these recommendations] will be welcomed by schools," the official said.

The White House will officially unveil the task force's recommendations at an event on Tuesday. Sens. Kirsten Gillibrand, D-N.Y., and Claire McCaskill, D-Mo., who have been strong advocates for preventing sexual assaults in both the military and in college settings, are slated to attend. Both senators are supportive of the task force's recommendations, according to a senior administration official.

Guidelines To Curb Campus Sexual Assaults Raise Concerns For Accused

By Timothy M. Phelps

Los Angeles Times, April 30, 2014

The White House on Tuesday announced detailed guidance for colleges on how to deal with sexual assaults, winning praise from advocates of victims and some higher

education officials, but renewing concerns from others about protections for the rights of the accused.

Victims of sexual assault on campus and their advocates have become increasingly vocal in demanding tougher action, more protection and better reporting since the Obama administration first called attention to the issue in a 2011 letter putting administrations on notice that changes were necessary.

But college administrators and lawyers who advise them warn that the circumstances of such assaults are often murky, involving too much alcohol, uncertain recollection and no impartial witnesses. Some school officials are wary that the pendulum not swing so far that students accused of assaults are denied a fair hearing.

The steps put forward by a White House task force include clarified rules governing confidentiality of accusers, surveys to gauge the extent of sexual assaults, guidance on model policies for handling allegations, plans to develop prevention efforts and a website with college data on sexual assaults.

Advocates for victims said the Obama administration's proposals, while they may appear modest, clearly spell out steps that colleges must take to respond to allegations of sexual assault.

"What I really see is basically no more excuses," said Fatima Goss Graves of the National Women's Law Center in Washington. "The tools are there and the administration is trying to make it as easy as possible for schools to do right by their students."

Graves said the recommendations did not infringe on the rights of the accused. "No one wants to trample over any rights," she said. "But up to this point there has been a laser-like focus on the rights of the accused and very little attention to the rights of survivors. We are pretty far from the pendulum actually swinging."

College officials, under pressure from the federal government to respond more aggressively to reports of assaults, have worried that the intense focus on victims could impinge on the rights of the accused.

"The kinds of incidents that we see are not always clear-cut," said Ada Meloy, general counsel of the American Council on Education, a Washington group that represents colleges. "We must be helpful to the victim but also have to be fair to both the accuser and the accused."

Mark Hathaway, a Los Angeles attorney representing several students accused of sexual assault, said he remained concerned that those accused in campus cases are not given the rights to an attorney, to remain silent and to confront witnesses against them.

"Greater education about the problem is always useful and helpful to prevent sexual assault," he said. "But at the same time, we cannot forget the rights constitutionally afforded each of us. You shouldn't have to give up those rights just because you go to a college that receives federal funding."

The White House report, noting a study that found 1 in 5 women is sexually assaulted in college, said the proposals were intended "to turn this tide" and "help schools live up to their obligation to protect students from sexual violence."

The 1-in-5 statistic, which comes from a survey conducted at two large public universities in 2007, includes attempted sexual assaults. The survey found that 4.7% of female students reported being forcibly assaulted and 8% reported that they had had an unwanted sexual encounter while they were too intoxicated to consent. Those encounters ranged from touching to intercourse.

"Colleges and universities can no longer turn a blind eye or pretend rape or sexual assault doesn't occur on their campuses," Vice President Joe Biden, who chaired the task force, said Tuesday. "This is the measure of who we are as a society. Everyone has a responsibility to act — from college presidents to college students. Every woman and man has a God-given right to be free from sexual violence."

University of California President Janet Napolitano, until recently President Obama's secretary of Homeland Security, applauded the White House focus on a "serious and urgent issue." She said the system had already completed the campus survey called for in the report and had implemented key recommendations, including anti-sexual violence awareness campaigns and strict confidentiality protocols.

That survey found that about 6% of undergraduates said they experienced some unwanted sexual contact in the last five years.

Dana Bolger, an Amherst student who has said publicly she was raped on campus when she was a sophomore, said the White House measures included important steps but added that legislation was needed to allow the Department of Education to publish a list of schools under investigation and impose fines.

"I think this is an opportunity for legislators to step in and fill the gap," said Bolger, co-director of Know Your IX, which helps students report incidents of sexual assault under Title IX of the Civil Rights Act.

Sen. Claire McCaskill (D-Mo.), a leading advocate for assault victims, called the White House measures "a meaningful first step."

But she said that more needed to be done, particularly to make sure that rapes are reported to prosecutors. She said "only a minute fraction of these crimes are currently being prosecuted" because victims are not properly supported and don't feel confident that they will be protected if they do file charges.

"There is a sense that this isn't really a crime, that there is no harm, no foul," McCaskill said. "Well, it is a felony, it is harmful."

Christina Hoff Sommers, a former college philosophy professor who taught ethics, has criticized the Obama administration for pressing colleges to lower the standard of evidence needed to convict a student of sexual assault. She has also called the survey of college sexual assault that the administration routinely cites flawed and noted that another study estimated the number at 1 in 40.

"Getting drunk and having sex, that's not necessarily a crime," said Sommers, who is now a resident scholar at the conservative American Enterprise Institute. "I worry about due process and the lack of clear definitions and the poor quality of the studies that the White House is using."

White House Issues Report On Steps To Prevent Sexual Assault At College Campuses

By Nick Anderson

Washington Post, April 30, 2014

Federal officials will launch a Web site called NotAlone.gov to support survivors of sexual assault on campuses and also plan to challenge colleges to survey their students next year about sexual misconduct and other safety issues, a White House task force reported Monday night.

"Colleges and universities need to face the facts about sexual assault," Vice President Biden said in a statement as a 20-page report was released. "No more turning a blind eye or pretending it doesn't exist. We need to give victims the support they need — like a confidential place to go — and we need to bring the perpetrators to justice."

The Task Force to Protect Students From Sexual Assault, which President Obama formed in January, is spotlighting an issue that has gained widespread notice in the past few years because of allegations of sexual violence at prestigious schools such as Amherst College in Massachusetts and Vanderbilt University in Tennessee. The president of Dartmouth College this month pledged a campaign to end "extreme behavior," including sex assaults and dangerous drinking, at the college campus in New Hampshire.

Also, Brown University's president on Saturday said the school would take "aggressive steps to ensure that our campus is safe for everyone" — responding in part to questions raised about a sex assault case reported at the Rhode Island campus.

On Monday, the Education Department's Office for Civil Rights issued a finding that Tufts University in Massachusetts had violated federal anti-discrimination law in its handling of sexual assault and harassment complaints. Tufts said it was "surprised and disappointed" that the federal office found it to be out of compliance with the law known as Title IX. "Tufts University is deeply committed to the safety and well-being of our students, faculty and staff," the school said.

The task force, led by Biden and the White House Council on Women and Girls, canvassed assault survivors, college administrators and others for ideas on how to respond to a phenomenon researchers have found: that one in five women is sexually assaulted in college.

Among the report's top recommendations:

●Colleges should learn about what's happening on campus through systematic surveys.

"Schools have to get credit for being honest — and for finding out what's really happening on campus," the task force wrote. "Reports to authorities, as we know, don't provide a fair measure of the problem. But a campus climate survey can. When done right, these surveys can gauge the prevalence of sexual assault on campus, test students' attitudes and awareness about the issue, and provide schools with an invaluable tool for crafting solutions."

The task force said the administration would consider requiring colleges to conduct such surveys in 2016.

●Colleges should promote "bystander intervention" — in others words, getting witnesses to step in and help when misconduct arises. "To help enlist men as allies, we are releasing a Public Service Announcement featuring President Obama, Vice President Biden, and celebrity actors," the report said.

●Colleges should identify trained victim advocates who can provide emergency and ongoing support. The administration plans to release a sample reporting and confidentiality protocol, as well as a "checklist" for an effective sexual misconduct policy.

The report also said the government would make enforcement data and other information about sex assault on campuses available through NotAlone.gov. It said the new Web site would collect in one easy-to-read place information that students had often struggled to find. The site will aim to "give students a clear explanation of their rights," the report said, as well as "a simple description of how to file a complaint" with federal authorities. "It will help students wade through often complicated legal definitions and concepts, and point them toward people who can give them confidential advice — and those who can't," the report said.

Serving on the task force were Attorney General Eric H. Holder Jr., Education Secretary Arne Duncan and several other Cabinet members and other government officials.

New Guidelines To Battle Sexual Assault At Colleges

By Carrie Wells And John Fritze, The Baltimore Sun

Baltimore Sun, April 30, 2014

Responding to complaints that universities have fallen short in policing sexual assaults on their campuses, the White House announced a series of measures Tuesday intended to pressure college officials to step up efforts.

The Obama administration wants universities to conduct "campus climate" surveys beginning next year and to clarify sexual assault policies so that victims know where to turn for help. The government is also creating a website, NotAlone.gov, that it says will help victims file federal complaints and access data on federal investigations.

One in five female students is sexually assaulted at college, according to the Centers for Disease Control and Prevention, but only a small percentage of those incidents are reported, administration officials say. The guidelines by a White House task force follow high-profile cases at Yale, Amherst, Dartmouth and other schools.

In Maryland, the U.S. Department of Education is investigating a possible violation of Title IX sexual violence response requirements at Frostburg State University. Other Maryland universities say they already have taken steps to update their sexual assault policies.

"I think there's a misconception out there that campuses aren't really concerned about this, and that couldn't be further from the truth," said Deb Moriarty, the vice president for student affairs at Towson University. "This has been a very hot topic for us and one that we continue to grapple with."

Moriarty said students often think of sexual assault as an attack by a stranger. She said it is the university's job to educate them about the more common danger of an assault by an acquaintance.

Frostburg spokeswoman Liz Medcalf declined to comment on the investigation by the Education Department's Office for Civil Rights. She said the university is "aware that it involves a sexual assault that occurred off campus in 2013."

Representatives with the Office for Civil Rights visited Frostburg's campus for two days this month, Medcalf said. They held focus groups with student athletes, the Student Government Association, faculty and others about sexual violence and sexual harassment.

Jim Bradshaw, a spokesman for the U.S. Department of Education, confirmed the investigation, and said it was the only current investigation at a Maryland college. He declined to comment further.

A former Frostburg student who said she was sexually assaulted by another student off campus last year lauded the Obama task force's recommendations, which she described as overdue. The Baltimore Sun does not identify alleged victims of sexual assault.

The former student said she filed a complaint with the Office for Civil Rights because she was not satisfied with how campus officials handed her case.

"It was like everything was geared toward making his life easier rather than mine," she said.

The woman said a disciplinary hearing was held two months after her rape. She said the university suspended her attacker for the fall semester. She said he harassed her on campus throughout last spring.

The woman said the university did not adequately explain her rights or respond properly when her rapist harassed her. "The whole idea is to feel like you're not a victim afterward," she said.

The woman said she is starting a nonprofit sexual assault prevention group.

"I told my family if I had known what I knew now I would have avoided that whole process," the woman said. "It ruined a lot of my life last year."

Medcalf, the Frostburg spokeswoman, declined to comment on the woman's account, citing federal privacy guidelines. She said the university recognizes sexual assault as a "serious problem" and has mandatory sexual assault prevention training for students. An advisory council to the university's president is developing recommendations for improvements, she said.

The proposals unveiled by the White House on Tuesday are only recommendations. Vice President Joe Biden said the administration will look for ways to require schools to take action by 2016 — potentially by leveraging federal funds, or asking Congress to step in.

"We all know that many of our schools just aren't safe," said Biden, a longtime advocate for measures to address sexual assault and domestic violence. "We have to do everything in our power to protect them — these are our children."

College officials in Maryland said they were reviewing the recommendations of the White House task force on sexual assault. Some said they have already taken steps to update their sexual assault policies after changes last year to federal requirements for reporting crimes on campus, and a 2011 letter from the Office for Civil Rights on how colleges can combat sexual violence.

The Clery Act, the law that requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and around campus, also contains requirements on how disciplinary proceedings should be conducted.

The new requirements include sexual misconduct training for students, publicly disclosing incidents of domestic violence and stalking on campus, and disciplinary proceedings run by officials who have been trained on sexual misconduct.

The task force recommended schools conduct an anonymous survey to gauge the prevalence of sexual assaults, how frequently the incidents are reported and how well officials handled those cases.

The administration said it would provide a "tool kit" to help schools conduct those polls. A bill that died in the Maryland General Assembly this year would have required similar surveys.

Sen. Barbara A. Mikulski, who helped lead the effort in Congress last year to approve the Violence Against Women

Act — which included the new reporting requirements for schools — said she supported the administration's efforts.

"Women deserve to be safe everywhere, in their homes, in their dorms, in the classroom, and in the workplace," the Maryland Democrat said. "Higher education should be part of the American dream, not a nightmare for students suffering the physical and psychological distress of sexual assault."

Moriarty, the Towson vice president, said the university is still reviewing where its policies might be improved. She said she is not in favor of the anonymous sexual assault surveys.

"I don't think anybody's unaware of the scope of the problem," she said. "I'm not sure if using our resources to collect data is the best use of time," compared to training programs and handling complaints.

The task force also called for an expansion of prevention programs, including "bystander intervention" initiatives that focus on getting onlookers to take action when they see a woman in trouble.

Some Maryland schools already use bystander intervention training programs.

"Much of the time it's a case of empowering bystanders to know that it's OK to intervene," said Michael N. Webster, the director of campus safety at McDaniel College.

In a public-service announcement unveiled Tuesday, President Barack Obama and Biden — along with actor Daniel Craig, late-night talk show host Seth Meyers and other celebrities — urged men to "be part of the solution."

The Education Department is clarifying its guidance to allow on-campus counselors to talk with victims in confidence. Some are concerned that policies that require counselors to report all details of an incident to school officials can intimidate victims who may be wary about filing a formal report. Individual schools ultimately will have to decide whether to follow that guidance.

Some Maryland schools have formed task forces to study how they handle sexual misconduct. Some have created new positions to oversee responses.

The Johns Hopkins University announced a new sexual violence working group last week to examine the school's approach and resources.

Kevin Shollenberger, the vice provost for student affairs at Hopkins, said he found the task force recommendations "extremely helpful" and that officials want to make the university's process for reporting an assault more understandable.

The former Frostburg student called sexual assault on college campuses a "pandemic."

"One in five is entirely too much," she said. "People send their children off to college expecting them to be safe, but with that statistic, is it worth it to ruin their life?"

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White House Unveils Plan For Preventing Sexual Assault On Campus

By Katie Van Syckle

Cosmopolitan, April 30, 2014

Colleges across the country are facing complaints of sexual violence on campus, and the White House is encouraging schools to finally crack down on the problem.

"No more turning a blind eye or pretending it doesn't exist. We need to give victims the support they need — like a confidential place to go — and we need to bring the perpetrators to justice," Vice President Joe Biden said in a statement.

Today Vice President Biden will unveil the report from the Task Force to Protect Students From Sexual Assault, formed by President Obama in January. The 20-page document urges schools to conduct campus climate surveys; implement qualitative prevention strategies; engage the male population on the topic; offer students more confidential reporting options; adopt comprehensive sexual misconduct policies that can be effectively enforced; forge community partnerships with local rape crisis centers; and improve the federal government's own enforcement of existing laws such as Title IX, which prohibits discrimination on the basis of sex in any education program or activity that gets federal funding, and the Clery Act, which requires colleges to disclose information about crime on and near their campuses.

The White House has also established a new website NotAlone.gov, which will collect data and report grievances for specific schools as well as offer an explanation of rights and legal options for victims, and information on how to file a complaint. The CDC will also release a comprehensive review of effective and ineffective sexual assault prevention strategies, and the Department of Education's Office of Civil Rights will release a 52-point document on students' rights and schools' obligations under Title IX.

The report comes during a period when more than 60 schools have filed Title IX complaints against various universities. Brown University recently made headlines for allowing an individual accused of rape to return to campus (though his lawyer has said he will not be back), Florida State faces reports that it failed to investigate a rape allegedly committed by their star quarterback, and legislators such as Sen. Kirsten Gillibrand and Sen. Claire McCaskill are calling for more than $100 million in federal funds to combat the issue.

"The price of a college education should not include a one-in-five chance of being sexually assaulted," Gillibrand said last month.

While the recommendations are a broad stroke in an issue governed by details, the White House insists it is just

getting started and is expected to enlist Congress for support in enforcing these measures going forward.

Biden Announces Task Force Report On Campus Sexual Assaults

By Ashley Jost

Columbia (MO) Daily Tribune, April 30, 2014

Learning Curve Biden announces task force report on campus sexual assaults

White House Raises The Bar For Colleges' Handling Of Sexual Assault

By Libby Sander

Chronicle of Higher Education, April 30, 2014

The Obama administration unveiled stringent new guidelines on Tuesday designed to help colleges combat sexual assault and provide victims with a "road map" to file complaints against institutions that fall short in their responses.

In 20 pages of recommendations, the White House Task Force to Protect Students From Sexual Assault provides practical instructions for colleges to identify, prevent, and respond to sexual assault. And it prescribes several steps to improve and bring more transparency to federal enforcement of applicable civil-rights laws.

President Obama created the group in January, promising a coordinated federal response to deal with rape and sexual assault on campuses. The group's membership includes the U.S. attorney general and the leaders of several other cabinet-level agencies, including the Departments of Defense and Education.

The task force's report comes at a time when students are driving the debate over how colleges should prevent and respond to sexual assault. Over the past year, activists and rape survivors across the country have publicly faulted colleges—which are legally required to respond to reports of sexual assault—for what they see as inadequate responses. In many cases, the students have filed complaints under the federal civil-rights law known as Title IX.

The task force has spent the past three months gathering information from thousands of people—students, victims, alumni, administrators, law-enforcement officials, campus professionals—about how colleges handle sexual assault. Under the new guidance, colleges will answer to heightened expectations from Washington.

Among other recommendations, the task force calls on colleges to:

Conduct "climate surveys" beginning next year to gauge the prevalence of sexual assault and learn more about students' attitudes toward it.

Train campus officials on how to respond to victims of sexual assault.

Amend their existing policies to provide victims with greater options to speak confidentially with certain campus officials.

Adapt their campus disciplinary processes to abide by new directives from the Department of Education.

The report also makes clear that the federal government will take a harder line on enforcing Title IX—which outlines colleges' legal obligations to prevent, investigate, and resolve reports of sexual assault whether or not law-enforcement authorities get involved—and provide much more information about it.

A new website, NotAlone.gov, will provide not only a greater array of resources to survivors of sexual assault, but also a collection of previously hard-to-find data and documents. Those will include court filings from the Department of Justice related to campus sexual violence, and agreements reached between colleges and the Department of Education's Office for Civil Rights on similar matters.

"Colleges and universities need to face the facts about sexual assault," Vice President Joseph R. Biden Jr. said in a written statement. "No more turning a blind eye or pretending it doesn't exist. We need to give victims the support they need—like a confidential place to go—and we need to bring the perpetrators to justice." Tools for Change

To accomplish those goals, the task force signaled that it would explore new approaches to campuses' disciplinary systems.

Policy guidance from the Department of Education, released on Tuesday, includes key changes in how colleges can conduct their disciplinary hearings: Parties involved in a case are "strongly" discouraged from cross-examining each other, the new guidance says. A victim's sexual history should not be part of the proceedings, it continues, and a past consensual relationship between the two parties doesn't preclude an eventual finding of sexual violence.

Campus officials often lament the difficulty in knowing whether they're using the most effective approaches to, say, develop effective prevention programs or determine how best to levy sanctions against a student found responsible for sexual assault.

The report provides a variety of tools to assist campus officials in answering those sorts of questions and others.

For the climate surveys, the White House is providing colleges with a tool kit explaining how to develop and conduct a survey using evidence-based questions. Rutgers University's Center on Violence Against Women and Children will pilot and evaluate the effectiveness of the survey, which White House officials said could become mandatory on all campuses by 2016.

In the coming months, the Justice Department will also offer online technical assistance for campus officials to help them understand how victims of sexual assault may react during and following an assault. Later this year, federal

agencies will go on to develop "trauma-informed" training programs for campus officials who are involved in investigating and adjudicating sexual-assault cases, and similar programs for those who work in campus health centers.

Campus policies on confidentiality also come under scrutiny. As colleges have sought to revamp their policies and be more responsive to sexual assault, some have instructed nearly all of their employees to report such incidents, the report says. The task force deemed that a "well-intentioned" practice that nonetheless may discourage victims from seeking help, and encouraged colleges to discontinue the approach—urging them instead to "strike that often difficult balance" between providing a safe campus environment and being mindful of a victim's desire for confidentiality. A 'Game Changer?'

In calling for greater transparency in federal enforcement of civil-rights laws, the task force has zeroed in on what many student activists see as a systemic problem: a lack of coordination among federal authorities charged with enforcing civil-rights laws, and little transparency in their actions.

Last summer the students brought their demands to Washington, and found an audience. A group of activists met in July with officials from the White House and the Department of Education to ask for tougher and more-transparent enforcement of Title IX among colleges and collaboration among federal agencies in doing so.

The task force appears to have heard them. In addition to a pledge to make enforcement more transparent and provide colleges and students with more resources, the report says that the Departments of Education and Justice have formally agreed to work together more closely to enforce Title IX.

The administration hopes the new website, NotAlone.gov, will help more students understand their rights under Title IX and file federal complaints when necessary.

A "strong and principled stand" from the task force to help colleges deal with campus violence comes at the right time, Lisa Maatz, vice president for government relations at the American Association of University Women, said in an email. She said she had particularly high hopes for the new website, with its concentration of resources and documents that previously had been scattered or unavailable. When it comes to transparency, she said, "it is our hope that this can be a game changer."

Some student activists weren't so sure. In a written statement, the survivor-led Know Your IX campaign said it was encouraged to see many of the group's demands—particularly its call for greater transparency—at the heart of the task force's report. But the new steps, it said, still fall short.

The Department of Education is not revealing publicly the names of institutions under investigation for alleged violations of Title IX, the group said. (That information is available only upon request.) And the task force's recommendations are silent on a central tenet of the group's activism: that the department's Office for Civil Rights have the ability to impose fines on colleges that run afoul of the law.

The department has never penalized a college for violations of Title IX related to sexual violence, the group said in its statement. "Such tolerance allows institutional abuses to go unchecked at students' expense," it said. "These changes will mean little until Title IX enforcement is finally given teeth."

New White House Guidelines Won't Solve The Ongoing Problem Of College Rape.

Slate Magazine, April 30, 2014

It's been a year or more of mounting anger and activism about college sexual assault, as awful stories of investigations botched and mishandled have emerged, and students have filed complaint after complaint against their universities. Gratifyingly, Washington is taking notice. The White House came out today with beneficial, if modest, recommendations for strengthening the laws that are supposed to protect students. And Congress may actually enact them, as Sens. Claire McCaskill and Kirsten Gillibrand shift some of their focus on sexual assault in the military to sexual assault on campus.

The White House is urging schools to adopt prevention programs that have been shown to work and to conduct anonymous surveys to gauge how often sexual violence happens on their campuses—and how often students report it to the authorities. We know there's a big gap between what students experience and what they report—the shocking statistic is that one in five women are sexually assaulted during their college years, but only a fraction of that number reports it. Hard numbers, collected uniformly around the country, are important for judging the scope of the problem nationally and at individual schools.

Another change activists fought for: Greater transparency in ongoing investigations, which has been sorely lacking. There has been no publicly available list of the schools under investigation for sexual violence allegations under Title IX, the federal law that obligates schools to independently investigate reports of sexual assault and harassment. There are 53 Title IX investigations of universities pending, and while the existence of an investigation isn't the same as proven wrongdoing, the public should be informed about which schools these are. The Obama administration says that list will soon be available—though unfortunately, a spokesman told me, it won't be maintained on the new website the White House announced, notalone.gov, that's supposed to provide resources for

students and schools. (The White House is still figuring out where the list will live.)

The administration's recommendations are generally to the good, and Congress should make them stick by enacting them into law. And yet, I have to pause to say that I can't believe how long it has taken to put this issue at the front of the national agenda—and how toothless the laws written to protect students remain. This is a problem the White House recommendations don't sufficiently address.

The Department of Education has "never once sanctioned a school for sexual violence-related violations of Title IX."

Title IX has been on the books since 1972. The Clery Act, which requires schools to disclose campus crime statistics, passed in 1990. In 2011, the Department of Education's Office for Civil Rights, which is responsible for enforcing Title IX, sent schools a Dear Colleague letter emphasizing their responsibilities to provide an education free from sexual harassment and violence. And yet today the talking point from Vice President Joe Biden is, "Colleges and universities need to face the facts about sexual assault. No more turning a blind eye or pretending it doesn't exist." Well, yes, but shouldn't they have stopped turning a blind eye a long time ago?

"I don't see why schools need all this help enforcing a law that's been around since the '70s," says Laura Dunn, an activist who helped push for the national survey and other proposed changes. I asked Dunn what she thinks the most important missing piece is, and she said, "That's easy. Enforcement." In the history of Title IX, the Department of Education has "never once sanctioned a school for sexual violence-related violations of Title IX," according to the activist group Know Your IX. "Such tolerance allows institutional abuses to go unchecked at students' expense." Too true. In 2010, NPR and the Center for Public Integrity combed through documents to investigate the issue. They found that "Colleges almost never expel men who are found responsible for sexual assault," and "are ill-equipped to handle cases of sexual assault." Meanwhile, "The U.S. Department of Education has failed to aggressively monitor and regulate campus response to sexual assault." The evidence: "Between 1998 and 2008, the department ruled against just five universities out of 24 complaints. ... No punishment was given in those cases — simply guidance on how to improve campus procedures." When I asked the Department of Education for comment, a spokesman emailed that "institutions about which OCR has recently found areas of noncompliance include SUNY and the University of Montana." No sanctions, though. Instead, an OCR official said last year, "I applaud SUNY for its willingness to show leadership."

This is all pretty much the definition of toothless. In fairness to the Department of Education, it has operated on the assumption that the only way to take away federal funding from a school that violated Title IX is to take away all the funding. That's like stoning a thief to death—crazily out of proportion and damaging for students, including the victims of sexual assault. The activists think there is already another enforcement mechanism on the books, but they would like Congress to make this crystal clear by enacting intermediate sanctions for schools, like fines. "Cultural change is a huge part of preventing campus violence, but enforcement is key for cultural change," Alexandra Brodsky, one of the founders of Know Your IX, told me. (Disclosure: Brodsky is a student at Yale Law School, where I am a fellow and lecturer.) "If everyone on campus knows that a rapist has been reported, and is being allowed to stay on campus, that's a pretty clear message that sexual violence isn't a big deal."

The lack of enforcement also helps explain one of the year's most egregious Title IX lapses: Florida State University's apparent failure to conduct any kind of timely investigation into a rape allegation against star quarterback Jameis Winston. Whether Winston is guilty or innocent, the school's inaction smacks of protection for a prized athlete. In 2010, the DOE's assistant secretary for civil rights, Russlynn Ali, told NPR she was willing "to withdraw federal funding from offending schools and refer cases to the Department of Justice for possible prosecution." But it's never happened. Has no school deserved to be punished? The Department of Education is now investigating FSU. If it's true that FSU didn't even look into the complaints against Winston until they became public almost a year later, shouldn't the school face consequences?

There is a better path here, and to a degree, it's been paved by the Clery Act, which is a narrower law than Title IX but prompted 23 complaints of its own just last year, and at least is occasionally enforced. For example, in 2004, the Department of Education cited Georgetown University for forcing a student who wanted access to the records of her own sexual assault grievance proceedings to sign a nondisclosure agreement. (I learned this from a government website where you can look up Clery Act investigations, by year or by school—the kind of database that still won't exist for Title IX but should.) In 2013, the department fined Yale University $165,000 for failing to report four sex offenses involving violence back in 2001 and 2002. The government said it launched the investigation in response to an article I wrote for the Yale Alumni Magazine in 2004. The findings against Yale were a long time coming, but as Brodsky puts it, in the end, the law can prove "a pretty effective shaming mechanism." Yale has certainly put more energy into prevention of sexual assault and harassment since I wrote about this a decade ago.

I still recognize, as I did then, that "Sexual harassment and assault are among the most vexing and intractable problems on any campus." Schools must pay attention to the

rights of the students who are accused as well as the students who say they've been victimized. They must provide due process. And they must guard against the rare but real threat of false rape accusations. (I also agree with Slate's Emily Yoffe that they should talk frankly about the toxic combination of binge drinking and nonconsensual sex with female as well as male students. That doesn't mean victim blaming. It means arming women with facts they need to protect themselves.)

The stream of bad news about campus sexual assault keeps on coming. Earlier this week, a group of students filed three complaints against Columbia University, charging that the school mishandled cases, mistreated alleged victims, and gave too much leeway to accused perpetrators. Listen, I don't want schools to kick men off campus without solid proof. (And as my colleague Hanna Rosin writes, men can be victims too.) But how much is that actually happening? I hear a lot more stories of women who come forward and end up feeling deserted by their schools—or worse, pilloried by other students if their cases go public. Often it's the alleged victims who withdraw from classes or don't graduate, not the alleged assailants. Dunn wants the Department of Education to ensure that schools help the specific students who allege assault before the universities are allowed to resolve a Title IX investigation. If a student makes a credible accusation, that makes a lot of sense.

One important change Dunn helped win when the Clery Act was updated last year: Students who come forward with accusations now have the right to bring a supporter of their choosing to the disciplinary proceedings. Previously, schools could make their own rules about who gets to have representation, and often alleged victims weren't allowed to bring a supporter or a lawyer to a hearing, Dunn says. Changing that "is essential," Dunn says. "Historically, the accused student brings his lawyer, the school gets scared of liability, and the case is dropped. Now there is an equal playing field from the start."

Yes, good—but not enough. Without more action from Congress, providing for real enforcement, Dunn says the reality remains that "very bluntly, women's education is not as valued as the education of the men who harm them." I don't want to believe this—I'd like to think we're past it. But I'm afraid we're not.

Proposal To Require Campus Climate Surveys On Sexual Assault Faces Quick Opposition

By Tyler Kingkade

Huffington Post, April 30, 2014

One of the key recommendations from the White House Task Force to Protect Students from Sexual Assault is a proposal that the higher education community already dislikes.

The task force's first recommendation is that the Obama administration explore options to require that colleges and universities conduct so-called campus climate surveys to better understand how frequently students experience sexual assault. The Justice Department is looking at a pilot program with Rutgers University. In the meantime, the Obama administration will provide schools with a toolkit for developing and conducting such a survey and ask them to do so next year, before any requirement could go into effect.

Speaking at a White House event officially unveiling the task force's report on Tuesday, Vice President Joe Biden declared that colleges have a "moral responsibility" to understand the scope of the problem on their campuses.

"I challenge every college and university, if they are really serious about protecting students, to conduct anonymous surveys," Biden said. "They have a responsibility to know what's going on on their campuses."

But advocates for the higher education community sound less enthused about the idea of requiring mass surveys.

Kevin Kruger, president of NASPA-Student Affairs Administrators in Higher Education, was mostly positive about the task force's report, but he singled out the mandatory climate survey as something he's not in favor of. Instead, Kruger suggested, the higher education community itself should seek advice on the best way to gauge the prevalence of sexual assault on campuses.

"We get very concerned about legislation that requires additional staffing," Kruger said. "Campuses are already very, very tight on resources."

"I will say colleges are concerned about additional requirements, whether they be by regulation or legislation," said Ada Meloy, general counsel for the American Council of Education, which lobbies on behalf of 1,200 higher education institutions.

It is a concern, Meloy said, if the federal government requires every single college campus to conduct a survey, "particularly if they're not providing funding to us to do so."

Meloy also pointed out that colleges and universities vary enormously in the nature of their campus life and student bodies. One survey may not fit all.

Student sexual assault survivors and advocates are not moved by those concerns.

"I'm happy to say I'm one of the annoying people who recommended it then," said Laura Dunn, a sexual assault survivor and founder of SurvJustice. The nonprofit, which advocates for victims of sexual assault, provided input to the White House's task force.

Dunn worked to get legislation introduced in Maryland requiring similar surveys of colleges in that state. College officials called it an unfunded mandate and said it "would do very little to address the root of the problem." The University

of Maryland system officially opposed it, and the bill died in committee.

Nancy Cantalupo, a Georgetown University professor and a research fellow with the Victim Rights Law Center who has long called for these surveys, was also pleased to see the idea included in the task force recommendations.

"I am also happy to see that it will be voluntary for at least the first year," Cantalupo said, "as that will give the good actors among colleges and universities an opportunity to show what I genuinely believe they feel: that they want to end this violence and, as a first step to ending it, they need to understand it, especially in terms of their own communities."

Sen. Claire McCaskill (D-Mo.) said these surveys would force schools to face the full dimensions of the problem.

"If you don't ever really take a hard look at a problem, it's easy to shrug it off and make it seem like it's not a big deal," McCaskill said, adding, "If we can move toward a mandatory climate survey, then universities won't be able to hide behind statistics that are not full and complete."

Currently, colleges and universities are required to track and disclose crimes on campus under the Clery Act. However, the annual Clery reports cover only sexual assaults that are reported to the schools, and this is highly underreported crime.

Another purpose of climate surveys then would be to show schools how comfortable their own students are reporting to them – by comparing the number of incidents identified anonymously to the number of reports actually filed.

Sexual assault experts and survivors have asked for climate surveys for years, but so far they are required at just three institutions of higher education: the U.S. Military Academy, the U.S. Naval Academy and the U.S. Air Force Academy.

On Tuesday, the White House provided a lengthy document explaining the purpose and rationale behind the surveys, as well as a sample questionnaire for schools to utilize. Rep. Jackie Speier (D-Calif.) and other members of Congress are already declaring their intent to file legislation requiring colleges to take up the survey.

"I understand that the good guys [that] report feel like they may be damaging the reputation of their schools. I get it. But it doesn't matter," Biden said. "We need to provide survivors with support, and we need to bring perpetrators to justice."

Justices Seem Torn On Cellphone Warrants

New York Times, April 30, 2014

The Supreme Court on Tuesday seemed torn as it considered a pair of cases about whether the police need warrants to search the cellphones of people they arrest.

Some justices seemed inclined to apply precedents saying that people under arrest lose significant privacy rights. Those decisions say warrantless searches in connection with arrests are justified by the need to find weapons and to prevent the destruction of evidence.

"Our rule has been that if you carry it on your person," Justice Antonin Scalia said, "it is subject to seizure and examination."

Other justices said the vast amounts of data held on smartphones warranted a different approach under the Fourth Amendment, which bars unreasonable searches.

"We're living in a new world," said Justice Anthony M. Kennedy. "Someone arrested for a minor crime has his whole life exposed."

Several justices noted that modern smartphones contain troves of private materials, including bank and medical records.

"Most people now do carry their lives on their cellphones, and that will only grow every year as young people take over the world," Justice Elena Kagan said.

But Chief Justice John G. Roberts Jr. said that phones also contained "information that is specifically designed to be made public," mentioning Facebook and Twitter.

The lower courts in the two cases before the court divided along similar lines.

In one, United States v. Wurie, No. 13-212, the federal appeals court in Boston in May threw out evidence gathered after the police there inspected the call log of a drug dealer's rudimentary flip phone. "Today, many Americans store their most personal 'papers' and 'effects' in electronic format, on a cellphone, carried on the person," Judge Norman H. Stahl wrote for a divided three-judge panel of the court.

"That information is, by and large, of a highly personal nature: photographs, videos, written and audio messages (text, email, and voice mail), contacts, calendar appointments, web search and browsing history, purchases, and financial and medical records," he added.

In the other case, Riley v. California, No. 13-132, a state appeals court in California allowed a search of a smartphone containing much more information than the one seized in Boston. That case arose from the arrest of David L. Riley, who was pulled over for having an expired auto registration. The police found loaded guns in the car and, on inspecting Mr. Riley's smartphone, entries they associated with a street gang.

Justices Wary Of Unlimited Cellphone Searches

By Mark Sherman

Associated Press, April 30, 2014

The Supreme Court seemed wary Tuesday of allowing police unbridled freedom to search through cellphones of people they arrest, taking on a new issue of privacy in the face of rapidly changing technology.

The justices appeared ready to reject the Obama administration's argument that police should be able to make such searches without first getting warrants.

A key question in two cases argued Tuesday is whether Americans' cellphones, with vast quantities of sensitive records, photographs and communications, are a private realm much like their homes.

"People carry their entire lives on their cellphones," Justice Elena Kagan said.

The issue involving devices now carried by almost everyone is the latest in which the court is being asked to adapt old legal rules to 21st-century technological advances. "We are living in a new world," Justice Anthony Kennedy said.

The court heard arguments in cases involving a drug dealer and a gang member whose convictions turned in part on evidence found on their cellphones.

The justices suggested they might favor limiting warrantless cellphone searches to looking for evidence of the crime on which an arrest is based. Both defendants could lose in such an outcome.

More broadly, however, a decision imposing restrictions on the searches could avoid subjecting people arrested for minor crimes to having all the contents of their cellphones open to police inspection. And it might also prevent the police from using the phones to connect to the Internet and any information stored online.

If police were to arrest someone for driving without a seat belt, Justice Antonin Scalia said, "it seems absurd that they should be able to search that person's iPhone."

The Supreme Court has previously ruled that police can empty a suspect's pockets and examine whatever they find to ensure officers' safety and prevent the destruction of evidence. The Obama administration and the state of California, defending the searches, said cellphones should have no greater protection from a search than anything else police find.

But the defendants in these cases, backed by an array of civil libertarians, librarians and news media groups, argued that cellphones, especially smartphones, are increasingly powerful computers that can store troves of sensitive personal information.

Jeffrey Fisher, representing gang member David Leon Riley of San Diego, said even a limited ruling could have profound implications.

"I think you will fundamentally have changed the nature of privacy that Americans fought for at the founding of the republic and that we've enjoyed ever since," Fisher said.

The issue is of more than passing concern for many people. More than 90 percent of Americans own at least one cellphone, the Pew Research Center says, and the majority of those are smartphones. More than 12 million people were arrested in the U.S. in 2012, according to FBI statistics.

Under the Constitution's Fourth Amendment, police generally need a warrant before they can conduct a search. The warrant itself must be based on "probable cause," evidence that a crime has been committed. But in the early 1970s, the Supreme Court carved out exceptions for officers dealing with people they have arrested.

Several justices expressed concern about applying rules written 40 years ago to a rapidly evolving technology.

"How do we determine what the new expectation of privacy is?" Justice Samuel Alito asked.

Justice Department lawyer Michael Dreeben repeatedly warned the court about unduly restricting officers when they seize a phone, saying they might need to act quickly to evade encryption that could render the device impregnable. If officers are forced to get a warrant and the phone's protection is activated, Dreeben said, "It may be months or years or never before officers can break through that encryption."

He also argued that cellphones are important devices in the commission of crimes, a point picked up by Kennedy. People who are breaking the law are "more dangerous, more sophisticated, more elusive with cellphones," Kennedy said.

By contrast, Fisher urged the court to regard cellphones generally as extensions of the home, where privacy protections are greatest.

In the two cases, Riley carried a Samsung smartphone, while Brima Wurie of Boston had a less advanced flip phone.

Prosecutors used video and photographs found on Riley's smartphone to persuade a jury to convict him of attempted murder and other charges. Officers who arrested Wurie on suspicion of selling crack cocaine checked the call log on his flip phone and used that information to determine where he lived. When they searched Wurie's home, armed with a warrant, they found crack cocaine, marijuana, a gun and ammunition.

The justices expressed varying levels of sophistication about cellphones. Chief Justice John Roberts and Justices Sonia Sotomayor, Kagan and Alito seemed most comfortable talking about the technology. They are, perhaps not coincidentally, the four youngest justices.

On the other hand, 75-year-old Justice Stephen Breyer, who is given to self-deprecation on the bench, gamely tried to engage the Justice Department's Dreeben in a discussion about encryption technology. Dreeben said he didn't know what kind of cellphone Breyer has.

Breyer replied: "I don't either because I can never get into it because of the password."

Decisions in Riley v. California, 13-132, and U.S. v. Wurie, 13-212, are expected by late June.

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Supreme Court Considers Cellphone Searches, Right To Privacy

By Robert Barnes

Washington Post, April 30, 2014

The Supreme Court struggled Tuesday to find the proper balance between law enforcement's power to search cellphones seized during an arrest and an individual's right not to reveal the vast amount of information that can be stored there.

There did not seem to be majority support for the government's position that there is no need for a warrant before police can examine the device. Nor did there seem to be enough votes for the other side's position: that warrants are almost always required.

Where to draw the line seemed elusive in two hours of discussion about challenges filed by people who were convicted on evidence found in the phones they carried.

In one case, information in a phone taken from a Boston man suspected of selling crack cocaine led police to drugs and a weapon. In the other, police in San Diego, reviewing information in a phone, discovered that a man who had been pulled over at a traffic stop was a gang member linked to an earlier shooting.

The court's examination of how to apply age-old privacy protections to a world transformed by technology produced more cosmic questions than answers.

"What is the reasonable expectation of privacy of a --person in 2014 who has a cellphone . . . on his or her person?" Justice Samuel A. Alito Jr. asked.

Justice Anthony M. Kennedy said, "I don't think it's odd to say that we're living in a new world."

Justice Elena Kagan added, "Most people now do carry their lives on cellphones, and that will only grow every single year as, you know, young people take over the world."

Jeffrey L. Fisher, a law professor at Stanford University who is representing the gang member, said the court should extend to new technology the Fourth Amendment's protection against unreasonable searches of "persons, houses, papers and effects."

An arrest has never given police the authority to "search through the private papers and the drawers and bureaus and cabinets of somebody's house," Fisher said. "That protection should not evaporate more than 200 years after the founding because we have the technological development of smartphones that have resulted in people carrying that information in their pockets."

Fisher seemed to have the support of the court's two newest justices, Kagan and Sonia Sotomayor, for his argument that warrants should be required.

Both were concerned about the information available to police from someone arrested on even a minor charge.

Police would have the opportunity to "look at every single e-mail that person has written, including work e-mails, including e-mails to family members, very intimate communications, could look at all that person's medical data, could look at that person's calendar, could look at that person's GPS and find out every place that person had been recently because that person was arrested for driving without a seat belt," Kagan said.

In general, warrants are required for searches, but the court's precedents have said that a person's privacy expectations diminish considerably after an arrest. Police may protect themselves and others by looking for weapons or securing evidence that might be destroyed.

In past cases, searches of wallets, pagers, address books and even cigarette packages have been deemed acceptable.

California Solicitor General Edward C. DuMont noted, for instance, that police can look at photographs in a wallet. It is no different from looking at photos stored digitally, he asked.

Sotomayor replied that the difference is one of magnitude. A person's whole life in photographs could be held on a smartphone, she said.

"You don't see a difference between the two things?" she asked.

But Alito said that he does think there is a valid analogy with the things police can search for in a "predigital era" and that it doesn't matter whether they now are contained in a smartphone.

Chief Justice John G. Roberts Jr. wondered about applications on the smartphone such as Facebook and Twitter, saying, "Could you have a rule that the police are entitled to search those apps that, in fact, don't have an air of privacy about them?"

He added that it could be difficult for police trying to establish whether someone is a gang member to know what to ask for in a warrant.

Fisher replied, "Those arguments can be made on an app-by-app basis."

Deputy Solicitor General Michael R. Dreeben told the court there was no reason to break with its precedents, which say that what someone is carrying at the time of arrest is subject to search. Cellphones can be used to facilitate criminal activity, he noted. And they can be wiped clean of incriminating evidence remotely, he said, making it important for police to seize and search them without having to obtain a warrant.

Justices often try to find compromise when faced with such decisions, but it is not always apparent in oral arguments what that might be.

At one point, Kennedy wondered whether there was a line between serious and nonserious offenses. Justice Antonin Scalia agreed that if the arrest was for not wearing a

seat belt, "it seems absurd that you should be able to search that person's iPhone."

But the court previously has not made such distinctions, and some justices pointed out why that would be problematic.

Scalia suggested that a possibility would be limiting the search for evidence to the crime for which the person was arrested.

Even that would be damaging for the two men whose cases were before the court.

Brima Wurie was picked up in Boston on suspicion of selling crack cocaine in 2007. While he was in police custody, his flip-style phone kept receiving calls from a number identified as "my house."

Using the telephone number and a reverse directory, police located his address, obtained a warrant to search his home, and found crack, marijuana and a weapon.

In a 2 to 1 decision, a panel of the U.S. Court of Appeals for the 1st Circuit threw out the evidence against Wurie. The majority endorsed a rule that said warrantless cellphone data searches are "categorically unlawful," given the "government's failure to demonstrate that they are ever necessary to promote officer safety or prevent the destruction of evidence."

Fisher's case went the other way.

His client, David Leon Riley, was pulled over in 2009 by a San Diego police officer for an expired registration. Police quickly discovered that Riley's license was suspended and later found guns under the car's hood.

Police also examined his smartphone and found language that led them to believe Riley had gang connections. A photograph on the phone linked him to a car that police said had been used to flee a shooting.

Riley was indicted on murder and other charges, convicted and sentenced to more than 15 years in prison.

A California court upheld the officers' actions, and similar conflicting decisions have been recorded throughout the country.

The cases, United States v. Wurie and Riley v. California, will be decided before the court's term ends in June.

Supreme Court Is Wary Of Warrantless Cellphone Searches

By Jess Bravin

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Kerry: Russia "Accelerating" Ukraine Crisis

By Lara Jakes And Robert Burns

Associated Press, April 30, 2014

WASHINGTON (AP) — Secretary of State John Kerry accused Moscow on Tuesday of accelerating the crisis in Ukraine instead of sticking to an agreement to ratchet back tensions, and said NATO partners should step up efforts to lessen Europe's energy dependence on Russian oil.

Kerry's comments were part of a two-punch pushback on Russia by U.S. diplomatic and military officials. At the Pentagon, a spokesman said Defense Secretary Chuck Hagel raised concerns with his Russian counterpart about "irregular military troops" under Moscow's influence that are operating in eastern Ukraine.

Speaking at the Atlantic Council think-tank, Kerry said NATO is facing a defining moment in the strength of its alliance. He pledged anew that NATO partners — including those that border Ukraine or Russia — would be defended to the hilt if their sovereignty is threatened.

"NATO territory is inviolable," Kerry said in his 20-minute speech. "We will defend every single piece of it."

He lambasted Moscow for what he described as reneging on a diplomatic deal struck two weeks ago in Geneva to calm tensions between pro-Russian separatists in eastern Ukraine and the central government in Kiev. For weeks, separatists in key Russian-speaking eastern cities have overtaken local government buildings and stirred unrest in protesting the leadership in Kiev.

But Ukraine officials in Kiev, and much of the West, believe Russian special forces are inciting the turbulence, and fear it is a first step toward the region trying to break away from the rest of the country, as Crimea voted to do last month. As recently as last week, Kerry told reporters that Ukraine intelligence officials have intercepted conversations from known Russian commanders with separatists in Ukraine.

Additionally, Kerry last week said the U.S. intelligence officials believe that Russia's spies and military are actively sending personnel, weapons and money to eastern Ukraine and helping separatists there with operational planning and coordination.

On Tuesday, Kerry said Ukraine's leaders in Kiev have pulled down barricades, canceled counterterror operations against the separatists and introduced legislation to give protesters amnesty — all as promised in Geneva as their part of the deal with Russia.

By contrast, "not one single step has been taken by Russia in any public way that seriously attempts to live by the spirit or the law of what was signed in that agreement," Kerry said. "In fact, it's fair to say they have escalated the crisis even further."

He called on Europe to further isolate Russia — a day after the U.S. announced new economic sanctions against government officials in Moscow and some businesses — and for all NATO members to maintain strong defense budgets.

He also said "one of the greatest single strategic differences" that could be taken to isolate Moscow would be for Europe to end its dependence on Russian energy. He

called for diversified energy sources, an expansion of infrastructure to transport oil and gas and increased energy storage — although he did not say specifically how that would happen.

At the Pentagon, spokesman Rear Adm. John Kirby told reporters that during Hagel's phone call Monday to Russian Defense Minister Sergei Shoigu, in which they discussed Russia's role in the violence in Ukraine, the conversation was at times "terse" but "never uncivil."

Kirby said Hagel described the U.S. view that the pro-Russian forces operating in eastern Ukraine are being manipulated, or at least influenced by, by Moscow.

"It's an influence we'd like to see stop," Kirby said. "It's an influence that is only further fomenting the pro-Russian separatists that were already in Ukraine, fomenting and fostering the violence that they're committing. And again, Secretary Hagel was pretty clear that we expect that behavior to stop."

Kirby said that while Shoigu expressed a "different view," there should be little doubt that "irregular elements" inside Ukraine are instruments of Russian influence.

"I grew up in Florida; if it looks like an alligator, it's an alligator," Kirby said.

Hagel also was assured, twice during the conversation, that Russia has no intention of invading Ukraine, Kirby said.

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EU Escalates Response To Russia's Actions In Ukraine

By Naftali Bendavid

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Despite Trying To Present A United Front, US And Europe Still Diverge On Russia Policies

By Karen DeYoung And Anthony Faiola

Washington Post, April 30, 2014

As the Obama administration and its European allies were toughening their sanctions against Russia this week, a somewhat different tone was being set in St. Petersburg, where Russian President Vladi-mir Putin was seen wrapping former German chancellor Gerhard Schröder in a bearhug.

A photo of the embrace — taken at a lavish 70th-birthday party for Schröder hosted by a subsidiary of the Russian gas monopoly Gazprom — made front pages across Europe on Tuesday and caused the government of Chancellor Angela Merkel no small amount of embarrassment.

Merkel's government quickly distanced itself from Schröder, now a top official at a German-Russian company that operates a gas pipeline between the two countries. But the picture served to highlight the cozy relationship between the Kremlin and Germany's energy interests — one that forms a major obstacle to President Obama's efforts to present a solid, unified Western front in the face of Putin's aggression in Ukraine.

The administration has been upfront about the reality that Europe has a lot more to lose from sanctions against Russia than does the United States.

At the moment, asset freezes have been imposed against Russian individuals and, in the U.S. case, also against certain businesses. If a decision is made to move toward what the Europeans call "Tier 3" measures against entire sectors of the Russian economy, a senior administration official said, it would be on the basis of a "shared commitment" in which "one nation isn't bearing a significantly greater share of the burden as against other nations with different interests in different sectors."

Sanctions against Russia's massive energy sector, for example, would probably be most effective in getting Putin's attention but would also disproportionately harm Germany, which relies on Russia for more than a third of its natural gas and oil supplies.

Britain is anxious about banking--sector sanctions. France, whose defense industry is in the midst of completing a $1.6 billion ship contract with Russia, worries about defense sanctions. The Mediterranean countries are concerned about luxury goods and the Nordic countries about timber.

"That's the challenge," said one European diplomat. "How can they devise it so that the pain is distributed evenly?" Major companies in each capital are lobbying to ensure that their interests are not affected by the dispute over Ukraine.

Obama made numerous calls to allied leaders before and during the week-long Asia trip he completed Tuesday. But despite assurances from administration officials and public statements by European leaders that they are now on the same page, "things are not quite as clear-cut as 'are we ready or are we not' " for sector sanctions, said the diplomat, speaking on the condition of anonymity about the sensitive negotiations.

"There has been a degree of disconnect between what you hear from some leaders and what is being said by their foreign ministers and officials in Brussels," where European Union members have been in almost continual session on Ukraine.

Germany, Italy, Greece, Cyprus and others advocated holding back when foreign ministers met Monday to approve a new round of individual sanctions, diplomats from E.U. member countries said. Although Britain and others advocated matching the United States with new measures

against Russian companies, those urging caution won the day, and the E.U. on Tuesday released a list of 15 more Russians and Ukrainians, for a total of 48, now subject to European asset freezes and travel bans.

Further discussions are scheduled for Wednesday to consider proposals to add specific companies and some of the people the administration calls Putin "cronies" who are already on the U.S. list.

Secretary of State John F. Kerry used a speech Tuesday to the Atlantic Council in Washington to urge the Europeans to step up sanctions and to increase their defense budgets. "This moment, without reaching for any hyperbole, because the moment is serious enough, is about more than just ourselves," Kerry said. "The fact is that our entire model of global leadership is at stake."

Beyond the question of how to distribute sector sanctions equitably among the allies is the question of what should trigger them. Opinions range from a continuation or escalation in Russia's destabilizing actions in eastern Ukraine — what Obama on Monday somewhat vaguely called further "Russian aggression" — to only full-out military invasion.

"We're not at the stage yet where we have to make a decision," said a second European diplomat.

Yet the ongoing turmoil in eastern Ukraine, where pro-Russian militants Tuesday stormed the regional administration building in Luhansk while Ukrainian police stood and watched, has steadily eroded European reluctance.

Germany is considered essential to any attempt to pressure Moscow through sanctions. Merkel, who will meet with Obama in Washington this week, was originally reluctant to sign on to bolder steps against Russia.

But she now appears near a tipping point following the seizure in the eastern Ukrainian city of Slovyansk of European military monitors, four of them Germans. Officials in Berlin watched aghast as the men were paraded before cameras this week, an act that also seemed to cut through a strong undercurrent of sympathy for Russia running through the German public.

"The German bar [for tougher sanctions] is definitely higher than the American bar," said Olaf Boehnke, head of the Berlin office of the European Council on Foreign Relations. "But this hostage case is really something that has the potential to make a difference.

"If they don't see Putin using his influence on the separatists to calm this situation down," Boehnke said, "you are getting closer to a German red line."

Faiola reported from Berlin.

US And EU Sanctions: Same Goal, Different Targets

By John-Thor Dahlburg And Lynn Berry

Associated Press, April 30, 2014

BRUSSELS (AP) — In the fight to defuse the Ukraine crisis, the White House is going directly after Russian President Vladimir Putin's wealthy and powerful entourage. In contrast, the European Union has mainly targeted smaller players, but ones linked closely to the Kremlin's unilateral annexation of Crimea or the still simmering unrest in Ukraine's east.

The reasons are economic, legal and political. For one thing, the EU can only impose travel bans or asset freezes if all its 28 member nations agree. The Obama administration doesn't have to worry about such consensus-building when it levies economic sanctions.

The objective in both Washington and Brussels is the same: to compel Moscow to respect the deal it signed this month to take action to ease tensions in Ukraine.

Sanctions are "a foreign policy tool" used to bring about "resolution of the current crisis," EU spokeswoman Maja Kocijancic said Tuesday.

"The goal here is not to go after Mr. Putin personally," President Barack Obama said the previous day. "The goal is to change his calculus with respect to how the current actions that he's engaging in could have an adverse impact on the Russian economy over the long haul."

To make that point, the U.S. government stepped up the pressure by slapping economic sanctions Monday on a number of influential people around Putin, some of the figures the Kremlin leader relies on most to control Russia's economy and political system.

Chief among them is Igor Sechin, president of state oil company Rosneft, who is widely seen as the second-most powerful man in Russia after Putin.

The targets also include three banks, albeit minor ones, and businesses owned or controlled by four of Putin's wealthy friends who were already hit by a previous round of American sanctions in March.

The EU's sanctions list, which was widened Tuesday to cover 48 individuals, is strikingly different. It includes some big names, such as Russian Deputy Prime Minister Dmitry Kozak, who has also been targeted by U.S. sanctions.

But the European list is made up almost exclusively of Russian officials tied directly to Crimea, Russia's annexation of the peninsula in the Black Sea or management of its absorption by Moscow, as well as a half-dozen known leaders of pro-Russian secession movements in eastern Ukraine.

U.S. State Department spokeswoman Jen Psaki told reporters officials have been in close contact with their European counterparts and that there was never any expectation for U.S. and EU sanctions to be "exactly overlapping."

"It's more about not only sending a message, but taking a broad range of targeted steps to have an impact," she said.

One reason for the EU's approach is strictly legal, said Paul Ivan, a specialist on sanctions at the European Policy Center, a Brussels-based think tank.

"Sanctions are more easily challenged in the European legal system, and in the past, individuals have won their trials," Ivan said. So the EU list has intentionally been kept to people with a "clear link to the violation of international law," he said.

In some cases, like those of the pro-Russian activists sanctioned by the EU for leading assaults on public buildings in Donetsk or Luhansk, it is an open question whether they have ever had real estate or other assets in EU member countries to be impounded.

The Europeans have also shied away so far from going after Russian companies, with Germany Chancellor Angela Merkel, leader of the EU's most powerful economy, indicating she believes that would be premature.

That difference in approach highlights a key variance in the Transatlantic economies. Unlike the United States, Europe gets much of its oil and natural gas from Russia. In fact, it is widely believed in Washington that to keep Russian hydrocarbons flowing to Europe, the Obama administration opted to exempt Gazprom, the Russian energy giant that is the world's leading natural gas extractor, from the U.S. sanctions list.

Kadri Liik, a senior policy fellow at the European Council on Foreign Relations in London, said she couldn't confirm that assessment, but that the American strategy so far had been one of "surgically targeted sanctions" designed to inflict economic pain on members of Putin's circle rather than damage the Russian economy overall.

In Moscow, the new U.S. sanctions were met with relief since they were milder than what many had feared. They did not target major sectors of the economy or affect public companies. The Russian stock market jumped 1 percent on the news, although Sechin's Rosneft dropped nearly 2 percent despite the fact the company itself had not been sanctioned.

Putin issued a warning late Tuesday that Western companies risk being shut out of Russia's energy sector.

Putin said he saw no reason for Russia to take retaliatory steps against the U.S. and European Union, as he said the Russian government has proposed.

But "if something like this continues, then of course we will need to think about who works and how they work in the Russian federation in key sectors of the Russian economy, including the energy sector," he added

Rosneft, which is 20 percent owned by BP, has formed a major partnership with ExxonMobil to explore for oil in both countries.

Berry reported from Moscow. Matt Lee in Washington contributed.

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Russia FM Criticizes EU, US Sanctions Over Ukraine

Associated Press, April 30, 2014

HAVANA (AP) — Russian Foreign Minister Sergey Lavrov on Tuesday rejected U.S. and European Union sanctions that seek to pressure Moscow over the crisis in Ukraine.

Speaking in Havana, where he met with Cuban counterpart Bruno Rodriguez, Lavrov criticized the penalties after the EU named 15 additional people subjected to sanctions earlier in the day.

"We reject the sanctions ... imposed by the United States and the European Union against all common sense, in relation to the events in Ukraine," Lavrov said.

The EU announcement brings to 48 the number of Russians or pro-Russian individuals in Ukraine targeted by the European bloc for sanctions. Any accounts or assets they hold in EU countries will be frozen, and they are barred from travel to the bloc's member states.

Washington has also expanded its own sanctions to include seven Russian government officials and 17 companies with links to Russian President Vladimir Putin.

The Cuban Communist Party newspaper Granma said the purpose of Lavrov's visit was to strengthen accords between the two countries. He met with President Raul Castro later to discuss bilateral cooperation.

Cuba is the first stop on a Latin American trip that will also take Lavrov to Nicaragua, Chile and Peru.

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Russia's Lavrov: Ukraine Sanctions Lack 'Common Sense'

AFP, April 30, 2014

Havana (AFP) – Russian Foreign Minister Sergei Lavrov on Tuesday denounced Western sanctions imposed on Moscow over the crisis in Ukraine, saying they lacked "all common sense."

"We reject sanctions in any form, in particular those sanctions adopted by the United States and the European Union," he said at a meeting with his Cuban counterpart Bruno Rodriguez.

The top Russian diplomat's comments came as Moscow accused Washington of bringing back "Iron Curtain" policies in the showdown over the former Soviet republic and as the West slapped fresh penalties on key figures – including Russia's military chief.

"We stand for the speedy settlement of this crisis," said Lavrov, speaking in Havana through an interpreter.

"A national dialogue that takes into account the views of all regions of the country is the only way forward."

Referring to the fall of former Ukrainian president Viktor Yanukovych, Lavrov thanked Cuba for its "firm support for the Russian position on the Ukraine crisis generated by the coup supported by Western powers."

He gained a resounding endorsement for Moscow's stance from Rodriguez, who said Cuba "energetically rejects" the Western sanctions.

Moscow and Havana were close allies for 30 years during the Cold War, until the collapse of the Soviet Union in 1991. After a rift under former Russian president Boris Yeltsin, the two resumed political and economic ties, as well as military cooperation.

While his meeting with Rodriguez was the only scheduled event of his stay on the communist island, Lavrov also met with Cuban President Raul Castro.

Castro welcomed "Comrade Sergei Lavrov ... to a brotherly meeting where they exchanged ideas on world affairs," the official Cuban news agency reported.

Lavrov was due to travel from Havana to Nicaragua on Tuesday, before heading on to Peru and Chile.

Putin Says Sanctions Jeopardize U.S., EU Energy Deals

By Olga Tanas, Jonathan Stearns And Terry Atlas

Bloomberg News, April 30, 2014

Russian President Vladimir Putin warned that further economic sanctions over the Ukraine crisis may lead Russia to reconsider participation by U.S. and European Union companies in energy and other key industries.

While his government has prepared measures to retaliate for penalties imposed by the U.S. and its allies, Putin told reporters in Minsk, Belarus, yesterday that he doesn't consider them necessary for now, though that may change.

If sanctions continue, "then of course we will have to consider who's working and how in the Russian Federation, in the key sectors of the Russian economy, including energy," he said. "We really don't want to take these reciprocal steps."

Putin's remarks added uncertainty for companies that have stakes in Russia's energy industry, including Royal Dutch Shell Plc and Exxon Mobil Corp. (XOM), which is planning Arctic drilling in an alliance with Russian state-controlled OAO Rosneft. (ROSN)

The Russian leader spoke hours after the EU expanded penalties against people close to Putin and companies tied to them, following similar steps a day earlier by the U.S., which yesterday called separatist violence in Ukraine's east "terrorism, pure and simple."

The EU and the U.S. say Russia hasn't lived up to an accord signed April 17 in Geneva intended to defuse the confrontation between the Ukrainian government and separatists supported by the authorities in Moscow. They've both warned that they'll levy penalties on entire Russian industries if Putin escalates by sending troops into Ukraine.

The EU added Russian Deputy Premier Dmitry Kozak to a list of people facing travel bans and asset freezes along with others including pro-Russian separatist leaders, according to a statement yesterday in the EU's Official Journal. The U.S. on April 28 targeted seven people, including Kozak and Igor Sechin, head of Rosneft, and 17 companies linked to Putin allies, such as InvestCapitalBank.

Russian markets rallied after the penalties. The Micex Index (INDEXCF) advanced 0.4 percent yesterday in Moscow after snapping a five-day losing streak to end 1.5 percent higher the day before. The ruble strengthened for a second day with a 0.3 percent gain against its basket of euros and dollars.

The EU action is "a relatively weak step compared to what's happening on the ground in Ukraine," Jan Techau, head of the Brussels office of the Carnegie Endowment, said by phone. "It's really quite a timid response. It reeks of compromise."

The EU said that the people on its list are "responsible for actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine." The latest names, which also include Valery Gerasimov, chief of the general staff of Russia's armed forces, and Igor Sergun, head of the main intelligence directorate, bring the number of people blacklisted to 70.

Kozak, 55, is overseeing the development of Crimea, the Black Sea peninsula that Russia annexed from Ukraine.

EU preparations for "stage three" measures that would affect broader sectors of the Russian economy are "very advanced," Maja Kocijancic, spokeswoman for European foreign-affairs chief Catherine Ashton, said on April 28 in Brussels.

"The shift toward tier three would be in the event of a very, very serious escalation of the type that you might associate with direct military invasions," Jean-Christophe Gray, spokesman for U.K. Premier David Cameron, said in London.

The sanctions are "forcing Russia to pay a steep price" for its role stoking tensions in Ukraine, U.S. Secretary of State John Kerry said yesterday in Washington.

U.S. companies are prohibited from doing business with individuals and entities on the sanctions list, and all assets of those designated that are within U.S. jurisdiction must be frozen, according to the U.S. Treasury Department.

The U.S. and its allies blame Russia for instigating the conflict in Ukraine that led to Russia's annexation of Crimea and the seizure of government buildings in eastern Ukraine.

The North Atlantic Treaty Organization says Putin has massed about 40,000 troops on Ukraine's border.

In the eastern Ukrainian city of Luhansk, hundreds of activists carrying sticks and waving Russian flags stormed the regional administration building yesterday and disarmed police. With gunshots sounding, the city's police chief quit over the protesters' demands, news service Interfax reported.

After international military observers were abducted by pro-Russian militants in the eastern town of Slovyansk last week, Russia's Foreign Ministry said yesterday in a statement that it's taking "practical steps" to secure their release.

The separatists said Ukrainian authorities hadn't contacted them about the hostages' release, the Donetsk militia commander, Igor Strelkov, told Russian state TV.

The U.S. condemned "the separatists' taking of hostages, both Ukrainians and international monitors, some of whom have been brutally beaten," the U.S. Embassy in Kiev said in a statement yesterday. "This is terrorism, pure and simple."

Kerry said "we see no evidence – no evidence at all – that Russia has actually pressured" separatists to release the international observers.

U.S. Air Force General Philip Breedlove, top military commander for NATO, said his intelligence showed "highly organized, highly supported forces in place" in eastern Ukraine and movements of Russian troops the border "would serve to continue the readiness of this force to do its mission, if it was asked to do its mission."

Most companies on the latest U.S. list are tied to Gennady Timchenko or brothers Arkady and Boris Rotenberg, who were placed on a sanctions list on March 20. They include the Volga Group, controlled by Timchenko, and InvestCapitalBank and SMP Bank, which are controlled by the Rotenbergs.

One of the most prominent individuals on the list is Sechin, 53, a Putin colleague at the St. Petersburg mayor's office before rising to become head of state-run Rosneft. Over the past decade he's built it into the world's largest publicly traded oil company by output and reserves.

Rosneft, in which British oil company BP Plc (BP/) owns 20 percent, isn't being sanctioned.

The EU has been reluctant to impose broader sanctions because of the potential harm to its member states, which rely on Russia for energy imports. Germany, Europe's largest economy, had $89 billion in trade with Russia in 2012.

The crisis has squeezed Russia's economy. The ruble has lost 7.6 percent against the dollar in 2014 and the Micex has dropped more than 13 percent. Standard & Poor's lowered Russia's credit rating last week to BBB- and the central bank unexpectedly raised its key interest rate by 50 basis points to 7.5 percent.

Ukrainian Premier Arseniy Yatsenyuk said yesterday that the nation's regions will be granted more autonomy, with lawmakers to agree on a new constitution by May 25, the date of presidential elections. The proposed changes would strip the president of the power to appoint regional governors, he said.

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US, EU Sanctions On Russians Amid Ukraine Crisis Have Little Impact On The Ground

By Michael Birnbaum

Washington Post, April 30, 2014

MOSCOW — The sanctions on Russian President Vladimir Putin's inner circle were supposed to roll back the chaos besetting eastern Ukraine. But here in Russia's blossoming capital, such a retreat is nowhere to be seen.

Some targets of the sanctions are sitting down for softball interviews on Kremlin-controlled TV channels. Moscow's stock market rebounded Tuesday for the second day in a row after the latest round of sanctions turned out to be weaker than expected. Chaos is spiraling in eastern Ukraine, where pro-Russian separatists stormed a regional government building in the roiling city of Luhansk on Tuesday. And tens of thousands of Russian troops remain arrayed on Ukraine's border.

Russian officials have acknowledged that the sanctions will affect the economy, particularly the technology and defense sectors. But some of the targets have rolled their eyes, saying the United States and Europe are only inflicting wounds on themselves.

"After analyzing the sanctions against our space industry, I suggest the U.S. delivers its astronauts to the ISS with a trampoline," Russian Deputy Prime Minister Dmitry Rogozin, the recipient of a U.S. asset freeze and travel ban, said Tuesday, referring to the international space station. The United States relies on Russian space shuttle flights to launch astronauts into orbit.

Obama administration officials say the impact of the sanctions cannot be measured through stock market gyrations or the defiance of Russian officials. They also say that Putin may be hesitant about a full-blown invasion of eastern Ukraine because of the threat of wide-ranging freezes targeting the banking and energy sectors, which would wreak havoc on Russia's economy.

"We believe that [sanctions] can affect Russia's calculus over time," a senior administration official told reporters in a background conference call this week. The

Moscow stock market is down 13.2 percent for the year, and the ruble is down 7.6 percent against the dollar — but those declines started before any sanctions were announced.

The latest U.S. move targeted companies owned by Russian officials and businesspeople already hit by a first round of sanctions, and it expanded the list of Putin confidants whose U.S.-based assets are now frozen and who will not be issued visas for travel to the United States. Exports to Russia of U.S. technologies that could have military uses were put on hold.

The European Union followed Tuesday with sanctions of its own, but it focused on officials tied to the chaos in Ukraine, not on the private sector.

In Moscow, life continues largely as before, a reflection of a sanctions strategy that has largely spared ordinary Russians — except for the sinking value of the ruble. Muscovites took advantage of a gust of warm weather this weekend to flock to parks, where the scent of grilled shish kebab and blooming tulips permeated the air. Workers in bright uniforms carefully applied new layers of paint to winter-blasted buildings and benches.

Ahead of a long holiday that begins May 1 and for many Russians will extend until after Victory Day on May 9, news channels have given as much weight to packed tourist flights heading to the newly Russian-controlled Crimea — an autonomous Ukrainian region until last month — as they have to the sanctions.

Russians "are not really feeling those sanctions, and I think they are not intended to be felt by ordinary citizens," said Grigorii Golosov, a professor of political science at the European University of St. Petersburg. "They are intended and often explained as having a short-term effect, but they can't, and they won't."

Instead, Russian officials have said that pressure from the sanctions would come at a more leisurely pace.

"The gravity of these measures is absolutely obvious to us," Russian Deputy Foreign Minister Sergei Ryabkov said Tuesday in an interview with Gazeta.ru, a news Web site. He said they were a "revival" of a Cold War sanctions regime in which "countries of the West effectively dropped the Iron Curtain on deliveries of high-technology products to the Soviet Union."

Some targeted officials, meanwhile, appear to be receiving rewards for their black-list status. Gennady Timchenko, who sold his stake in the Swiss-based oil trader Gunvor last month hours before being hit by U.S. sanctions, was appointed head of the Russian half of the Russian-Chinese Business Council on Tuesday, the Izvestia newspaper reported.

The U.S. Treasury Department said at the time that Putin was thought to have access to Gunvor funds, a charge the company denied. The new round of U.S. sanctions includes 11 companies owned or controlled by Timchenko.

Administration officials must also contend with the risk that sanctions that hurt the Russian economy will also affect those of Europe and the United States, yet another limit on the speed and power of the effort. The Monday listing of Igor Sechin, the head of oil giant Rosneft, will complicate his company's business relationship with Exxon Mobil, which is exploring the Arctic region with the Russian company.

But sanctions targeting individuals rather than industry sectors are unlikely to have a big effect on behavior, said Kirill Rogov, a senior researcher at the Gaidar Institute for Economic Policy in Moscow.

"No one will stop buying oil or gas because of these sanctions," he said.

Not Getting Through To Mr. Putin

New York Times, April 30, 2014

The United States and the European Union announced another round of sanctions against Russia on Monday and Tuesday — the Americans against Russians close to President Vladimir Putin, including the president of the state-owned oil company Rosneft, and the Europeans against senior Russian officials and secessionist leaders in Ukraine. The stated reason is that Russia has fulfilled none of the commitments it made at a meeting with Ukraine, the United States and the European Union in Geneva on April 17, and that Russia's "involvement in the recent violence in eastern Ukraine is indisputable."

The action is justified, and for all of Mr. Putin's bluster, the economic uncertainty generated by sanctions is accelerating Russia's slide to recession. The same Russians who are cheering Mr. Putin on are rushing to get their money out of Russia. On Friday, citing the capital flight, Standard & Poor's cut Russia's credit rating to a notch above junk. Moreover, powerful Russians like Igor Sechin, Rosneft's president, like to see themselves as globe-trotting chief executives, and not as Putin cronies.

Yet given Mr. Putin's demonstrative disdain for the Geneva agreements, along with the aggressive behavior of Russian troops massed on Ukraine's borders and the continued occupation of administrative and security buildings in southeastern Ukrainian cities by Moscow-directed secessionists, such targeted penalties are not likely to change Russia's behavior. And the sort that would — coordinated United States-European Union sanctions on financial institutions, the energy sector or defense industries — have proved very difficult to construct, largely because of the substantial difference between American and European exposure to Russia's economy.

About a quarter of the European Union's gas supplies come from Russia, and despite years of talk about reducing this dependence, little has been done. European Union trade with Russia, moreover, amounted to almost $370 billion in 2012, compared with United States-Russia trade of $26

billion. This includes some huge sales, like the two helicopter carriers France is building for the Russian Navy as part of a $1.6 billion deal signed in 2011. What that means is that any sanctions that really bite will cost Europe a lot more than they cost the United States.

But there will be other costs if Europe and America do not join in a unified response. Among other things, a weak and fragmented response would call into question a longstanding trans-Atlantic commitment to protect international law and democratic values against the kind of aggression Mr. Putin is engaging in. And optics here are important: The decision of Gerhard Schröder, the former German chancellor, to meet with Mr. Putin on Monday in St. Petersburg and embrace him in a bear hug sent an unacceptable signal that some prominent Europeans are willing to ignore Mr. Putin's brutish ways.

One result has been pressure on President Obama, largely from Republicans in Congress but also within his own administration, to act unilaterally. That would be a mistake, and Mr. Obama has been right to maintain a unified front with the Europeans even if that has slowed and weakened the response. As he correctly told reporters in Asia, if America were to block certain arms sales to Russia unilaterally, European contractors would simply move in.

Acting separately would also fit into Mr. Putin's efforts to split the United States from Europe, and East Europeans from the West Europeans, by consistently painting the United States as the orchestrator of discord in Ukraine. But Ukraine is very much a European crisis. It was an accession treaty offered by the European Union that touched off the current crisis, and it is the European Union's eastern members who are most threatened by Mr. Putin's efforts to revise the post-Wold-War order.

Europe's concern over the economic repercussions of broader economic sanctions are understandable. But that should not lead to any myopia about the danger Mr. Putin poses and the need to rein him in. His authoritarian behavior at home, his disdain for the Geneva agreement and, most recently, the capture of a European military observer mission in Slovyansk should persuade all European leaders that, as Foreign Minister Frank-Walter Steinmeier of Germany told the magazine Spiegel, "We've slid into the worst crisis since the end of the Cold War." That crisis will only get worse unless the West is prepared to unite behind serious economic sanctions that hurt Russia's financial, energy and military sectors.

From Kharkiv To Brussels

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Challenging Putin's Values

By Thomas L. Friedman

New York Times, April 30, 2014

While you can talk about Ukraine until the cows come home, this story is 95 percent about Vladimir Putin and how he has chosen to define Russia's interests. The truth is, Russia and its neighbors need a different definition of Russia's interests. That, however, raises a series of questions: Can Moscow ever define its interests differently under Putin? If not, how do we deter him without also weakening Russia to the point of instability? And if we do induce such instability over time with sanctions, do we know what comes next and will we be better off?

I think America and the European Union have done exactly the right thing in ratcheting up sanctions on Putin, to try to stop him from destabilizing Ukraine further and preventing the presidential elections there on May 25 from producing a legitimate government. But we'd also better be ready for the consequences of success.

When we lived in a world of walls — during the Cold War era — weakening Russia was a strategy that seemed to have only upsides. But in a world of webs, a world that is not only more interconnected but interdependent, the steps we take to make Russia weaker can also come back to haunt us. When the world gets this tightly interwoven, not only can your friends kill you as quickly as your rivals (see Greece), but your rivals crumbling can be as dangerous as your rivals rising (see Russia or China).

Russia still has thousands of nuclear warheads that need to be controlled, and hundreds of nuclear bomb-designers. We need Russia's help to control mafia crime, drug trafficking and cybercrime. And we need a stable Russia to serve as a counterbalance to China, to be a global energy supplier and to provide a social safety net for all its elderly.

The sanctions thus far will not cripple Russia, but, over time, they will sap its strength, and, if widened, will really hurt. Will Putin change? Today's globalization doesn't mean leaders won't do crazy, aggressive or nationalistic things that rattle markets and seemingly defy their economic interests. Putin has already confirmed that. But it does mean that whatever price an autocrat is willing to pay for such behavior will almost always be bigger, and come faster, than anticipated.

Look how just our limited sanctions triggered a stampede by the electronic herd of global investors who have pulled more than $50 billion out of Russia this year. Standard & Poor's just cut Russia's rating to one notch above junk status, raising its borrowing costs. The same day, Russia's central bank boosted a crucial interest rate from 7 percent to 7.5 percent to try to stave off a run on the ruble. Russia's currency has lost nearly 8 percent against the dollar this year, while its stock market is off 13 percent.

Bloomberg News reported last week that: "Russia scrapped bond sales for the seventh time in eight weeks as

investors demanded higher yields." That is why S.& P. added that continued regional tensions could "further undermine already weakening growth prospects."

I take no joy in seeing Russia put under economic stress, and we should be ready to consider its legitimate interests in terms of protecting its borders. But the problem today is how President Putin defines those interests. It's bogus. After all, what is Ukraine trying to do? Host U.S. nuclear missiles? No. Join NATO? No. It isn't even trying to become a full member of the E.U. It wants to sign an "Association Agreement" that would provide Ukrainian companies more unfettered access to European markets and require them to abide by E.U. regulations, which Ukrainian reformers believe would help drive more rule of law inside their own country and make it more globally competitive. The Ukrainians want to import E.U. rules, not NATO missiles!

It's actually what Putin should be trying to do for his country, rather than trying to prevent his neighbors from associating with Europe. But Putin is focused on building the power of his state, not the prosperity of his people. And he wants total political control and the right for him and his clique to steal vast sums, while seeking out foreign devils to distract the Russian public. These are not geopolitical interests that we have to respect.

Ukraine is not threatening Russia, but Ukraine's revolution is threatening Putin. The main goal of the Ukraine uprising is to import a rules-based system from the E.U. that will break the kleptocracy that has dominated Kiev — the same kind of kleptocracy Putin wants to maintain in Moscow. Putin doesn't care if Germans live by E.U. rules, but when fellow Slavs, like Ukrainians, want to — that is a threat to him at home.

Don't let anyone tell you the sanctions are meaningless and the only way to influence Russia is by moving tanks. (Putin would love that. It would force every Russian to rally to him.) If anything, we should worry that over time our sanctions will work too well. And don't let anyone tell you that we're challenging Russia's "space." We're not. The real issue here is that Ukrainians, as individuals and collectively, are challenging Putin's "values."

We couldn't stop them if we wanted to. They've been empowered by globalization and the I.T. revolution. Get used to it, Comrade Putin.

Kerry: U.S. Taped Moscow's Calls To Its Ukraine Spies

The Daily Beast, April 29, 2014

The secretary of state claimed in a private meeting that the U.S. intelligence community has recordings of pro-Russian forces being managed by government handlers in Moscow.

The United States has proof that the Russian government in Moscow is running a network of spies inside eastern Ukraine because the U.S. government has recordings of their conversations, Secretary of State John Kerry said in a closed-door meeting Friday.

"Intel is producing taped conversations of intelligence operatives taking their orders from Moscow and everybody can tell the difference in the accents, in the idioms, in the language. We know exactly who's giving those orders, we know where they are coming from," Kerry said at a private meeting of the Trilateral Commission in Washington. A recording of Kerry's remarks was obtained by The Daily Beast.

Kerry didn't name specific Russian officials implicated in the recordings. But he claimed that the intercepts provided proof of the Russians deliberately fomenting unrest in eastern Ukraine—and lying about it to U.S. officials and the public.

"It's not an accident that you have some of the same people identified who were in Crimea and in Georgia and who are now in east Ukraine," said Kerry. "This is insulting to everybody's intelligence, let alone to our notions about how we ought to be behaving in the 21st century. It's thuggism, it's rogue state-ism. It's the worst order of behavior."

Representatives for the State Department and the Office of the Director of National Intelligence did not respond to requests for comment.

Kerry has asserted publicly before that Russian intelligence officers were the "catalyst" behind the riots and government building takeovers in eastern Ukraine. But on Friday he told the private audience why he—and the U.S. intelligence community—were so sure of this assessment.

If U.S. intelligence agencies have intercepted proof of Russia's destabilization operations, as Kerry claims, it means that the code-breakers and eavesdroppers in the National Security Agency and the broader American armed forces have overcome Russian efforts to hide their military communications. In March, the Wall Street Journal reported that U.S. agencies were surprised that it had not collected any telltale signs of the Crimea stealth invasion at the end of February, suggesting the Russians had managed to give such orders without the United States knowing about it.

"Intel is producing taped conversations of intelligence operatives taking their orders from Moscow. We know exactly who's giving those orders, we know where they are coming from."

The U.S. European Command relies primarily upon the RC-135 Rivet Joint to vacuum up electronic communications from Russia. These jets—variants of the Boeing 707 model—are equipped with advanced sensor and signal intercept packages. The other primary spy plane used by U.S. Navy to eavesdrop on such communications is the EP3, flown out off U.S. naval stations in Rota, Spain and Sigonella, Italy. The EP3 is the same spy plane grounded by the Chinese military

at the beginning of the George W. Bush administration in 2001.

The Russians are also listening in on the conversations of Ukrainian and Western officials. U.S. intelligence agencies believe that Russia has been behind a spate of such intercepted telephone conversations leaked out on the Internet and publicized by Russian state media. Traditionally the Russians use their own Beriev A-50 surveillance and early-warning aircraft to spy on the communications of its adversaries.

Kerry previewed to the group of influential world leaders Monday's announcement that the Obama administration is adding a group of Russian officials, businessmen, and institutions to its sanctions list. He gave new details about the administration's planning of economic assaults on broad sections of the Russian economy that the U.S. would impose only if Vladimir Putin decides to launch an all-out invasion of eastern Ukraine.

"I'm not convinced he's made the decision to cross the line with his troops because then it's absolutely no question that its full force sector sanctions, energy, banking, finance, technology, arms, you name it, they are all on the table," Kerry said. "We are trying to find a way to do sector sanctions so it is minimal negative impact on Europe and Canada and the U.S. but maximum impact on Russia. We believe there is a way to do sector sanctions with a scalpel, not a sledgehammer."

Kerry said that he believes there is discord within the camp surrounding Putin and that Putin is now feeling pressure to relinquish his policy of aggressively interfering inside Ukraine.

"There's a hardcore group around President Putin and the hardcore group… and they are pushing him forward, and then you've got a group of economic people that are urging caution," said Kerry. ""Already I know that people close to him aren't happy."

Among those increasingly unhappy with Putin these days is the government of China, according to Kerry.

"The Chinese are very nervous about what Russia is doing. We have talked to the Chinese about it. There are obvious reasons that China is concerned about it," he said.

The Europeans share some of the blame for exacerbating the tensions inside Ukraine late last year, according to Kerry's version of events.

"Some folks in Europe made mistakes, the association agreement became too much of an East-West tug of war. It shouldn't have been," Kerry said.

Kerry expressed anger and despair at Russian Foreign Minister Sergei Lavrov. The Secretary of State accused his Russian counterpart of lying to him about Russia's willingness to abide by an international agreement to de-escalate the Ukraine crisis.

"Right now there is not a negotiation; there is a confrontation. I'm sad to report I've never seen such a complete, miserable, unaccountable, disgraceful walk away from a set of promises and understandings than what has taken place," Kerry said. ""I've had six conversations with Lavrov in the last weeks. The last one was kafta-esque, it was other planet, it was just bizarre. Nobody is better at telling you that red is blue and black is white… That's what we are dealing with."

Ukraine, Sanctions Expected To Dominate Merkel's Obama Meeting

By Anton Troianovski And Carol E. Lee

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Surge In Sign-ups Did Not Change Views About Obamacare, Poll Shows

By Tom Howell Jr.

Washington Times, April 30, 2014

A closely watched poll said a late surge in Obamacare sign-ups had no effect on Americans' views of the health care law, with 46 percent holding an unfavorable opinion and 38 percent seeing it in a favorable light.

The April Kaiser Health Tracking Poll said that is no different than last month, despite President Obama's celebration of 8 million people who signed up for private health plans under his signature overhaul.

Still, nearly six in 10 people — 58 percent — want their lawmakers in Congress to try to improve the law, while slightly more than a third (35 percent) want them to work on repealing and replacing Obamacare.

"As expected, Republicans are far more likely to say the law is still not working than Democrats, with independents in the middle," the nonpartisan Kaiser Family Foundation said. "Among Democrats, though, about a third believes the law is still not working."

Kaiser also asked people who remain uninsured why they chose to uninsured and risk paying a fine under the law's "individual mandate," which requires almost all Americans to hold insurance if they can afford it.

More than a third said they tried to obtain coverage but it was too expensive, while others (14 percent) said they did not think the mandate applied to them, they did not know about the requirement (13 percent), or they tried to get covered but were unable to (12 percent).

Only 7 percent said they would rather pay the fine than buy insurance.

Respondents by a 2-to-1 margin said they support an Obamacare rule that requires employer-sponsored health plans to insure birth control. Asked specifically about for-profit

entities with a religious objection to the services, more than half (55 percent) still felt the companies should comply with the mandate

The Supreme Court is set to rule by June on whether for-profit entities should be forced to insure birth control, despite their faith-based objections to certain types of contraceptives.

Poll: Uninsured Americans Still Think Obamacare Is Too Expensive

By Sarah Hurtubise

Daily Caller, April 29, 2014

Obamacare's many problems have convinced a majority of Americans to conclude that the health-care law isn't working as intended, according to a Kaiser Family Foundation poll released Tuesday.

The nonprofit, which has released a monthly tracking poll on the health care law since its passage in 2010, found that 57 percent of respondents believe that "there have been so many problems since the law's rollout that it's clear the law is not working as planned." Just 38 percent believe that despite "early problems," the law is now "basically working as intended."

The poll found that 46 percent have unfavorable opinions of the health care law, while 38 percent view it favorably. There's been no change in Obamacare's favorability since last month, although a Washington Post-ABC poll also released Tuesday saw a five-point drop in approval of the health care law. (RELATED: Obama's Support Reaches Record Low, Says Washington Post Poll)

Obamacare's last-minute enrollment boost occurred largely before last month's tracking poll, and still the public's view on the health care law has stagnated. Critics have focused on Obamacare's small dent in the uninsured population — if the rest of Obamacare goes as planned, the Congressional Budget Office predicts that 31 million Americans will remain uninsured in ten years.

The primary reason Americans are staying uninsured is still the cost of health care, Kaiser found. Health insurance is too expensive according to 39 percent of uninsured respondents. Twenty-two percent of respondents blamed job-related factors, such as recently losing a job or working for an employer that doesn't offer insurance, for remaining uninsured.

Almost half the uninsured respondents expect to pay a fine this year for not purchasing health insurance.

The uninsured aren't alone. According to the Washington Post-ABC poll Tuesday, 58 percent of Americans think the health care law is causing higher health care costs overall and 47 percent believe its making the health care system worse.

But while health insurance remains too expensive for millions of Americans, some media outlets used the poll's results to argue for Obamacare's unadulterated success. (RELATED: Ezra Klein's Vox Salivates Over Obamacare Sign-Ups)

"Despite the facts, America has convinced itself Obamacare is a disaster," writes Vox's Sarah Kliff.

"Nearly six in 10 Americans (57 percent) said the law fell "short of expectations" on sign-ups. About a third thought that the law had either met or that it exceeded sign-ups expectations. (The second option, by the way, is the right answer: 8 million people signed up for private coverage on the exchanges after budget forecasters had projected 7 million.)"

"This means there's some universe of people who think Obamacare hit 8 million enrollees — and also think it fell short of sign-up goals," Kliff concludes.

Vox fails to note that the public has received no data about how many Americans have purchased exchange plans. The Congressional Budget Office projected that 7 million Americans would purchase exchange coverage; while 8 million people have signed up for exchange insurance, the Obama administration has not released data on how many have paid their first premium, let alone how many have continued to pay after the first month.

White House press secretary Jay Carney has accepted experts' estimate that 80-85 percent of sign ups will pay their premiums. While it's possible that paying customers will surpass seven million, so-called explanatory journalism outlet Vox declined to explain the payment issue at all.

The lingering question of how many sign-ups will pay is emphasized by the affordability problem for the uninsured; it's possible that previously uninsured sign-ups will be less likely to pay their premiums than those who had already willingly paid for health insurance.

The latest estimate from RAND Corporation found that just 36 percent of sign-ups were previously uninsured.

Why The Uninsured Are Sitting Out Obamacare

By Jason Millman

Washington Post, April 30, 2014

With Obamacare's first enrollment period finally in the books, two new surveys out this morning offer new insight into why the still-uninsured decided to remain on the sidelines this year. Hint: It has a lot to do with cost.

This newest monthly Kaiser Health Tracking poll, which has provided some of the most reliable data on the public's opinion interaction with the Affordable Care Act over the past four years, finds that nearly 4 in 10 uninsured adults cited affordability as their main reason for skipping health insurance coverage. Twenty-two percent cited employment

reasons (they were unemployed or couldn't get coverage through their job), while another 11 percent said they missed the deadline and 9 percent said they just didn't want insurance.

And how much of a motivator is Obamacare's individual mandate? When Kaiser asked people about the requirement to have insurance, it didn't change their affordability calculation much — 36 percent cited affordability as their main reason for staying uninsured.

Interestingly, about half (45 percent) of the uninsured said they thought they would have to pay the individual mandate penalty this year, though actual enforcement of the mandate will likely be light this year. Further, the population of people who'd trigger the mandate is likely much smaller — the Congressional Budget Office previously projected just 2 percent of the total population, or 6 million people, would have to pay the mandate penalty in 2016.

The industry-backed Enroll America offers further context on the affordability question in a new report analyzing the group's efforts to increase enrollment in 10 states. Based on conversations with about 1,350 people who attempted to get insurance but ultimately didn't, Enroll America found Web site issues (37 percent) and affordability (21 percent) ranked among the top two reasons for not enrolling.

Now, the Enroll America data aren't nationally representative of the population of uninsured Americans, and the group only focuses on individuals in urban areas in 10 states where the federal government is running the local Obamacare insurance marketplace. The report pulls out a couple of trends, though, that are notable.

For starters, complaints about Web site problems decreased each month from November 2013 to February 2014, but they didn't go away entirely. More than half of consumers (56 percent) in November reported technical problems, which decreased to 27 percent in February, according to the Enroll America report.

Meanwhile, the group said complaints about the lack of affordable health-care options increased each month during the signup period (8 percent of complaints in November, compared to 29 percent in February). Enroll America said this could be a reflection of more people advancing to the point where they had to pick a health plan.

We've heard all along from the industry that sicker people would be among the first to sign up for Obamacare insurance – and cost could be less of an enrollment barrier for them, since they have greater health-care needs. People who waited longer to sign up were expected to be more sensitive to price since they didn't feel as great of a need for coverage.

Ultimately, you'd expect in the future that Web site problems that plagued the roll-out this past year will be less of an issue going forward. The affordability question, though, isn't going away.

The White House's Obamacare Victory Lap Looking More Like A False Start

By Aaron Blake

Washington Post, April 30, 2014

Democrats have been claiming a turning point in the battle over Obamacare for the better part of the last month. First came the news that 8 million people had signed up – exceeding the law's goals – and then came the Congressional Budget Office report that its cost estimates are decreasing.

President Obama even took something of a victory lap, declaring the debate over his signature health-care law over.

When it comes to the American people, though, there has been basically zero rallying effect. And in fact, they still expect Obamacare to do significantly more harm than good – in about the same proportions as before.

As we have noted, a new Washington Post-ABC News poll shows approval of the law and of Obama's implementation of it have dropped after a momentary boost. Americans disapprove of the law overall 48-44 and disapprove of Obama's implementation 57-37.

What's perhaps more telling is that, despite the rare good news of the past few weeks, their perceptions of the law remain basically as-is – that is, pretty dim. To wit:

Americans say 50-41 that the implementation of the law has been worse than they expected rather than better.

They say 44-24 that the health-care system is getting worse rather than getting better as a result of Obamacare.

They say 29-14 that the quality of care is getting worse rather than better.

They say 47-8 that their health-care costs are increasing due to the law rather than decreasing.

They say 58-11 that the overall cost of health care in the United States is increasing rather than decreasing.

Almost all of these numbers are basically unchanged from in recent months. The one exception would be a slight uptick in the percentage of people who say the law is making things better (from 19 percent in December to 24 percent today).

But even with that, the law's long-term prognosis – (ahem) so to speak – hasn't changed, with Americans still seeing it as more expensive than it needs to be for both themselves and the country. And nearly twice as many still say the law is making things worse rather than making things better.

And then there's the new Kaiser Family Foundation poll, which shows just 38 percent of people think the law is working as intended despite its rocky start, while 57 percent say it's not working the way the White House hoped.

And, perhaps most strikingly, a strong majority of Americans actually think the Obamacare sign-ups that the

White House has touted came in below expectations rather than above them.

Few things demonstrate how badly Democrats are losing this argument right now; even when it comes to their one big Obamacare "victory," Americans say almost three to one that it's actually a negative.

The totality of the polling shows that the law is viewed in pretty much the same light as it was when it was plagued by Web site problems and cancellation notices. The sign-ups and the CBO report haven't fundamentally changed much of anything.

The White House, of course, will continue to press the case that the law is working, and it is winning. It has to, politically speaking, if it wants to rally support for the midterm elections.

For now, though, Obama and the Democrats are still confronting a public that is quite skeptical.

Report: Mississippi Congressman Sees Racism In Anti-Obamacare Fervor

By Kyle Cheney

Politico, April 29, 2014

A Mississippi congressman has accused Republican Gov. Phil Bryant of turning down Obamacare's Medicaid expansion "just because a black man created it," according to a report by BuzzFeed, which posted a YouTube clip of the remarks.

The comments by Democratic Rep. Bennie Thompson came during an interview he gave over the weekend to a New Nation of Islam radio program, according to BuzzFeed. Thompson adds that much of the Republican opposition to Obamacare is "all about race."

Aides to Bryant and Thompson were not immediately available for comment.

Price Of Fixing Obamacare Website Rises To $121 Million

By Tom Howell Jr.

Washington Times, April 30, 2014

Fixing the Obamacare website and improving it so it's ready to handle a second round of enrollments will cost the federal government $121 million, according to Accenture, the contractor hired to repair the glitchy website after the original contractor, CGI Federal, was fired.

That cost is roughly $30 million more than initially projected, underscoring the price of trying to keep President Obama's signature domestic law on track. The price is also about $30 million more than the reported value of CGI's initial Obamacare contract, signed in 2011.

Accenture announced the deal in a press release on its website, saying the contract includes "enhancing the back-end capabilities to improve issuer payments," adding fuel to recent suggestions there is plenty of work left on the so-called "back-office" functions of the exchange that make sure subsidy and premium payments are calculated correctly.

Government officials said the new contract requirements include functions that were not included in the initial launch.

Earlier this year, the Centers for Medicare and Medicaid Services set aside $45 million in up-front payments and reserved an additional $45 million to cover anticipated costs. The final amount, valued at an additional $31 million than the aggregate, is based on an informed review of the federal exchange an its needs, officials said.

"As CMS moves forward in our efforts to help consumers access quality, affordable health coverage, we have finalized a one-year agreement begun in January with Accenture to continue their work on Healthcare.gov," spokesman Aaron Albright said in a statement. "We are pleased that more than 8 million consumers have enrolled in a private plan through the federal Marketplace and look forward to continuing to work with Accenture to prepare for the next open enrollment period."

The federal exchange and various state-run portals experienced widespread glitches when they launched in October, threatening to kill Mr. Obama's health overhaul in its infancy. While tech gurus righted the federal exchange by December, several state exchanges are still dealing with their websites' problems.

House Passes Bipartisan Obamacare Fix

By Ashley Alman

Associated Press, April 30, 2014

The House approved bipartisan legislation Tuesday to exempt U.S. health plans sold to expatriate workers from having to comply with requirements under the Affordable Care Act.

The measure, which passed 268-150, is aimed at helping U.S. insurance companies like Cigna and MetLife that are at a competitive disadvantage with foreign firms that do not have to comply with ACA requirements such as free preventive care and a ban on lifetime coverage limits. Sixty Democrats joined most Republicans in voting "yes," while 17 Republicans opposed the legislation.

There is widespread agreement on the need for a fix under the health law for U.S.-written expatriate plans that can be sold to Americans working overseas and foreigners working here or elsewhere. But senior Democrats and the White House opposed the bill that was advanced Tuesday, saying it contained deal-killing loopholes, including opening the possibility that legal permanent U.S. residents could be sold expatriate plans that don't meet the basic requirements of the health law.

"We do need to fix the expat issue, but not by unfixing health care reform," Rep. Sander Levin, D-Mich., said.

Supporters of the bill said that after working on the issue for years it was time to bring it to a vote, and further changes could be made as it moved through the Senate. They said the measure was needed to protect thousands of U.S. jobs that would disappear if U.S. companies that issue expatriate health insurance can't compete with foreign firms.

"This bill represents a very narrow change to the law that saves jobs," Rep. Charlie Dent, R-Pa., said. "This bill simply mends the law. It doesn't end the law."

The GOP-controlled House has passed more than 50 bills to repeal, cancel out or otherwise uproot President Barack Obama's health law, and it remains a potent political issue heading into the November midterms. Yet Republicans increasingly appear to be acknowledging that the law is here to stay, especially since the first open enrollment period ended with larger-than-expected sign-up numbers.

Most in the small group of Republicans voting "no" Tuesday were staunch conservatives who contend the health law is not fixable. But for the most part Tuesday's debate was notable in its focus on the issues raised by the expatriate bill, not the larger politics that have dogged "Obamacare" for years.

"The ACA is a political weapon in a longer political war on both sides of the aisle," said Rep. John Carney, D-Del., a sponsor of the bill. "Let's call a temporary truce in that battle today to protect those jobs."

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House GOP Debuts $51.2B Appropriations Bill

By David Rogers

Politico, April 29, 2014

House Republicans rolled out their budget for science, commerce and justice programs Tuesday — a $51.2 billion package that outbids President Barack Obama in many cases and will require future cuts from other domestic accounts to make room under the 2015 spending caps.

The National Science Foundation is promised $7.4 billion, an increase of $237 million more than current levels and an estimated $160 million above Obama's core budget request. The National Aeronautics and Space Administration would get $17.9 billion or $494 million more than Obama again. And the $8.47 billion slated for the FBI is $120 million more than the president's base budget.

Elsewhere there are traditional Republicans cuts impacting legal services for the poor and the community policing or COPS program — a favorite of Vice President Joe Biden. And within the Commerce Department, the administration's climate initiatives and the National Institute of Standards and Technology appear to face cuts.

(POLITICO's full coverage of the budget)

But on balance, the bill is about $1 billion higher than Obama's base budget for 2015 and illustrates the great zero-sum game that will define the appropriations debate this summer and next fall.

All sides are bound by the same spending cap: almost $1.014 trillion, split roughly evenly between $521 billion for defense and $492 billion for domestic programs and foreign aid. So whenever Congress goes over the president's numbers, that means it will have to come back and find cuts down the road.

In this case the differences are exaggerated by a significant scoring dispute between the White House and Congressional Budget Office over the treatment of the crime victims fund within the Justice Department. But Senate Democrats must cope with the same problem as the House GOP. And the reality is the extra $1 billion for commerce, law enforcement and science will have to come out of another's bill's hide.

Most vulnerable is the giant annual measure funding labor, health and education programs — a top priority for the president. And Appropriations Chairman Hal Rogers (R-Ky.) has already signaled that he can find cuts there to offset increases elsewhere.

Rogers will show his hand more when he outlines his full slate of allocations for the 12 bills — likely next week. But the path ahead is not as easy for his Senate counterpart, Sen. Barbara Mikulski (D-Md.), who is much more committed to protecting health and education spending.

Indeed, the timing of the House committee's release Tuesday morning added to the squeeze on Mikulski.

The same commerce, justice and science bill is her home turf. She has personally managed it for years in the Senate and will be sensitive to matching what the House proposed for science.

On top of this, the Maryland Democrat was chairing a hearing Tuesday afternoon in which she argued that the strict budget caps are hurting investments in needed research.

Obama's budget includes a separate "Opportunity, Growth and Security Initiative" outside the caps, including an extra $522 million for the NSF. But the president's vision is more symbolic at this stage given the politics of this Congress. And Mikulski knows that for this year at least she has to stay within the limits agreed to last December.

"If we cannot practice fiscal discipline today, we will pay a much higher price in the future," warned her ranking Republican, Alabama Sen. Richard Shelby, at the same hearing. But Mikulski asked: "Are we running an innovation deficit? Yes we have to focus on our budget deficit but are we becoming so austere we could be capping our future growth."

"Discovery is part of our nation's DNA, It's what makes America great," she said. "But to have innovation, we need to fund research and development…We want our sciences to

win the Nobel Prizes and we want our businesses to win the markets."

Despite Pentagon Spending Cap, Projects Such As Growler Jet Get Another Chance At Funding

By Christian Davenport

Washington Post, April 30, 2014

It wasn't looking good for the Growlers. The Boeing-made fighter jets, used to jam enemy radar, were left out of the Pentagon's budget for next year. And with spending strictly limited by a budget cap, the plane seemed headed for extinction.

But in reality, the Growlers aren't dead yet. Like dozens of other programs, the EA-18G Airborne Electric Attack Aircraft, as they're officially known, have ended up on something called the "unfunded priorities list," an inventory of what the Pentagon would like to buy if it had several extra billion dollars to spend.

Securing a spot atop the Navy's list has given Boeing hope, and the company has launched an aggressive lobbying campaign, in the media and on Capitol Hill, where it has urged lawmakers to come up with $2.1 billion for the 22 airplanes the Navy has said it would like to buy.

As Congress begins to wade through the Pentagon's budget this week, deciding what stays and what goes, lawmakers will face a temptation that it has not seen in the past few years: robust wish lists, loaded with all sorts of shiny, new things they supposedly cannot afford to buy.

Former defense secretary Robert Gates had all but banned the lists, which allow the services to bypass the secretary's office and go directly to Congress. But now, in an election year, they are back — resurrected by a member of Congress — stark reminders of how even in an era of tightened budgets, defense spending exerts a powerful pull.

Critics say dangling page upon page of ships, aircraft and training programs before Congress can act as a gateway to the kind of out-of-control spending that lawmakers have vowed to curtail. If the items were such a priority — or a "requirement," as they are sometimes called — then they would have been funded in the first place, they say.

Or put another way, said American University's Gordon Adams, an expert on defense spending, they are like telling a 4-year-old he absolutely can't have a lollipop and then asking: But if you could have a lollipop, what flavor would you want?

"The services game the system with the expectation that there will be more money," Adams said. "So they don't make the hard choices. Nothing has been done to truly suppress the appetite of the services. . . . It's an undisciplined and chaotic process right now."

For the second year in a row, the base defense budget is held under a strict budget cap, $496 billion, that is supposed to force Congress and the Pentagon to make tough choices about what to fund. That figure is several billion dollars lower than just a few years ago. Rep. Howard P. "Buck" McKeon (R-Calif.), chairman of the House Armed Services Committee, requested the supplemental lists earlier this year, saying that "defense funding is substantially underfunded to meet national security requirements."

He wanted his fellow members to see what options were available as they begin marking up the budget starting Wednesday.

"You can't really understand the trade-offs until you see what landed on the cutting-room floor," said Claude Chafin, a spokesman for the committee.

Budget experts say that if Congress wants to give in to the temptation of the list, it has a mechanism for freeing up cash to buy things: The Overseas Contingency Operations fund, which pays for the wars in Iraq and Afghanistan, can be used as a buffer.

Even though the wars have wound down, the war fund has remained robust. Last year, it hit about $85 billion, nearly $6 billion more than the Pentagon asked for. And Congress has used that additional money to make room for items in its base budget, said Todd Harrison, a defense analyst at the Center for Strategic and Budgetary Assessments.

He estimated that the Defense Department last year moved $20 billion worth of expenditures from its base budget to the war fund, and then Congress shuffled over $10 billion more. That freed up $30 billion in buying power for the base budget.

"It's a big shell game, but Congress wrote this loophole into the law and both Congress and the Pentagon have shown they are willing to use it," he said.

This year, the war-funding budget has not been set yet. But the Obama administration has put in a placeholder for about $80 billion.

Boeing says it does not know where Congress would get the money to pay for the Growlers — only that it should come up with the funds somehow. The planes serve a crucial function, company officials say, jamming enemy radars so that U.S. planes can attack without being detected.

In lobbying for its planes, Boeing has taken aim at Lockheed Martin's F-35 Lightning II, the Joint Strike Fighter aircraft that has become the most expense weapons system in the Pentagon's history and is eating up much defense spending.

Boeing says that only the Growler can provide true "stealth," because it can help planes fly undetected across the electromagnetic spectrum. And as radar detection becomes more sophisticated and prevalent, company officials say, the Growlers are vital components of air combat.

"It's become increasingly important for the U.S. and its allies to be able to control and dominate the radio frequency waves if you're going to protect your troops and win a fight,"

said Mike Gibbons, a Boeing vice president. "There is no other asset like it."

The company has lined up support in Congress, including Sen. Claire McCaskill (D), a member of the Senate Armed Services Committee. She represents Missouri, the state where the Growlers are manufactured, but said her support has nothing to do with parochial interests.

The need for what is called electronic attack "is going to explode," she said during a recent congressional hearing. "And I just can't imagine this isn't going to be one of our highest priorities in terms of our readiness and capability for decades to come, because of the potential that's there."

Lockheed has pushed back against accusations that its aircraft can be outperformed in any aspect, saying in a statement that the "package of capabilities in the F-35 is unprecedented in military aviation. Extensive analysis and flight test of the survivability of the F-35 with its combination of stealth, advanced sensors, data fusion, sophisticated countermeasures, and electronic attack demonstrate conclusively its advantages over earlier generation aircraft."

The Bethesda-based company also has support in Congress, including more than 100 members who wrote to McKeon this month, urging his committee to restore funding for the eight F-35s that were left out of President Obama's budget request because of the spending cuts known as sequestration. While not mentioning the Growler, the letter lauded the F-35's "unmatched stealth" as a key part in "achieving air superiority in future surface-to-air and air-to-air" fights.

Boeing says that if its request goes unfunded this year, it will not be able to sustain production and will have to shut down the entire line, which includes the F/A-18 Hornet, the primary fighter plane for the Navy. That would mean if the Pentagon decided it did want more Growlers in years to come, they would not be available.

In an interview, Rep. Adam Smith (Wash.), the ranking Democrat on the House Armed Services Committee, said funding the full request "is going to be extremely difficult to accomplish in the budget environment."

But he said he does think that Congress "can come up with a number to keep the line alive."

Related stories: Navy to award contract for Marine One helicopter despite previous failure Air Force plan to get rid of A-10s runs into opposition With budget tightening, disputes over federal contracts increase

With Poll Number Down 10 Points, Go-it-alone Strategy Isolates Obama

By Dave Boyer

Washington Times, April 30, 2014

President Obama vowed in his State of the Union address in January that he would not stand still.

And he didn't. In the three months since then, he has fallen.

An ABC News/Washington Post poll released Tuesday confirmed a trend in other surveys: Mr. Obama's job approval rating has eroded since January, when he announced that he would embark on a strategy of executive action to bypass a gridlocked Congress.

The poll found that 41 percent of Americans approve of Mr. Obama's job performance — the lowest such rating of his presidency registered in the survey — and 52 percent disapprove. In January, the president's approval rating was 46 percent in the same survey.

"These numbers are just flat bad for the president," said Jon McHenry of the Republican polling firm North Star Opinion Research. "For all of his talk about executive action, I don't think people are seeing actual results."

On Jan. 28, the day Mr. Obama proclaimed in his speech the plan to use his presidential "phone and pen" more often, the gap in his approval/disapproval ratings on the Real Clear Politics average of polls was minus 8.1 percentage points. After hammering home that theme for the past three months, Mr. Obama's overall negative rating has grown to minus 9.2 percentage points.

White House officials have not presented the executive-action strategy as a method to boost Mr. Obama's popularity. Instead, they say, presidential moves such as the one to raise the minimum wage for federal contractors are aimed at achieving policy results for middle-class Americans.

Democratic strategists say another goal is to fire up liberal voters for the midterm elections, when turnout is typically weak.

A White House spokesman declined to comment Tuesday on the polling data.

Analysts generally believe Republican will keep control of the House after the elections, and many believe they are within striking distance of picking up the six seats needed to win back control of the Senate.

A survey released Monday by the Democratic polling firm Democracy Corps showed potential trouble for the president's party in swing districts, where 45 percent of Democrats approve of Mr. Obama's handling of his job and 52 percent disapprove. The pollsters said unmarried women, a key target for Democrats, showed "limited interest in voting, as well as diminished levels of support for Democrats" in the poll.

The polling firm said the best Democratic strategy for base turnout this year includes talking about Obamacare but should focus "overwhelmingly" on economic issues.

"Health care messages are important to Democrats' success, but messages with an economic agenda at the center are strongest," Democracy Corps said in its survey, adding that Democratic candidates should link their

opponents to House Speaker John A. Boehner, Ohio Republican, as a foil for the president's jobs agenda.

While Mr. Obama is encouraging Democrats to run proudly on the merits of Obamacare, a closely watched poll indicated Tuesday that the public views the health care law as an overall negative. The April Kaiser Health Tracking Poll said a late surge in Obamacare sign-ups had no effect on Americans' views of the health care law, with 46 percent holding unfavorable opinions and 38 percent seeing it in a favorable light.

Kaiser said that is no different from last month, despite Mr. Obama's celebration of 8 million people who signed up for private health care plans under his signature overhaul.

Still, 58 percent want their congressional representatives to try to improve the law and 35 percent want them to work on repealing and replacing Obamacare.

"As expected, Republicans are far more likely to say the law is still not working than Democrats, with independents in the middle," the nonpartisan Kaiser Family Foundation said. "Among Democrats, though, about a third believes the law is still not working."

While congressional Republicans view Obamacare as a way to motivate their base, Mr. Boehner showed Tuesday that they also are embracing an election-year strategy of trying to blame the president and Senate Democrats for failing to create jobs with projects such as the stalled Keystone XL oil pipeline.

"The president should pick up his phone and call Senate leaders to move these House-passed jobs bills that would provide better jobs for the American people, more jobs, and a higher standard of living," Mr. Boehner said.

In the ABC/Post survey, Mr. Obama received low approval ratings for his handling of the economy (42 percent), Russia (34 percent) and the implementation of his health care law (37 percent). Two-thirds said the nation has gone "pretty seriously off track," and 30 percent think the country is headed in the right direction.

Another emerging area of concern for Democrats is young voters, who helped propel Mr. Obama to victories in 2008 and 2012.

A survey released Tuesday by Harvard University's Institute of Politics showed that young adult voters are less motivated than at any other time since at least 2000. Less than 25 percent said they definitely would cast ballots in November.

Just 23 percent of those ages 18 to 29 said in the survey that they are certain to vote — 8 percentage points lower than what the poll found at a similar point before the 2010 midterm elections, when Republicans won control of the House in a backlash over Obamacare and the president's economic stimulus plan.

Worse for the president's party, the poll found that young Republican voters are more enthusiastic than Democrats: 44 percent of those who voted for Republican presidential nominee Mitt Romney in 2012 said they definitely would vote, compared with 35 percent of Obama voters.

There is more evidence that the sluggish economy continues to worry voters, which is usually bad news for the president's party in midterm elections. The Peter G. Peterson Foundation said Tuesday that its monthly rating of fiscal confidence was 43 in April, down from 47 in March. "The April survey finds that Americans continue to have overwhelmingly negative views about the debt," the group said.

The survey is modeled on the Consumer Confidence Index.

Why Democrats Should Worry About The ABC/Post Poll

By James Hohmann

Politico, April 29, 2014

Here are four reasons Democrats should worry about the ABC News/Washington Post poll published today —

The intensity gap favors Republicans in a big way.

Dems lead 45-44 on the generic ballot, but Dan Balz notes in his write-up for The Post that they had a 5-point lead on the eve of their 2010 shellacking.

Among those who say they are "certain" to vote, Republicans lead 49-44. Independents who say they're certain to cast ballots favor a generic Republican by 23 points (55-32).

Both ABC and The Post played up their checks-and-balances question: 53% would rather see Republicans control Congress to check Obama's power, while 39% want a Democratic Congress to advance his agenda. This figure matches what they found in September 2010 and shows the administration's break-the-stalemate argument isn't getting traction.

It's the economy, stupid.

The media's Obamacare obsession has obscured that the top concern of many voters remains the economy — and the prevailing sentiment among Americans is that things still aren't going well.

Only 28% think the economy is getting better, while 36% say it's getting worse and 35% say it's stagnant. Among the 71% in the latter two categories, 62% favor GOP control of Congress. [There's a legitimate correlation between one's economic views and preference on the generic ballot.] Meanwhile, a consistent two-thirds of Americans think the country's still off on the wrong track.

While half of Democrats say the economy is in good shape; only 22% of independents do.

On the other hand, ABC pollster Gary Langer notes that though "the brunt of economic unhappiness falls on the president, the public divides essentially evenly on which party they trust more to handle the economy – suggesting that the

Republicans have yet to present a broadly appealing alternative."

Democrats can also point to significant advantages on which party is better for the middle class and on "issues important to women." Pluralities are with them on raising the minimum wage, gay marriage and climate change. Since they control the bully pulpit of the presidency and the Senate's legislative calendar, they think they can use these as wedge issues to embarrass Republicans and galvanize their base.

Obama is an anchor threatening to sink the Democratic majority.

This might be the most important single sentence in the Post's write-up: "At this point, Obama's approval rating looks only slightly better than that of President George W. Bush in the spring of 2006."

The headline getting attention this morning is that Obama's approval rating is at 41%, the lowest of his presidency in the Post-ABC poll, down 5 points since March. He's at 42% approval on the economy, 37% on implementing the Affordable Care Act (down seven from last month) and 34% on his handling of the Ukraine crisis.

Softness on the left helps explain the drop. His approval has slipped to 74% among Democrats, which should worry strategists already concerned about the base staying home.

Recall that these numbers are all among all adults, not registered voters — and certainly not those who say they're certain to vote. Democrats are also defending Senate seats in seven states this year that Obama lost in 2012, when he was significantly more popular nationally.

Democratic incumbents have already been distancing themselves, and strategists note that their candidates did well in states like North Dakota in 2012 where Obama was already really unpopular. But in five of the seven states, incumbents are on the ballot — and GOP critics can attack them for voting with the president 90-plus percent of the time.

Watch to see whether these numbers drive incumbents in purple-to-blue states like Virginia, New Hampshire and Minnesota (in addition to House members in Michigan and Iowa) to put a little more distance between themselves and POTUS.

Very few feel helped by Obamacare.

One month ago, as the administration announced seven million enrollees in health plans at the start of April, Democratic strategists touted this same poll to argue that the worst of the Obamacare damage was behind them. That ABC/Post poll showed 49% supported of the law, compared to 48% against it. This indicator has dipped back to where it was at the end of last year: 44% support and 48% oppose.

As more of the benefits go into effect, it's really striking how few people think the law is good for them.

Only 8% of registered voters say they think their PERSONAL health care costs are going down because of "the Affordable Care Act," and 47% think their own expenses will rise! The causes of rising costs are debatable, but it really doesn't matter: Many will continue to blame Obamacare for even the most minor inconveniences at their doctor's office.

Only 14% say the ACA has made their personal health care better; 29% say it is worse, and 53% say it has no impact. Asked to think big picture, only 16% of independents say the law is making the health system better.

But it's worth noting that the Democrats still lead by 8 points on the question of which party can most be trusted to handle health care. The DNC just blasted out a separate, new Kaiser poll that shows a majority favor "fixing" the law, rather than "repealing" it – as GOP candidates advocate on the trail. Kaiser found that 58% want their representative to "improve" the ACA, compared to 35% who want to repeal and replace it.

Democratic Panic Time? Most Young People Won't Vote In Midterms, Poll Finds.

By Elizabeth Barber

Christian Science Monitor, April 30, 2014

Fewer than 1 in 4 young adults plans to "definitely" vote in the midterm elections this November, according to a new poll from Harvard University's Institute of Politics, which portrays a generation revolting against political parties and their politicking by simply withholding their votes.

Among this group of 18- to 29-year-olds, often called Millennials, the disengagement is pronounced – and more so among young Democrats than young Republicans. The poll portends that Democrats may have a tough time drumming up enthusiasm among their young constituents, a key part of the party's base, as they vie to retain control of the US Senate in the forthcoming midterm elections.

This poll, which queried about 3,000 people, turned up findings similar to those of a Pew Research Center poll last month that suggested that Millennials just aren't partiers – at least, not when it comes to political parties. In that poll, half of the young respondents characterized themselves as political independents, the highest level of political nonaffiliation that Pew had seen in 25 years of asking young people about their party identification.

Harvard's poll, which has been conducted regularly since 2000, may point to the outcome of such political independence: If young people don't believe in political parties, they're not likely to go to the polls for one.

Twenty-three percent of Millennials said they "definitely" plan to vote in the 2014 midterm elections, a drop of 11 percentage points from five months ago, and a drop of eight points from 2010, the Harvard poll found. That finding is consistent with a US Census Bureau report released earlier this month on voter turnout in presidential elections: Thirty-eight percent of eligible voters ages 18 to 24 cast ballots in

2012, down from about 44 percent in 2008 and about 42 percent in 2004.

Against that disinterest in political participation flaps a bleak backdrop of dissatisfaction with the US government.

Among Millennials, "trust in every institution we tested is down, and cynicism of the political process is up," says Trey Grayson, director of the Harvard Institute of Politics, on a conference call with reporters on Tuesday.

Since the previous Harvard poll in November 2013, young voters' trust in the president "to do the right thing" has dropped from 39 percent to 32 percent. Their confidence in the military has ebbed from 54 percent to 47 percent, and faith in the Supreme Court has waned from 40 to 36 percent.

Moreover, about 3 in 5 Millennials agreed that politicians "seem to be motivated by selfish reasons," and almost a third agreed that "political involvement rarely has any tangible results." That cynicism persisted across party lines, although the US military enjoyed majority support from young Republicans.

In bad news for Democrats, just 22 percent of young Democrats, the demographic that helped to bring President Obama into office in 2008 and again in 2012, say their party can count on them going to the polls for the 2014 midterm election. Meanwhile, 32 percent of young Republicans report that they'll for sure be at the polls.

In another possible hit for Democrats, young women (whom Democrats are busy courting ahead of the midterms) are much less likely to turn out to the polls than are young men. Likewise, black voters – a mainstay of Obama's support – are less likely than white voters to cast a ballot this fall. Just 19 percent of young women and young blacks say they're a guarantee at the polls, compared with 28 percent of men and 27 percent of whites who say they will turn out.

"This is a good sign for Republican chances at picking up [majority control of] the Senate," says John Della Volpe, polling director of the Harvard Institute of Politics, on a conference call. He cautioned, though, that "in six months the world can be very different."

The possible gap in voter turnout between young Democrats and young Republicans is not necessarily because Republicans have been particularly successful at winning support among young people, says the poll's authors. Rather, Democrats have just been even less successful.

"It's not like young Republicans are all that excited about voting," says Mr. Grayson, noting that less than a third of young Republicans are enthusiastic about heading to the polls. "It's all relative."

Young Democrats' disillusionment is on full display in their low approval of President Obama, the poll found. Though the poll found that his approval rating is up among Millennials – now at 47 percent versus its historic low of 41 percent in November 2013, after the disastrous rollout of ObamaCare – it nonetheless remains low, the authors note.

Democrats can take small comfort from the fact that young Democrats outnumber young Republicans, 37 percent to 25 percent.

Still, the poll offers some optimism for Democrats looking ahead to the 2016 presidential election. About 52 percent of young people have a positive view of Secretary of State Hillary Rodham Clinton, a possible candidate in the election, the poll found. Just 21 percent of respondents said they thought well of Bridge-gate Gov. Chris Christie (R) of New Jersey. Almost 40 percent of young people in the poll reported that they had never even heard of him.

Poll Finds Young Americans Not Excited About November Election

By Ariel Edwards-levy

Huffington Post, April 30, 2014

Fewer than a quarter of adults under 30 are sure they'll vote this November, according to a new poll from the Harvard Institute of Politics.

The low number isn't in itself surprising: Turnout among young voters regularly drops in midterm elections. The latest numbers suggest, however, youth turnout could dip below the level of 2010, when 31 percent said in February of that year they'd definitely vote, and about 23 percent actually made it to the polls.

In 2010, Republicans retook the House. And this year, the potential drop-off is troubling for Democrats, who worry that the failure of young adults and others in their party's base to vote in November could cost the party the Senate.

The new poll found young Democrats to be especially unmotivated: Those who voted for Barack Obama in 2012 were 9 percentage points less likely than those who voted for Mitt Romney to say they're definitely voting this time.

"Young people need to feel like they're able to make a difference in order to be engaged," said John Della Volpe, polling director for the Harvard Institute of Politics. "Frankly, I don't think that either the Republicans or the Democrats have really tried to inspire and engage people like they have in the past."

The survey found that adults under 30, especially Democrats, consider income inequality a major issue and that 63 percent of Democrats believe raising the minimum wage would be effective in reducing the wealth gap. Party leaders hope a focus on the minimum wage will drive their voters to the polls, although in a recent New Republic article looking at Democratic strategy, journalist Sasha Issenberg points to some research that finds such messaging "does little to influence a person's likelihood of actually voting."

If it's hard to predict what exactly would persuade young Americans to turn out, it's also uncertain how accurate they are in assessing their own chances of voting. Americans are not particularly good at predicting whether they will vote.

The survey's results on possible turnout, however, point to a sense of disaffection among young adults that's borne out elsewhere in the poll. Trust in institutions, including the president, Congress and the Supreme Court, is at a low ebb. Compared with 2010, young adults are somewhat more likely to feel that people like them don't have a say in the government's actions and that political involvement rarely yields tangible results. Fifty-eight percent said elected officials don't share their priorities, up from 51 percent in 2010.

The Harvard poll surveyed 3,058 Americans ages 18 to 29 between March 22 and April 4. The poll recruited participants by phone and mail, and then surveyed them online.

Midterm Elections Can't Be Ignored: Column

By Ross K. Baker

USA Today, April 30, 2014

If the election that will take place on Nov. 4 resembles all the other midterm elections held in the past 50 years, the percentage of eligible voters showing up at the polls will hover around 40%. This is a good 20 percentage points below turnout in presidential elections.

But despite the relatively low turnout, midterm elections can have an enormous impact on American politics, sometimes even greater than the contests that choose our presidents.

Unlike votes of confidence that parliamentary systems use, which can result in a prime minister being turned out of office, our midterm election is a plebiscite that can provide a president with a second honeymoon. Or, as has more often been the case, it can usher in a very difficult two years with the loss of congressional seats for his party.

Midterm elections, however, also have the power to transform Congress in dramatic ways that extend well beyond the president.

The first of these seismic congressional elections came in 1958, in Dwight Eisenhower's second term. His administration was reeling from the launch of the Soviet satellite Sputnik, a scandal over his chief of staff and an unpopular Agriculture secretary. Yet Ike calmly remarked to an aide, "I don't care too much about the congressional elections."

Today, President Obama would find such a statement hard to believe. Eisenhower was reassured by his alliance with conservative Democrats and their Republican allies in Congress who shared many of his objectives.

Ike miscalculation

Ike's calculation was shattered by an election that remade the Democratic Party in Congress. Voters elected 13 new liberal Democratic senators such as Maine's Edmund Muskie and Minnesota's Eugene McCarthy, who replaced ultra-conservative Republicans.

Coupled with the loss of 47 GOP House seats, the 1958 election results would set the stage for the passage of the 1964 Civil Rights Act.

Sixteen years later, the 1974 midterm saw an infusion of 48 new House Democrats who provided the muscle for a reform movement in the chamber that curtailed the power of committee chairmen, stripped a few of their gavels, boosted the power of the party leadership and empowered younger members of the party's rank-and-file. The election strengthened the hold of the Democrats on the House majority for two more decades.

The effects of the 1994 Clinton midterm elections are felt today. The GOP insurgency led by Newt Gingrich expanded on the broad powers Democrats had conferred on the speakership and abolished for Republicans the seniority principle that had handed chairmanships to the most senior members of the panel.

Conservative revolution

As speaker, Gingrich re-energized House Republicans and made it possible for them to hold power until President George W. Bush's second midterm election in 2006.

That year, Republicans faced a stark electoral environment as a result of the Iraq War and Bush's efforts to partially privatize Social Security. Democrats won majorities in both chambers, a feat pulled off only three prior times since the end of World War II.

The election of Nancy Pelosi as the first woman speaker of the House was significant for suggesting the possibility that high public office was no longer the exclusive sanctuary of white males and might have created an environment more welcoming for Barack Obama in 2008.

It might have been Democratic euphoria over these victories that generated overconfidence after Obama's presidential election and produced results in 2010 that reverberated throughout the American political system. That midterm election produced not only a Congress markedly more hostile to Obama than even the previous one, but governorships and legislatures in a number of states eager to deflate the Democratic potency of public service unions and the voting power of minority groups.

What does this suggest about this year's election? While House Republicans continue to squabble amongst themselves on issues such as immigration reform, Democrats appear to have far more to fear. A new WashingtonPost/ABC News poll out this week showed Obama's approval rating at a new low of 41%. Republicans are favored to maintain control of the House, and hope to retake the Senate.

President Obama would be ill-advised to subscribe to Eisenhower's misplaced overconfidence. Better to mobilize the troops now than negotiate a truce with a triumphant GOP after Nov. 4.

Is Barry Whiffing? – NYTimes.com

New York Times, April 30, 2014

Stop whining, Mr. President.

And stop whiffing.

Don't whinge off the record with columnists and definitely don't do it at a press conference with another world leader. It is disorienting to everybody, here at home and around the world.

I empathize with you about being thin-skinned. When you hate being criticized, it's hard to take a giant steaming plate of "you stink" every day, coming from all sides. But you convey the sense that any difference on substance is lèse-majesté.

You simply proclaim what you believe as though you know it to be absolutely true, hoping we recognize the truth of it, and, if we don't, then we've disappointed you again.

Even some of the chatterers who used to be in your corner now make derogatory remarks about your manhood. And that, I know, really gets under your skin because you think they just don't get your style of coolly keeping your cards to yourself while you play the long game. Besides, how short memories are. You were the Ice Man who ordered up the operation that killed Osama bin Laden.

I also appreciate the fact that it's harder for you than it was for J.F.K., W. and all those other pols who had their rich daddies and their rich daddies' rich friends to buy anything they needed and connect them up and smooth the way for them. That gives them a certain nonchalance in the face of opprobrium and difficulty, a luxury that those who propel themselves to the top on their own don't have.

We understand that it's frustrating. You're dealing with some really evil guys and some really nutty pols, and the problems roiling the world now are brutally hard. As the Republican strategist Mike Murphy says, it's not like the campaign because you have "bigger problems than a will.i.am song can fix."

But that being said, you are the American president. And the American president should not perpetually use the word "eventually." And he should not set a tone of resignation with references to this being a relay race and say he's willing to take "a quarter of a loaf or half a loaf," and muse that things may not come "to full fruition on your timetable."

An American president should never say, as you did to the New Yorker editor, David Remnick, about presidents through history: "We're part of a long-running story. We just try to get our paragraph right."

Mr. President, I am just trying to get my paragraph right. You need to think bigger.

An American president should never say, as you did Monday in Manila when you got frustrated in a press conference with the Philippine president: "You hit singles; you hit doubles. Every once in a while, we may be able to hit a home run."

Especially now that we have this scary World War III vibe with the Russians, we expect the president, especially one who ran as Babe Ruth, to hit home runs.

In the immortal words of Earl Weaver, the Hall of Famer who managed the Baltimore Orioles: "The key to winning baseball games is pitching, fundamentals, and three-run homers." A singles hitter doesn't scare anybody.

It doesn't feel like leadership. It doesn't feel like you're in command of your world.

How can we accept these reduced expectations and truculent passivity from the man who offered himself up as the moral beacon of the world, even before he was elected?

As Leon Wieseltier wrote in the latest New Republic, oppressed and threatened swaths of the world are jittery and despairing "because the United States seems no longer reliable in emergencies, which it prefers to meet with meals ready to eat."

The Times's Mark Landler, who traveled with the president on his Asia trip, reported that Obama will try to regain the offensive , including a graduation address at West Point putting his foreign policy in context.

Mr. President, don't you know that we're speeched out? It's not what we need right now.

You should take a lesson from Adam Silver, a nerdy technocrat who, in his first big encounter with a crazed tyrant, managed to make the job of N.B.A. commissioner seem much more powerful than that of president of the United States.

Silver took the gutsy move of banning cretinous Los Angeles Clippers owner Donald Sterling for life, after many people speculated that there was little the N.B.A. chief could do except cave. But Silver realized that even if Sterling tries to fight him in court (and wins) he will look good because he stood up for what was right.

Once you liked to have the stage to yourself, Mr. President, to have the aura of the lone man in the arena, not sharing the spotlight with others.

But now when captured alone in a picture, you seem disconnected and adrift.

What happened to crushing it and swinging for the fences? Where have you gone, Babe Ruth?

Obama Asks For $302 Billion To Fix Bridges And Potholes

By Laura Litvan

Bloomberg News, April 30, 2014

The Obama administration sent to Congress legislation that would provide $302 billion for road and transit projects over four years, a measure needed to keep the U.S. Highway Trust Fund from running dry.

The Transportation Department proposal would boost the highway fund $87 billion above current levels to generate

more money for deficient bridges and aging transit systems. The bill also addresses the General Motors Co. (GM) ignition-switch recall by raising almost 10-fold to $300 million the maximum fine on carmakers that fail to quickly recall deficient vehicles.

Congressional transportation leaders in both parties have said they want to pursue six-year measures, though there is little consensus on how to finance the proposals. The Transportation Department has said the Highway Trust Fund – which relies on gasoline and diesel-fuel taxes – may not be able to meet its obligations as soon as this year. That risks leading states to slow or halt work in a recovering economy.

"We need to pass a bill that avoids the destructive collapse in funding that would threaten hundreds of thousands of jobs and inflict unnecessary damage on our economy," Transportation Secretary Anthony Foxx said on a conference call with reporters today.

The funding proposal is in line with President Barack Obama's February budget request. House and Senate panels are drafting their own bills and there are no plans in Congress to consider the president's proposed way to help pay for it: a temporary tax increase on overseas earnings by companies.

Foxx said his proposal will create "millions of new jobs." The financing approach could catch hold after House Ways and Means Committee Chairman Dave Camp, a Michigan Republican, also proposed a similar tax boost on businesses to fund highway construction, Foxx said.

The proposal also includes a provision raising the civil penalties for automakers failing to act quickly on vehicle recalls. House and Senate committees are probing GM's recall of 2.59 million cars for an ignition-switch defect now linked to the deaths of 13 people and may later advance legislation boosting the current civil penalty maximum of $35 million.

"We do feel like the penalties could be set higher to ensure when a violation occurs it is more than a rounding error," Foxx said.

David Friedman, the acting administrator of the National Highway Traffic Safety Administration, said the measure also will give the federal government new authority to require removal of the cars when a defect is first discovered, and mandate that rental car companies comply with recalls.

Senator Barbara Boxer, chairwoman of the Environment and Public Works Committee, said this month she is preparing a six-year measure to provide the same amount of money annually as the current two-year, $105 billion bill expiring in September, plus inflation. The California Democrat said the bill won't address funding, and she said she hopes an agreement on that can be worked out within a few months.

Lawmakers in both parties say there aren't enough votes in Congress to raise the nation's 18.4-cent-per-gallon gas tax to finance a bill. The chairmen of congressional tax-writing panels say they're considering a short-term infusion into the trust fund to buy more time. Today, House Transportation and Infrastructure Committee Chairman Bill Shuster said discussions on that are still in progress.

"It appears that the trust fund is going to run out of money in July, so we're talking with leadership trying to figure out how to get over that hump," Shuster, a Pennsylvania Republican, said in an interview.

A six-year highway proposal made in 2012 crumbled amid disputes over how to pay for it. Congress settled on the two-year measure that used general tax revenue to keep construction going. Business groups say a longer-term measure could boost the economy while benefiting construction companies like Caterpillar Inc.

Today's DOT proposal reflects an administration that is stepping up pressure for action, and also playing up an election-year debate on jobs and federal infrastructure. The legislation comes from an administration that has often left it to Congress to work out details of plans, never proposing its own version of the Affordable Care Act and a response to the National Security Agency's controversial surveillance work.

Foxx this month conducted a bus tour across eight states in five days to call for a long-term highway measure and to draw attention to important road and bridge projects. He visited Louisville, Kentucky, to tout a $2.34 billion Ohio River Bridges project, calling it "an example for our nation" of the sort of job-creating infrastructure investment Congress could nudge forward, and stopped in Garland, Texas, to highlight a $1.5 billion freeway project.

"Projects like the I-635 LBJ Freeway East will not only create jobs, but also lay the foundation for long-term economic growth for entire regions and industries," Foxx said during the stop in Garland.

Those two states also are home to the Senate's two top Republican leaders – Mitch McConnell of Kentucky and John Cornyn of Texas – both of whom are on the ballot this fall.

With the summer construction season looming, outside groups also are making the case for consensus on financing and policy priorities. Caterpillar and four other U.S. companies in March formed the Alliance for American Competitiveness to help lobby for a long-term bill. Led by Caterpillar Chairman Doug Oberhelman and former Mississippi Governor Haley Barbour, the group also includes Honeywell International Inc., United Parcel Service Inc., Dow Chemical Co., and BNSF Railway Co. as founding members.

On April 24, the American Road and Transportation Builders Association released a report based on DOT data that showed 63,000 U.S. bridges need structural repair, all the types of projects that would be affected if the trust fund's looming insolvency cause a slowdown in payments to states, as projected by the agency.

Cars, trucks and school buses drive over those bridges 250 million times a day, the group says. Alison Premo Black,

the group's chief economist, said state and local governments don't have the resources to fill any funding gap.

"There's only so much state and local governments can do with very, very limited resources," she said.

Companies also are warning of the potential impact on employment. Mike Cegelis, a senior vice president of Coraopolis, Pennsylvania-based American Bridge Co., said that as many as 20 percent of the construction company's 1,200 workers have jobs that are at risk if federal payments slow.

"Transportation infrastructure underpins our economy," Cegelis said in an ARTBA conference call with reporters.

A top lobbyist for the U.S. Chamber of Commerce said the administration's move could help jump-start the debate.

"Having a concrete proposal from the administration is a positive step forward in the reauthorization process," said Janet Kavinoky, who tracks transportation policy at the Chamber. "It generates important debate and discussion, and it highlights the fact that as a country we must not only look at our immediate problem – the solvency of the Highway Trust Fund in 2014 and 2015 – but also at how we meet the economic needs of the country on a multimodal basis in the long run."

Obama Administration Sends Transport Bill To Congress

By Eric Beech

Reuters, April 30, 2014

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 Wants To Lift Ban On Interstate Tolls

New York Times, April 30, 2014

Drivers on the nation's Interstates could soon be paying more to travel.

A transportation proposal sent to Congress by the Obama administration on Tuesday would remove a prohibition on tolls for existing Interstate highways, clearing the way for states to raise revenue on roads that drivers currently use at no cost. Congress banned tolls on Interstates in 1956 when it created the national highway system under President Dwight D. Eisenhower.

The administration said lifting the toll ban would help address a shortfall in funding to pay for highway repairs. The tolls, along with other changes, could provide an additional $87 billion for aging roadways, tunnels and bridges, the administration said.

The International Bridge, Tunnel and Turnpike Association, which represents toll companies and their vendors, applauded the administration's decision.

"Tolling is a proven and effective tool to fund and finance more than 5,000 miles of roads, bridges and tunnels in 35 states," said Patrick Jones, the group's executive director. "To ensure our roads and bridges remain safe and reliable requires a variety of solutions. All options should be on the table so that states can choose the funding methods that work best for them."

But the Alliance for Toll-Free Interstates, which includes American Trucking Associations, UPS, FedEx, McDonald's and Dunkin' Donuts, said it was disappointed.

"Tolling has proven to be an inefficient mechanism for collecting transportation revenue, consuming up to 20 percent of revenue generated, and those paying the toll may not even see that road improved because the president's plan would allow toll revenue to go to other projects in the state," said Miles Morin, spokesman for the alliance.

Mr. Morin said lifting the ban would cause drivers to bypass Interstate highways, hurting businesses like fast-food franchises that depend on the traffic.

Some Northeastern states, like Delaware and New Jersey, were allowed to keep tolls on existing highways that became a part of the national system. Other states were allowed to charge tolls on highways that were added to existing Interstates, but that revenue can be used only for repair and maintenance of those roads.

The proposal comes as Congress prepares to rewrite the existing surface transportation bill. A Congressional Budget Office study found that the Highway Trust Fund, which helps pays for Interstate repairs and is financed by a gasoline tax, will run out of money in August.

White House Opens Door To Tolls On Interstate Highways, Removing Long-standing Prohibition

By Ashley Halsey

Washington Post, April 30, 2014

With pressure mounting to avert a transportation funding crisis this summer, the Obama administration Tuesday opened the door for states to collect tolls on interstate highways to raise revenue for roadway repairs.

The proposal, contained in a four-year, $302 billion White House transportation bill, would reverse a long-standing federal prohibition on most interstate tolling.

Though some older segments of the network — notably the Pennsylvania and New Jersey turnpikes and Interstate 95 in Maryland and Virginia — are toll roads, most of the 46,876-mile system has been toll-free.

"We believe that this is an area where the states have to make their own decisions," said Transportation Secretary Anthony Foxx. "We want to open the aperture, if you will, to allow more states to choose to make broader use of tolling, to have that option available."

The question of how to pay to repair roadways and transit systems built in the heady era of post-World War II expansion is demanding center stage this spring, with projections that traditional funding can no longer meet the need.

That source, the Highway Trust Fund, relies on the 18.4-cent federal gas tax, which has eroded steadily as vehicles have become more energy efficient.

"The proposal comes at the crucial moment for transportation in the last several years," Foxx said. "As soon as August, the Highway Trust Fund could run dry. States are already canceling or delaying projects because of the uncertainty."

While providing tolling as an option to states, the White House proposal relies on funding from a series of corporate tax reforms, most of them one-time revenue streams that would provide a four-year bridge to close the trust-fund deficit and permit $150 billion more in spending than the gas tax will bring in.

The corporate tax reform proposal has gotten a lukewarm reception even from Democrats in Congress, and Foxx emphasized that the administration is open to any counterproposal that wins bipartisan support.

With the trust fund about to run into the red and the current federal highway bill set to expire Sept. 30, Congress cannot — as its members often note — keep "kicking the can down the road."

Even a temporary extension of the current bill would require them to authorize a transfer of money from the general fund.

Details of the president's proposal, which he first outlined almost two months ago, were welcomed as a sign of growing momentum toward a resolution, even by those who couldn't fully embrace his plan.

"While we may not agree with all aspects of the administration's proposal, we look forward to the continuing dialogue with Congress and the administration on charting America's transportation future," said Bud Wright, executive director of the American Association of State Highway and Transportation Officials.

Terry O'Sullivan, president of the Laborers' International Union of North America, said the bill helped "advance the discussion" but said a federal gas tax increase should be used to fund it.

"The gas tax remains the most tested and logical way of meeting our critical investment needs," O'Sullivan said.

"For too long, Congress's duct-tape approach has made our roads and bridges unsafe, destabilized the construction industry and slowed our economy."

The federal tax last was raised in 1993 and has not been adjusted for inflation.

Another advocacy group, the nonprofit Transportation for America, spelled out its concerns Tuesday in a report, "The looming financial disaster for transportation."

The report provided a state-by-state accounting of the percentage of transportation funding that came from Washington. In most cases, it amounted to about half, though some states were far more dependent on federal dollars. (Federal funds accounted for 52 percent of the District's funding, 49 percent of Maryland's and almost 59 percent of Virginia's.)

It also broke down the funding that would be lost by each major metropolitan area without federal revenue, pegging the Washington region's loss at $424 million.

"Congress has an opportunity to not only save the transportation program, but to recommit to investing in the repairs and improvements our communities and businesses need," said James Corless, the group's director.

Corless predicted that most Americans would accept tax increases to fund transportation.

"When people understand where the dollars are being spent, the direct impact to their lives, they support paying their fair share," he said.

Foxx said the highway trust fund would face a $63 billion shortfall over the next four years.

"What our proposal would do is [use] pro-growth business tax reform to backfill in the highway trust fund," Foxx said. "We would put that $63 billion back in place to stabilize the highway trust fund, and then the additional $90 billion would be spent on new programs."

He said the $302 billion bottom line for the proposal would be reached "through a combination of existing taxes that go to the highway trust fund that would equate to $152 billion on their own, and then $150 billion in transitional revenues from pro-growth tax reform."

The proposal emphasizes a fix-it-first approach that would give funding priority to existing roads, bridges and transit systems rather than expanding their network.

It would expand reforms intended to streamline environmental reviews and project delivery that were begun in the current federal highway bill.

It also would expand popular loan-guarantee programs that have been used by state and local governments to fund projects. The White House plan would almost double funding — from $12.3 billion to $22.3 billion — for transit systems and intercity passenger rail.

In addition, the plan would increase the fine an automaker could face for a safety violation from the current $35 million to $300 million.

Though that proposal is not new, it takes on greater significance amid the debate over General Motors's delayed recall of 2 million cars with faulty ignition switches that are alleged to have led to at least 13 deaths.

Highway Fund Nearing End Of Road

By Larry Copeland

USA Today, April 30, 2014

States and local governments stand to lose $46.8 billion in federal funding for transportation and transit projects next year if Congress doesn't put more money into the Highway Trust Fund and it slides into insolvency, according to a new report.

The Transportation for America report concludes that unless Congress acts to add to the fund, there will be no federal money for new projects in fiscal year 2015. The fund, which has been used to pay for road construction and transit projects since 1956, is funded by the federal tax on gasoline and diesel fuel.

The tax has not been raised since 1993, as construction costs have soared and Americans drive fewer miles in more fuel-efficient cars.

"America is at a crucial decision point for transportation," John Robert Smith, the group's co-chairman and a former 16-year Republican mayor of Meridian, Miss., said Tuesday.

Congress, which until recently had green-lighted long-term federal transportation bills, approved a two-year bill in 2012; it expires Sept. 30.

Without new action, all the federal tax money coming in to the trust fund would be used to pay for existing projects, leaving no money for new state and local roads, bridges and transit, the group said.

Transportation for America is a Washington, D.C.-based coalition of businesses, unions and non-profit groups working to improve transportation. Its report comes one day after Transportation Secretary Anthony Foxx submitted a $302billion, four-year road transportation bill.

Consumer Confidence Strong, And Home Prices Climb Again

Reuters, April 30, 2014

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

Growing Job-Opening Concerns Dent U.S. Confidence: Economy

By Michelle Jamrisko

Bloomberg News, April 30, 2014

Americans grew concerned in April that jobs have become more difficult to land, prompting an unexpected drop in confidence from a six-year high.

The Conference Board's sentiment index decreased to 82.3 from 83.9 a month earlier, a reading that was stronger than initially estimated and the highest since January 2008, the New York-based private research group said today. Another report showed home prices in 20 cities rose at a slower pace.

Smaller gains in housing and stocks and higher prices at the gas pump help explain why households' assessments of the economy aren't improving. Nonetheless, consumers held out hope that the employment outlook will brighten enough later this year to generate the wages needed to spark spending.

"Consumer attitudes are improved, but still quite muted relative to where you'd hope they'd be in a healthy recovery," said Stephen Stanley, chief economist at Pierpont Securities LLC in Stamford, Connecticut, whose projection of an 82 reading was among the closest in the Bloomberg survey. "The issues in the job market aren't really on the layoff side, they're on the hiring side."

Stocks rose as Internet shares rallied for the first time in five days and results from Merck & Co. to Sprint Corp. topped estimates. (CONCCONF) The Standard & Poor's 500 Index advanced 0.5 percent to 1,878.33 at the close in New York. The gauge is up 1.6 percent this year.

The Conference Board's gauge of present conditions dropped to a three-month low in March, while the barometer of consumer expectations for the next six months was little changed.

"Consumers assessed current business and labor-market conditions less favorably than in March," Lynn Franco, director of economic indicators at the Conference Board, said in a statement. "However, their expectations regarding the short-term outlook for the economy and labor market held steady."

The median forecast in a Bloomberg survey of 78 economists called for a consumer confidence reading of 83.2. Estimates ranged from 80.8 to 87.8 after a previously reported March reading of 82.3. The Conference Board's measure averaged 53.7 in the recession that ended in June 2009. It's averaged 63.2 during the current expansion.

The fewest respondents in three months said jobs were currently plentiful, while more said jobs were hard to get. The spread between those who said work opportunities are easier to come by and those who said they're currently scarce worsened in April.

Americans were still optimistic the labor market will see better days. The proportion of consumers who said jobs would become more plentiful in the next six months climbed to the highest since January. In addition, the share expecting their incomes to rise increased to an eight-month high in April.

Payrolls climbed by 192,000 workers in March after a 197,000 increase the previous month that was larger than first estimated, the Labor Department said earlier this month. Private payrolls, which exclude those at government agencies, exceeded the pre-recession peak for the first time.

Employers added 215,000 workers in April, according to the Bloomberg survey median before a May 2 report. The unemployment rate is projected to fall to 6.6 percent from 6.7 percent, according to the survey.

The figures on sentiment also showed fewer people plan to buy automobiles in the next six months as prices at the pump climbed. Gasoline prices averaged $3.69 a gallon yesterday, close to the highest level since March of last year, according to figures from AAA, the largest U.S. motoring organization.

Slower home-price appreciation may be starting to stabilize a housing market that's been weakening since the middle of last year. The Conference Board's report showed more Americans said they planned to purchase previously owned homes in the next six months.

Today's report from S&P/Case-Shiller in New York showed an index of property prices in 20 U.S. cities increased 12.9 percent from February 2013, the smallest advance since August, after a 13.2 percent gain in the year ended in January.

Growth in property values eased as rising mortgage rates and severe winter weather restrained demand for homes in the first few months of the year.

"The days of very robust home-price gains are over," said Thomas Costerg, a New York-based economist at Standard Chartered Plc, who projected the index would rise 12.8 percent. "Elevated price gains are a headwind, especially for first-time buyers. Prices will slow going forward, and the housing market needs that to recalibrate supply and demand."

A pickup in confidence about the economy may encourage more Americans to travel this summer, providing a spark for companies such as Choice Hotels International Inc., whose brands include Comfort Inn and Econo Lodge.

"We're off to a very strong start for 2014," Stephen Joyce, president and chief executive officer, said on an earnings call yesterday. "Consumers are more upbeat about future job growth in the overall economy. Reports show that consumers are expecting the economy to continue improving and rising expectations suggest the economy may pick up some more momentum over the next few months."

The Silver Spring, Maryland-based company said revenue per available room rose 5.6 percent in the first quarter as occupancy rates increased.

The pickup in occupancy was due in part to an "improving U.S. economy as well as declining unemployment rates," David White, the company's chief financial officer, said on the call.

Signs the economy is emerging from a slowdown in first-quarter demand indicate Fed policy makers will stick to plans for a gradual reduction in the asset purchases.

At the same time, the central bankers have pledged to keep interest rates near zero until the jobless rate falls further and inflation rises toward a 2 percent goal.

Rising Prices, Rates Crack Foundation Of Housing Rebound

By Paul Davidson

USA Today, April 30, 2014

A housing recovery that was expected to accelerate this year is instead sputtering. And no, you can't just blame the weather.

Sharp increases in home prices in much of the USA, along with higher mortgage rates, have discouraged many house hunters. Home inventories are at historically low levels.

First-time home buyers, who traditionally drive home sales, remain saddled with student debt and face still-stringent lending standards.

After bouncing back smartly in 2012 and most of 2013 following the 2006-09 real estate crash, the housing market began slowing last fall.

Although an unusually cold and snowy winter hindered activity early this year, home sales and starts were disappointing again in March, even in the West and South.

First-time buyers Bill and Lauren Mensinger, who rent a one-bedroom loft in Hanover, Mass., have been looking for a three-bedroom house for about a year – a mission made more urgent by the recent birth of their daughter. With homes for sale in short supply in the Boston area, they've been outbid several times, Bill says, even for houses that needed extensive repairs.

"It's draining," says Bill, 37, an architect.

Thirty-year fixed mortgage rates have risen from 3.4% to 4.33% since the Mensingers began looking. That's forced them to drop their price limit to $315,000 from $330,000. They've also grudgingly agreed to widen their search beyond the reach of Boston's commuter rail line.

Others aren't even looking. First-time home buyers accounted for 30% of existing home sales in March, vs. a normal 40%, according to the National Association of Realtors.

With student-loan debt topping $1 trillion and wages stagnant, many adults in their 20s and 30s live with parents or roommates. Only 423,000 households were formed in the past 12 months, the Census Bureau said Tuesday, less than half the typical 1 million.

Lending standards, despite some easing in recent months, remain tough, especially for "people who don't have good credit scores," says economist Patrick Newport of IHS Global Insight.

Economists still expect the housing market to gain momentum this year as job and wage growth lead to more

new households, credit conditions continue to ease, and builders ramp up production.

Pending home sales increased in March for the first time in nine months, and real estate brokers in several regions say sales have been picking up.

But many analysts now say the housing recovery will take longer than they had projected. "It hasn't come back as quickly," Newport says.

He expects housing starts to finally reach 1 million this year for the first time since 2007 – almost double 2009's level.

But he doesn't forecast a return to a normal annual rate of 1.5 million until the fourth quarter of 2015, several months later than he had estimated.

Drop in sales

Meanwhile, 4.9 million existing homes are expected to be sold this year, about 3% fewer than last year, says Lawrence Yun, chief economist of the National Association of Realtors.

One big reason is rising prices. In February, home prices in 20 large cities were up an average 13% from a year earlier, according to the Standard & Poor's Case-Shiller 20-city Index.

In metro areas hammered in the housing crash, such as Las Vegas and Los Angeles, prices have soared nearly 20% or more from a year ago.

The pace of price increases has slowed recently, and U.S. home prices are still 20% below their summer 2006 peak.

But combined, higher prices and mortgage rates have made home buying 20% more expensive than a year ago, dampening sales, says Jed Kolko, chief economist of Trulia, a real estate website.

In California cities such as San Francisco and San Jose, about 35% of household income is devoted to mortgage payments – more than the historical average of a third, says Stan Humphries, chief economist of real estate firm Zillow.

"Affordability looks on par or worse than it has historically in a lot of markets," Humphries says.

Prices have been driven up by a housing inventory that remains skimpy despite moderately improved demand and more jobs. Thirty-seven percent of homeowners can't sell their houses either because they're worth less than what they owe on their mortgages or they don't have enough equity to buy another house, says Zillow's Humphries.

Also limiting supplies and pushing up prices are fewer distressed properties.

Foreclosures and short sales made up 14% of existing home sales in March, vs. nearly 30% two years years ago, Yun says. Investors who snapped up many troubled properties are now playing a smaller role.

Meanwhile, new-home supplies are rising but are still near 50-year lows, says economist Robert Dietz of the National Association of Home Builders.

The nation's largest home builders have raised prices sharply after enduring thin profit margins after the crash. In a conference call with analysts last week, Richard Dugas, CEO of Pulte Homes, said the company's average $317,000 sale price in the first quarter is up 10% over last year.

Corporate credit research firm GimmeCredit says in a report that the big builders are raising prices despite slowing sales, hurting first-time buyers and underscoring that they "apparently can be relied upon to gorge until the well runs dry."

Shortages hurt

Small builders, which make up 75% of the market, have been hindered by tight credit, labor shortages, limited lot availability and rising construction costs, Dietz says.

Ed Grady, owner of Brady Homes in Bloomington, Ill., built 150 homes a year before the downturn but now puts up 10 to 15.

He says he'd like to turn out 25, but can't get loans for more than five "speculative" houses, which are sold after they're built.

A shortage of construction workers means it takes Grady up to five months to build a house, vs. three months normally.

Tight supplies are falling short of rising demand in Massachusetts, where a thriving tech sector has fueled job gains.

"Buyers are wanting to lock in at very low interest rates and be done with it, because (rates) are creeping up," says Ryan Wilson, a Realtor at Keller Williams in Watertown, Mass.

Adverse winter weather discouraged some sellers from putting their homes on the market, says Peter Ruffini, president of the Massachusetts Association of Realtors.

A bigger problem, he says, is that many homeowners are reluctant to sell because they fear they'll be unable to find a new home. Through March, existing home sales in Massachusetts are down 4.5% vs. a year ago, while median prices are up 10%.

The Phoenix area, hit hard by the housing crash, is grappling with the opposite problem. Housing supplies are ample, in part because builders have rushed into the retirement mecca since 2012.

But with prices up 14% in the past year, buyers got nervous that a new bubble might be forming, says broker Ray Sullivan of Keller Williams in Scottsdale. "People took a step back."

Overall, analysts say better days are coming – slowly.

"The housing market will continue to improve" this year, Kolko says, adding, "A normal market is still years away."

U.S. Homeownership Rate Falls To Lowest Level Since Mid-1990s

By Conor Dougherty

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Homeownership Rate Slips To 19-year Low While Rental Market Tightens

By Tim Logan

Los Angeles Times, April 30, 2014

The nation's homeownership rate slipped to its lowest level in 19 years in the first quarter as more households rented and home sales remained low.

That's according to the Census Bureau, which said 64.8% of homes in the U.S. are owner-occupied, the lowest share since the second quarter of 1995. Homeownership rates topped 69% at various times in 2004 and 2005 before the foreclosure crisis and housing crash pushed millions of Americans back to renting.

Meanwhile, the census said the rental vacancy rate stayed near record lows at 8.3%, and the median rent for available units nationwide hit an all-time high of $766 per month.

Housing economists say there are a number of factors at work. Tight credit and higher-than-they-have-been home prices are keeping some would-be buyers out of the market. Others are sidelined by high student debt or concern about the soft job market. And there's at least some evidence that young adults are postponing homeownership, either by choice or through economic necessity.

"I think a lot of households will be renting instead of buying for some time," said Stan Humphries, chief economist at real estate website Zillow.

Just 36.2% of households headed by someone younger than 35 owned their home in the first quarter, down from 41.3% in 2008 – though the homeownership rate has fallen across every age group except for senior citizens.

Homeownership is lowest in the West, at 59.4%.

U.S. Stocks End Higher

Improving Corporate Earnings Outlook Provides a Positive Backdrop

By Tomi Kilgore

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Senate Panel Approves Fed Nominees

New York Times, April 30, 2014

The Senate Banking Committee on Tuesday approved the nominations of Stanley Fischer and Lael Brainard to join the Federal Reserve's depleted board, and it approved the nomination of Jerome H. Powell to a new term.

Mr. Fischer, a former head of the Bank of Israel, would become the Fed's vice chairman.

The nominees join a backlog of scores of candidates awaiting confirmation by the full Senate. While the outcome is not in doubt, Democratic leaders have not said how soon they will invest the necessary time to secure the confirmations.

The Fed's board has been reduced from its full complement of seven members to just four members by resignations over the last half-year, and it will lose another member at the end of May, when Jeremy Stein has said he will step down.

If the Senate does not act before then, the Fed would operate with just three governors for the first time in its history — and those three include Mr. Powell, who is continuing to serve on the board even though his first term has expired.

The remaining members would be left to do the work of seven people. They also would be required to schedule a public meeting in order to discuss policy, because even a conversation between two officials would involve a majority of the board.

The banking committee acted by voice vote. The committee's chairman, Senator Tim Johnson, Democrat of South Dakota, described the nominees as "extremely well qualified," and he said he wanted to act quickly to move them toward confirmation.

Senator Mike Crapo, the ranking Republican on the committee, from Idaho, said that the nominees had "demonstrated their understanding of the challenges facing the Federal Reserve Board in returning to normalized monetary policy."

The bipartisan support contrasted with Republican opposition to most of President Obama's previous Fed nominees, including his choice last year of Janet L. Yellen as the Fed's chairwoman. Senator David Vitter, Republican of Louisiana, was the only member of the committee to vote in opposition. He said the Fed's board already had too many academic economists, and not enough community bankers.

Senator Elizabeth Warren, Democrat of Massachusetts, wrote in an essay published Tuesday by Politico that she was voting for Mr. Fischer despite her concern about the concentration of former Citigroup executives in senior government positions.

Mr. Fischer is a former academic who had an influential career as a professor at the Massachusetts Institute of Technology before entering public service in the early 1990s. He served in senior positions at the World Bank and the International Monetary Fund. He worked at Citigroup in the early 2000s before taking charge of the Bank of Israel, where he was widely credited with helping to insulate the country's economy from the consequences of the global economic crisis.

Ms. Brainard served in the Obama administration as Treasury under secretary for international affairs from 2010 until late last year, representing the nation's financial interests. Mr. Powell, who joined the Fed's board in 2012, is a former private equity executive and was a Treasury official in the first Bush administration.

Fed Picks Advance In Senate

By Ben Leubsdorf

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

As Elections Loom, Capitol Hill Is Latest Front In War On Poverty

By William Douglas And David Lightman

McClatchy, April 29, 2014

The war on poverty returns to Capitol Hill as lawmakers prepare to wage a battle this week that's a likely preview of what's to come on the campaign trail this election year and in 2016.

Fifty years after President Lyndon Johnson declared his intent to "not only to relieve the symptoms of poverty, but to cure it and, above all, to prevent it," key congressional Republicans and prospective Republican presidential candidates are hammering away at some of his Great Society programs. They label them well-meaning failures that have done more to strain the federal budget than to slow the cycle of poverty.

House Budget Committee Chair Paul Ryan, R-Wis., is expected to continue the theme Wednesday when his committee convenes for an update on Johnson's goal, a follow-up on a scathing report on Washington's anti-poverty efforts that Ryan unveiled last month.

"For too long, we have measured compassion by how much we spend instead of how many people we get out of poverty," Ryan said in a statement last month. "We need to take a hard look at what the federal government is doing and ask, 'Is this working?' "

Democrats, meanwhile, are looking to increase the nation's minimum wage as a key strategy for reducing poverty and helping to narrow the income gap between America's rich and poor. As Ryan's committee meets Wednesday, the Senate is expected to take a key test on a measure to raise the minimum wage from $7.25 to $10.10 an hour.

"This raise only gets people out of poverty. That's all it does," Senate Majority Harry Reid, D-Nev., said last month.

Driving all this debate is some very crucial political calculus. Voters can expect to hear more of how each party would address income inequality as this year's congressional elections and the 2016 presidential contest approach, political analysts and poverty experts say.

But for all the talk, people shouldn't expect political action soon, they warn. Democrats are well aware that their efforts to raise the minimum wage will go nowhere in the Republican-controlled House of Representatives.

The House, meanwhile, passed a Ryan-written budget that includes cuts and big changes in entitlement programs, such as Medicare, knowing that it's dead on arrival to the Democratic-held Senate.

"I think all this stuff is a prelude to 2016," said Eugene Steuerle, a former top Treasury Department official who's an expert on taxes and Social Security at the Urban Institute, a Washington research center. "I think right now you have a stalemate between the parties, with the Democrats trying to complete the (President Franklin D.) Roosevelt agenda with universal health care _ trying to protect the Affordable Care Act. Republicans are trying to protect gains of the past in trying to keep tax rates moderate."

Johnson announced the war on poverty at his 1964 State of the Union speech. It became defined by a series of programs design to help the poor, among them food stamps, Medicare, Social Security and housing assistance.

Like Ryan, critics of the program think that much of the money spent over the last half century has been wasted. A recent study by several Columbia University economists argues otherwise, citing a revised method by the U.S. Census Bureau that was used to calculate the impact of federal poverty programs.

"Our estimates . . . show that historical trends in poverty have been more favorable _ and that government programs have played a larger role _ than (earlier) estimates suggest," the report said. "Government programs today are cutting poverty nearly in half . . . while in 1967 they only cut poverty by about 1 percentage point."

The national poverty rate stood at 15 percent in 2012, according to a the Census Bureau report last September, with 46.5 million people earning at or below the federal poverty line of $11,170 for an individual and $23,050 for a family of four.

The figures represented the second consecutive year that the number of people below the poverty line and the poverty rate showed no significant change. However, the rate was 12.5 percent in 2007, the year the economy began its descent.

Though they aren't the issues topping most voters' lists of concerns, both parties see potential benefits at the polls in raising the issues of poverty and income inequality.

"It's a get-out-the-vote issue" for the Democratic base, said Jennifer Duffy, Senate analyst for the nonpartisan Cook Political Report.

Republicans apparently think so, too. In addition to Ryan, Sens. Rand Paul, R-Ky., Marco Rubio, R-Fla., and Ted Cruz, R-Texas _ all potential presidential contenders _ have

spoken at length about poverty or recently toured poverty-stricken areas to tout their approach to the problem.

"Raising the minimum wage may poll well, but having a job that pays $10 an hour is not the American dream," Rubio said in January in a speech commemorating the 50th anniversary of Johnson's pledge to attack poverty. "And our current government programs offer at best only a partial solution. They help people deal with poverty, but they do not help them escape it."

Paul's speaking tours in urban areas and other places viewed as traditionally non-Republican recently earned him a story in the National Journal headlined, "Rand Paul's Compassionate Conservatism." It likened his efforts to those of the late Rep. Jack Kemp, R-N.Y., a conservative supply-side economics devotee who maintained good relations with the African-American community.

Democrats hope not only to prod their own base but also that enough Republicans will be moved by the need to close the income gap that they'll look at Democratic candidates.

A Pew Research Center survey in January found that Republicans are split over how, and even whether, to deal with issues of poverty and income inequality.

Democrats are more unified, as 90 percent thought government should do something about the issues. The challenge for Democrats is to make people care.

Pew's survey found that 49 percent of all those polled listed "dealing with the problems of the poor and needy" as a top priority. That was down 8 percentage points from a year ago, and the latest figure was well behind strengthening the nation's economy, mentioned by 80 percent, and improving the job situation, 74 percent. It ranked 11th, after reducing crime.

"People see in their own communities and families people losing jobs, not income inequality," said Juliana Horowitz, Pew senior researcher.

Republicans are torn on how to proceed. The Pew poll found that while 4 of 10 conservative Republicans thought government should do a lot to reduce the rich-poor gap, 6 in 10 moderate or liberal Republicans felt that way.

"We will not grow our economy or put people back to work by expanding entitlements. We will never solve the problems of poverty and inequality through bigger government," said Rep. Tom Rice, R-S.C.

Ryan learned the political difficulty of addressing poverty when he went on former Reagan-era Education Secretary Bill Bennett's conservative talk radio show last month and questioned the work ethic of "inner city" men.

"We have this tailspin of culture, in our inner cities in particular, of men not working and just generations of men not even thinking about working or learning the value and the culture of work," Ryan said on Bennett's "Morning in America" radio show.

His remarks created a firestorm among African-Americans. Ryan backtracked somewhat, saying he'd spoken "inarticulately." He's expected to explain his comments further Wednesday when he meets with members of the Congressional Black Caucus.

"Congressman Ryan is a nice guy, and as such he has tried to frame the comments that he made about inner city folks as just sort of an inarticulate way of communicating," said Rep. Gwen Moore, D-Wis., a member of the black caucus. "His take on talking about poverty is to say that we've spent millions or trillions on poverty programs and poverty won. We see that, essentially, as sort of playing with statistics or numbers."

Nearly Half Of New Yorkers Are Struggling To Get By, Study Finds

By Sam Roberts

New York Times, April 30, 2014

New York City's share of poor people appears to have plateaued since the recession, at 21.4 percent, with more people working in 2012 than the year before, but at lower wages, according to a new city study. Contributing to the city's economic problems were increases in the number of Asian-Americans, immigrants and residents of Queens slipping into poverty.

But under a broader definition of poverty that the city applies, the picture remains grim for a far larger number of New Yorkers.

As in 2011, 46 percent, or nearly half of New Yorkers, were making less than 150 percent of the poverty threshold, a figure that describes people who are struggling to get by.

Even with fewer people unemployed, the poverty rate for working-age adults working full time reached 8 percent, by the city's measure. Fully 17 percent of families with a full-time worker lived in poverty, and even among families with two full-time workers, the rate was 5.2 percent.

The latest numbers, compiled by the city's Center for Economic Opportunity, were presented to the City Council on Tuesday and are to provide a base line for how well Mayor Bill de Blasio addresses a signature issue.

"This is an administration that got elected almost entirely on this question," said Anthony E. Shorris, the first deputy mayor.

"After years of trying to nibble around the edges with pilot programs that were well-intentioned, but that were not moving the needle," he said, the de Blasio administration would confront "this stubborn undercurrent" full throttle through paid sick leave, expansion of the so-called living wage law, municipal identification cards, universal prekindergarten and after-school programs.

"Everything we're trying to do is at scale," he said.

The report concluded that "the recession-related growth in the poverty rate, which began in 2008, has ended."

Still, some groups, some of them overlapping, plunged deeper into poverty. Since 2008, when the city initiated its more comprehensive poverty index, Asians overtook Hispanics as the poorest New Yorkers. In 2008, they were statistically identical at about 23 percent. By 2012, the rate among Asians was 3.3 percentage points higher than the rate for Hispanics, at 29 percent.

Under the less exacting federal standard, a family of two adults and two children was defined as poor in 2012 if it made less than $23,283, yielding a poverty rate of 20 percent in the city. But under the city's definition, which takes into account benefits like food stamps and expenses like higher living costs, the income threshold was $31,039, resulting in a rate of 21.4 percent.

A smaller proportion of people (5.4 percent) were living in extreme poverty — below 50 percent of the poverty rate — by the city's standard than under the federal standard (8.1 percent).

While more people were working, wages were lagging because most jobs were generated in lower-wage hospitality and retail fields.

Brooklyn was the only borough to register a decline in its poverty rate between 2011 and 2012.

Compared with the federal measure, the city showed lower poverty rates among people under 18 and higher rates among those 65 and older. The city's measure, according to Christine D'Onofrio, the lead researcher, also demonstrated the effects of housing subsidies, an earned-income tax credit and food stamps in keeping people out of poverty and the high cost of medical care in swelling the ranks of the poor.

But the most striking detail remained the 46 percent at or near poverty, the same rate found in a report last year that was prepared by Dr. Mark K. Levitan when his son, Dan, was, coincidentally, Mr. de Blasio's communications director. Dr. Levitan was the Center for Economic Opportunity's director of poverty research before retiring.

The report outlined the de Blasio administration's agenda for mitigating poverty: municipal identification cards to provide immigrants with access to basic services and other supports, raising the local minimum wage, protecting low-wage workers, giving preferential treatment to city residents in public works jobs, raising wages at companies doing business with or receiving subsidies from the city, and more school services that also allow parents to work.

Poverty will never be eliminated, said Lilliam Barrios-Paoli, the deputy mayor for health and human services. "There will always be relative poverty, but it's not acceptable when people are mired in abject poverty," she said.

"Obviously," Mr. Shorris said, "poverty is reflective of larger national and global phenomena."

"We're not unrealistic about what a city can do," he added. "But after four years, we'll be asking whether our interventions were effective in changing what would have been the course of poverty in New York. What would the city have looked like had we not made those interventions?"

Getting Past Name-Calling To Talk About Poverty

Rep. Paul Ryan is meeting with the Congressional Black Caucus. Let's hope they give his ideas a fair hearing.

By Juan Williams

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

U.S. Senator Reid Leaves Door Open To Keystone Pipeline Vote

By Richard Cowan

Reuters, April 30, 2014

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

Harry Reid Debating Keystone Vote

By Burgess Everett And Andrew Restuccia And Darren Goode

Politico, April 29, 2014

Senate Democrats are trying to negotiate a vote to approve the Keystone XL pipeline as soon as next week, Senate Majority Leader Harry Reid said Tuesday.

Reid said he is "open to anything" on Keystone that will move forward an energy efficiency bill written by Sens. Jeanne Shaheen (D-N.H.) and Rob Portman (R-Ohio). The most likely option is to hold a standalone vote, pro-Keystone vote next week, rather than as an amendment to the Shaheen-Portman bill.

But the largest question remains unsettled: Whether to make the vote a binding one or a toothless "Sense of the Senate" resolution. Democrats debated those options during their caucus lunch on Tuesday and Reid has met this week with Portman as well as Keystone backers Sens. Mary Landrieu (D-La.) and John Hoeven (R-N.D.) in an effort to strike a deal.

But, Reid said, Republicans "keep moving the ball."

"Originally it was going to be a sense of the Senate. Now they can't decide what they want to vote on. So I can't agree to something that I don't know what it is," Reid said. "Now they want an up-or-down [vote] on a piece of legislation. They can't decide what it is."

Pressed on whether he would allow a binding vote, Reid said: "I'm open to anything that will move energy efficiency."

To Republicans there is no option other than a binding vote forcing congressional approval of the pipeline. Senate Minority Leader Mitch McConnell (R-Ky.) said Republicans want "a real Keystone amendment" and are "not interested' in a non-binding Sense of the Senate resolution.

"We actually ought to have a vote that matters," said Sen. John Thune of South Dakota, the No. 3 in GOP leadership.

Senate Energy and Natural Resources Chairwoman Landrieu was bullish on holding a vote on a stand-alone pro-Keystone measure, calling it "not a done deal" but likely. Still, Landrieu was equivocal when asked whether the measure will officially approve the pipeline rather than merely express support for the project.

Hoeven and other pro-Keystone lawmakers are working behind the scenes to determine how many votes they can secure for a measure approving the proposed Keystone XL oil pipeline. It's unlikely that the measure would gain the 67 votes necessary to overcome a presidential veto.

"I think we're at a point where we've got north of 55 votes, where people are definitely going to vote with us. Then there's another seven or so votes that may be with us depending on what we work out. And that's why this is all subject to discussion," Hoeven sAlsoaid.

Hoeven is likely counting on all 11 Senate Democrats that recently signed a letter to Obama asking him to approve the pipeline by the end of May. That included several Democrats seeking reelection in mostly Republican-leaning states: Landrieu, Mark Begich of Alaska, Kay Hagan of North Carolina, Mark Pryor of Arkansas, Mark Warner of Virginia and John Walsh of Montana.

The remaining Democrats Hoeven is targeting include six that weren't on that letter but voted last year for his non-binding language supporting the project. Those Democrats are Delaware's Tom Carper and Chris Coons, Bill Nelson of Florida, Michael Bennet of Colorado, Tim Johnson of South Dakota and Bob Casey of Pennsylvania.

Carper, Coons and Bennet were among those last year opposing an effort to have a binding vote approving the project, arguing they didn't want to trump the process. It's unclear whether anyone's mind has changed now that the Obama administration has signaled another delay on a final decision until at least early next year.

Pipeline Supporters Seek Quick Senate Vote

By David Espo And Matthew Daly

Associated Press, April 30, 2014

In a struggle steeped in election-year politics, supporters of the proposed Keystone XL pipeline are seeking a swift Senate vote on legislation to approve construction of the project that environmentalists oppose strongly and the Obama administration has delayed indefinitely.

Pipeline advocates in the Senate, who include several Democrats on the ballot next fall as well as Republicans, hold a clear majority. They also may command more than the 60 votes needed to overcome blocking tactics by opponents, but they appear to be short of the two-thirds majority that would be needed to override any veto by President Barack Obama.

"I will press hard for a vote in the coming weeks to build this pipeline," Sen. Mary Landrieu, D-La., the chair of the Senate Energy Committee, said this week in a statement as lawmakers returned from a two-week break. Landrieu and Sen. Mark Begich, D-Alaska, another pipeline supporter, stand accused by Republicans of being powerless to mandate the project's construction, given the numerous delays Obama has ordered without rendering a decision.

In addition, Majority Leader Harry Reid, D-Nev., faces pressure from Republicans to permit a vote on the project, with the Senate expected to debate energy-efficiency legislation in the next few days.

Sen. John Hoeven of North Dakota said he and other Republicans want the issue voted on either as a part of the energy-efficiency legislation or shortly afterward as a stand-alone bill. He said rank-and-file Republicans have "taken a very strong position" that one or the other must occur.

Aides said no decision had been made, but Reid said he had met in the last 24 hours with both Landrieu and Hoeven and left open the possibility of permitting a pipeline vote. "I'm open to anything that will move energy efficiency," he said.

The White House declined to comment on the latest Keystone gambit, but Obama threatened to veto a previous effort, in 2012, to attach approval of the project to a transportation bill.

The pipeline project has long been at a vexing crossroads of energy policy and politics that confronts Democrats.

The 1,179-mile project is proposed to go from Canada through Montana and South Dakota to Nebraska, where it would connect with existing pipelines to carry more than 800,000 barrels of crude oil a day to refineries along the Gulf Coast.

Advocates say it will create thousands of jobs and aid energy independence, but environmentalists warn of possible spills and say transporting oil will eventually contribute to global warming.

The State Department said in a Jan. 31 report that building the pipeline would not significantly boost carbon emissions because the oil was likely to find its way to market by other means. It added that transporting it by rail or truck would cause greater environmental problems than if the Keystone XL pipeline were built.

The administration unexpectedly ordered another delay in its decision earlier this month, citing a judge's ruling in

Nebraska that overturned a state law permitting the pipeline to traverse the state.

Nebraska's Supreme Court isn't expected to hear an appeal to that ruling until September or October, and there could be more legal maneuvering after that to carry past the November elections.

Republicans seized on the announcement to ridicule Landrieu, whose campaign for re-election is based in part on a claim that her position as chair of the Senate Energy Committee is a major benefit to her oil-producing state.

Begich didn't wait for Republicans to criticize him. He said he was "frankly appalled at the continued foot-dragging by this administration on the Keystone project."

Further complicating the political calculations for Democrats, billionaire environmentalist Tom Steyer has vowed to spend $50 million of his own money to make climate change a top-tier issue in the 2014 elections. He opposes the pipeline. Environmentally minded voters tend to back Democrats, and the party is already worried about a fall-off in voting this fall by other supporters because of the wobbly economic recovery and controversy over the nation's health care law.

In his comments to reporters, Reid said Republicans had first said they merely wanted to vote on a nonbinding measure expressing support for the pipeline. He said they have now switched positions and want to vote on legislation to allow the project to begin.

Landrieu told reporters that negotiations are continuing, and that it is not yet clear whether the legislation will be binding or not. Hoeven and other Republicans put it differently. "We ought to have a vote that matters," said Sen. John Thune, R-S.D.

In a nonbinding vote last year, 62 lawmakers supported construction. Among them were 17 Democrats, including Sen. Max Baucus, D-Mont., who has since retired and been replaced by another pipeline supporter, Sen. John Walsh.

More recently, 11 Senate Democrats urged Obama in a letter to approve the pipeline by the end of May. Six of the 11 are on the ballot this fall, including Landrieu, Begich and Walsh, and Sens. Kay Hagan of North Carolina, Mark Pryor of Arkansas and Mark Warner of Virginia.

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Reid's Keystone Caper

He's staging a phony vote to give Democrats political cover.

Wall Street Journal, April 30, 2014

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

GAO Rips Regulators On Foreclosure Prevention Efforts

By Kevin G. Hall

McClatchy, April 29, 2014

Financial regulators have failed to define specific, measurable objectives by which they can hold the nation's largest banks accountable for a $6 billion foreclosure prevention effort agreed to last year, a government watchdog warned Tuesday.

In a newly released Foreclosure Review report, the Government Accountability Office also said financial regulators had done an adequate job in monitoring payments made as part of an agreement with banks in 2013 that promised $3.9 billion to be split by an estimated 4.4 million affected homeowners.

But the Federal Reserve and the Office of the Comptroller of the Currency failed to properly execute a larger portion of the agreement, the GAO said, one where banks collectively must spend $6 billion on foreclosure-prevention efforts to help homeowners at risk of losing their homes.

The $3.9 billion in payments were compensation for abuses in 2009 and 2010 by mortgage servicers tied to the big banks. Federal regulators had ordered internal reviews of foreclosures after allegations surfaced that servicers, who serve as mortgage-payment collectors, had regularly falsified court documents in order to speed foreclosures on delinquent borrowers.

By early 2013, regulators felt a review mandated by a consent order was taking too long to get relief to affected homeowners. Instead, they amended the earlier consent order to mandate $3.9 billion in cash payments, about 32 percent of which went to homeowners in California and Florida alone, according to the GAO.

And while regulators have effectively managed the payments ranging from $300 to $125,000 to affected homeowners, the Fed and the OCC both continue to fall short in foreclosure-prevention efforts, the GAO concluded in its lengthy report Tuesday.

"Regulators did not establish specific objectives for the $6 billion obligation they negotiated with servicers to provide foreclosure prevention actions," the report said, noting that regulators only communicated broadly that the actions be "meaningful."

In a break from regulatory norms, the Fed and the OCC "did not follow their typical practices to inform supervisory actions, which include analysis of information," the report said.

Federal Reserve staffers acknowledged that special examination teams have not conducted oversight activities as it relates to the foreclosure-prevention efforts, the GAO said, "and regulators' guidance for oversight of the principles does

not identify actions examination teams should take to evaluate or test implementation of these principles."

The OCC regulates nationally chartered banks and federal savings associations, called thrifts. The Federal Reserve regulates insured state-chartered banks that belong to the Federal Reserve System, as well as holding companies for banks and thrifts.

The Fed, the report added, viewed the $6 billion commitment from 15 big banks for foreclosure prevention efforts as additional remediation for the problem of shoddy practices by servicers. The GAO report quoted former Fed Chairman Ben Bernanke pledging to Congress that foreclosure prevention would provide relief to existing homeowners. The report quoted a speech in which Comptroller Thomas Curry said the prevention efforts "would result in meaningful relief to borrowers still struggling to keep their homes."

Yet to date there are no measurable specifics to gauge whether the $6 billion is actually providing the relief to existing homeowners who are struggling with payments, the GAO determined.

Eight of the 15 banks in the consent order have chosen to provide direct foreclosure prevention help to borrowers, the GAO said, while seven more chose to make cash payments to groups that provide borrowers information or to housing-counseling agencies.

The GAO also criticized the Fed and the OCC for failing to provide detailed information about what criteria was used to place which borrowers in a specific payment category, and in the case of existing homeowners what sort of relief they are getting. The regulators have only been transparent on the status of activities, but have provided precious little detail to borrowers or the public, the GAO concluded.

"We will take GAO's recommendation into consideration as we finalize our reporting and other communication strategies," Tonda Price, the acting director of the Fed's division of consumer and community affairs, responded in a letter to the GAO. She said specific criteria to measure foreclosure prevention efforts will be in place this year.

Comptroller Curry was equally noncommittal, noting in a letter that "we will consider including additional detail regarding the categorization of borrowers."

The 15 financial institutions involved in the amended consent order are: Ally (GMAC); Aurora; Bank of America; Citibank; EverBank; Goldman Sachs; HSBC; JPMorgan Chase; MetLife; Morgan Stanley; PNC; Sovereign; SunTrust; U.S. Bank; and Wells Fargo. A 16th bank, OneWest, opted to stick with the original consent order and it has reviewed more than 28,000 foreclosures with multiples of that still awaiting review, according to footnotes in the GAO report.

EPA Chief Gina McCarthy Intervened To Halt To Internal Inquiry

By Jim Mcelhatton

Washington Times, April 30, 2014

Environmental Protection Agency Administrator Gina McCarthy personally intervened to delay an inspector general's investigation into the agency's homeland security division, records show.

Ms. McCarthy called for the inspector general to "temporarily halt" its probe into the office last fall days after an investigator reported threatening behavior from an official inside the homeland security office, documents show.

The inspector general's special agent, Elisabeth Heller Drake, tried to talk to an EPA official as part of an investigation into the homeland security office. During the visit, another official in the office "approached the agent in an aggressive manner and began yelling at the agent," according to an affidavit reviewed by The Washington Times.

The official, identified in documents reviewed by The Times as senior EPA analyst Steve Williams, "was in the agent's face and began pointing within inches of her face and chest forcing the complainant to move back," according to the affidavit.

The Federal Protective Service, which oversees federal buildings, investigated the incident and sent findings supporting a misdemeanor assault charge to the U.S. attorney's office in Washington.

A spokesman for the U.S. attorney's office declined to comment, saying the office typically doesn't confirm or deny investigations.

Efforts to reach Mr. Williams were unsuccessful, and he did not return email inquiries from The Times. Ms. Drake referred questions to an attorney, David Schleicher.

"We look forward to continuing to work with EPA and Congress in seeking a resolution of these difficult issues," Mr. Schleicher wrote in an email.

Ms. McCarthy referred to "an apparent confrontation" days later in an October letter that she sent to Inspector General Arthur Elkins and to Juan Reyes, the EPA's acting associate administrator.

"These incidents are unfortunately indicative of the growing discord, distrust and conflict between members of your respective offices," Ms. McCarthy wrote.

Ms. McCarthy said she hadn't received a clear explanation for the inspector general's review or methodology, but noted that the inspector general had raised questions about the homeland security office's role in national security investigations.

She said she wanted her general counsel to "lead a dialogue between the two of you to resolve those questions," according to the letter. Meanwhile, she said, "I request that

the OIG temporarily halt its review until the process I have described is complete."

Most inspector general offices, including the one for the EPA, are independent entities under federal law, and requests from agencies on the handling of specific inspector general investigations are uncommon.

"It's highly unusual for an administrator or director of a Cabinet-level department to request an IG stop an investigation," said Eric Feldman, who served as inspector general of the National Reconnaissance Office from 2003 to 2009. "That never ends well."

It's unclear what became of the underlying investigation that brought Ms. Drake into the EPA's homeland security office, but the EPA inspector general's office and the department overall have made no secret about their disagreement on whether the inspector general has the legal right to investigate the office.

The EPA inspector general has recused itself from the investigation into Ms. Drake's complaint, and the Pentagon's inspector general office is investigating.

Mr. Elkins first disclosed Ms. McCarthy's request to temporarily halt the investigation when questioned by Sen. David Vitter, Louisiana Republican, about whether Ms. McCarthy had ever told the inspector general to take a particular course of action in an investigation.

Mr. Vitter, the ranking member of the Senate Committee on Environment and Public Works, started investigating EPA failures after John Beale — once the agency's highest-paid employee — was sent to federal prison last year.

Beale pleaded guilty to duping his superiors into thinking he was working part time for the CIA as a spy, when he was at home collecting paychecks and doing no work.

Asked by Mr. Vitter of any EPA officials "intimidating or otherwise taking actions to prevent the OIG from conducting investigations," Mr. Elkins replied, "Yes."

"Over the past 12 months there have been several EPA officials who have taken action to prevent [the office of investigations] from conducting investigations or who have attempted to obstruct investigations through intimidation," the inspector general replied.

EPA officials disagreed.

Bob Perciasepe, the EPA's deputy administrator, accused Mr. Elkins of omitting important context in response to Mr. Vitter's "narrowly crafted" questions.

EPA officials declined to comment, referring to a copy of Mr. Perciasepe's letter when asked about the inspector general dispute and subsequent Federal Protective Service investigation.

Mr. Perciasepe said the inspector general detailed a "few very isolated events" between the watchdog office and EPA employees.

He said the events should be viewed in the context of a "difficult disagreement" between the EPA and the inspector general over Mr. Elkins' office's authority to investigate national security matters at the agency.

Mr. Perciasepe said the inspector general's statutory authority didn't explicitly address the role of the office in national security matters. While the inspector general has maintained it has primary authority to investigate national security matters, the agency has a long-standing practice of using its office of homeland security and an agency agreement with the FBI, he wrote.

Mr. Perciasepe also said the EPA asked for an independent third-party review after the Federal Protective Service concluded its investigation into "the incident."

In a response, Mr. Elkins said his office is responsible for investigating misconduct and fraud throughout the EPA.

He said the homeland security office, however, is a "non-statutory creation of EPA" reporting to the administrator that lacks investigative and law enforcement authority. He also said the office hadn't communicated with the inspector general's office on a Secret Service report summarizing a threat against the EPA and the president in August.

"Where employee misconduct or another OIG-covered issue is present, regardless of whether or not national security is involved, the OIG must be able to conduct its work without interference," he wrote, adding that the memo would be his last public comment on the matter.

Documents Contradict EPA On Climate-rule Delay

By Erica Martinson

Politico, April 29, 2014

Newly released documents are fueling GOP questions about whether EPA put politics ahead of policy by publishing a controversial climate rule so late that it will allow red-state Senate Democrats to dodge a difficult vote.

The records also contradict the congressional testimony of EPA Administrator Gina McCarthy, who told senators early this year that her agency had submitted the rule to the Federal Register "as soon as that proposal was released."

But in fact, EPA didn't submit the rule to the Federal Register until Nov. 25, more than two months after the agency released it to the public. And the Federal Register didn't publish it until Jan. 8.

The delay means that the soonest congressional Republicans can force a vote on repealing the rule is January 2015 — months after the vote would pose a tricky political dilemma for some Democrats seeking reelection.

"Based on this sequence of events, it appears that the delay in the proposal's publication may have been motivated by a desire to lessen the impact of the President's harmful environmental policies on this year's mid-term elections,"

Sen. Jim Inhofe (R-Okla.) wrote to McCarthy in a letter dated Monday that was provided to POLITICO.

"The senator believes the 66 day delay is too significant of a time gap during a heated election year to just be coincidental," said Inhofe spokeswoman Donelle Harder. She said Inhofe wants to find out if the delay originated with either the EPA or the White House Office of Management and Budget.

EPA's 66-day delay between releasing the rule and submitting it is well out of line with the one- to five-day lags seen in several of the agency's other hot-button rules in recent years. Still, this is not the first time EPA has been accused of slow-walking regulations for political reasons — Republicans complained about delays in numerous major agency efforts during the 2012 presidential race.

EPA declined Monday to account for the discrepancy between the power plant rule's Nov. 25 submission date and McCarthy's congressional testimony.

"EPA follows routine interagency and internal processes to ensure that formatting, consistency, and quality control issues are addressed before any rule package is published in the Federal Register," said EPA spokeswoman Liz Purchia, who acknowledged that the November date is accurate. "This is a normal part of the rulemaking process, and the time needed for these procedures varies for each rule."

Purchia also pointed to the Oct. 1-16 government shutdown as a reason the "agency lost a significant amount of time." The shutdown encompassed 11 working days when weekends and Columbus Day are excluded.

In testimony before the Senate Environment and Public Works Committee on Jan. 16, McCarthy insisted that EPA was not to blame for the time lag.

"Senator, I will assure you that as soon as that proposal was released, we had submitted it to the Federal Register office," McCarthy told Inhofe during the hearing. "The delay was solely the backup in the Federal Register office, and we frequently asked when it was going to come out and how quickly, because it was available on our web page. We wanted to start the formal public process."

But on Monday, EPA provided no evidence that it had ever asked the Federal Register what was taking so long.

The rule, which EPA released Sept. 20, was a do-over of a 2012 draft. EPA had sent the 2012 version to the Federal Register a day after releasing it to the public, and it was published two weeks later, according to another letter Inhofe made public.

The kerfuffle over the rule's timing comes as the agency is preparing by June to release another blockbuster climate regulation, this one aimed at lessening carbon pollution from 6,600 existing power plants. Both power plant rules would put a huge crimp in coal-fired power and have become a political headache for Democrats in Appalachia, Gulf Coast oil states and other energy-producing regions.

The Obama administration certainly never tried to hide the Sept. 20 rule's existence from the public. McCarthy announced it with fanfare at the National Press Club and immediately posted it on the agency's website. President Barack Obama had made the rule a prime part of the climate strategy he unveiled last summer in a major speech at Georgetown University.

But the publication date in the Federal Register matters — both legally and politically.

It's the official step that opens the regulation for public comment. It also starts the clock on an even more important deadline: The Clean Air Act dictates that once EPA publishes this type of rule, it must be completed within one year.

And once the rule is finished, opponents in the Senate can seek to repeal it using a Congressional Review Act resolution, which needs only 51 votes to pass. Republicans including Inhofe and Senate Minority Leader Mitch McConnell have been raring to force such a vote, creating a tough predicament for some Democrats.

But thanks to the lag, the power plant rule doesn't have to become final until January 2015.

If EPA had sent the rule to the Federal Register in September, the agency probably "would have been obligated to finalize the new rule about six weeks before the 2014 elections," Inhofe wrote in his letter to McCarthy. "Now, because of EPA's delay, the proposal will not need to be finalized until well after the election cycle."

Following McCarthy's testimony, Inhofe discovered the truth about the timing by writing to Federal Register Director Charles Barth, who responded that that his office had received EPA's proposed rule Nov. 25.

"We searched our electronic management system and did not find any record of this proposed rule or earlier versions of this proposal being submitted to the [Federal Register] before November 25, 2013," Barth said in a letter to Inhofe dated Feb. 18.

Further, the rule was originally scheduled for publication on Dec. 30, but "EPA requested that this document publish on January 8, 2014," Barth said. His office had the document for only 22 working days, Barth said.

EPA said Monday that it sought a delay from the Dec. 30 publication date to avoid having the rule come out during the holidays.

Of five major EPA regulations issued from 2008 to 2012 that Inhofe asked about, there are no records of EPA asking to push back publication in the Federal Register, Barth wrote in a subsequent letter. Inhofe asked for information about another regulation from 2005, but the office no longer had those records as a matter of policy.

Four of the five regulations — involving ozone, greenhouse gases, pollution standards for boilers and power

plants and the previous version of EPA's proposed rule to limit power plants' carbon emissions — were released to the public no more than five days before they were sent to the Federal Register for publication. EPA's mercury and air toxics standards for power plants was released on Dec. 21 and not sent for publication until Jan. 12, a 23-calendar-day gap.

For the new power plant rule, EPA's critics grumbled for months about the lag in seeing the regulation come out in the Federal Register. And as it turns out, some people in OMB were wondering the same thing.

OMB policy analyst Nathan Frey asked about the delay in an email to three EPA officials Nov. 19, writing that "lots of folks are confused as to why the rule hasn't yet published in the FR," according to documents released in the rule's docket. "Are there particular reasons for this?"

Treasury Chief Defends Guidance Given Banks On Marijuana Shops

By David Lawder

Reuters, April 30, 2014

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

Lew Roped Into Dope Debate Prefers Legal Marijuana Money In Bank

By Ian Katz

Bloomberg News, April 30, 2014

Treasury Secretary Jacob J. Lew, who oversees the world's reserve currency and the largest bond market, was roped into a debate today about a new magnet for money: legalized marijuana.

Lew, testifying today before a House Appropriations subcommittee in a hearing, was asked by two lawmakers about Treasury guidelines allowing banks to offer services to marijuana dealers in states that have legalized pot for recreational or medical use.

The Treasury wants to ensure legal pot stores use the traditional banking system, where regulators can scrutinize questionable transactions, Lew explained. Otherwise, the money would be difficult to monitor.

"The risk of cash transactions is actually something that we were quite concerned about," Lew said in response to a query from the committee chairman, Kentucky Republican Harold Rogers.

"Without any guidance, there would be a proliferation of cash-only businesses, and that would make it impossible to see when there are actions going on that violate both federal and state law, and that would be a real concern," Lew said.

The Treasury's Financial Crimes Enforcement Network issued guidelines Feb. 14 allowing U.S. banks to offer accounts and other services to businesses in states where medical or recreational marijuana sales are legal.

Lew was asked by Mario Diaz-Balart, a Florida Republican, if the guidelines will have a "very clear statement" that marijuana is illegal under federal law. Lew responded that "our guidelines in no way change federal law."

The guidance was sought by pot businesses and the governors of Colorado and Washington, whose voters in 2012 approved the first sales of marijuana for recreation.

"We thought that the clarity, bringing it into daylight, was a better solution," Lew said. "The real clarity here would require legislation that conformed to policy. But, since we don't have that, it was an attempt to have as much clarity as one can have given the complex situation with the state laws."

In his exchange with Lew, Rogers asked whether cocaine dealers should be "given the same break" as the marijuana businesses.

"I'm not aware of any state that has legalized, you know, activity in that area," Lew said.

Congress's Blunt Interference In D.C. Laws Should Stop

By Editorial Board

Washington Post, April 30, 2014

A CONGRESSIONAL subcommittee is planning a hearing on the District's recent move to decriminalize marijuana as part of a "broader examination" of the issue. We agree that the growing tension between federal marijuana laws and laws in many local jurisdictions merits a national discussion. But, like D.C. officials, we are wary that the District is being singled out and that the interests of local residents again could fall victim to congressional interference.

The House Committee on Oversight and Government Reform's Subcommittee on Government Operations is set to hold a hearing next month on a bill passed by the D.C. Council and signed by Mayor Vincent C. Gray (D) that eliminates criminal penalties for the possession of small amounts of marijuana. No sooner had word leaked out about the hearing than Del. Eleanor Holmes Norton (D-D.C.) wondered why there was congressional interest in The District and not in the 18 states that have decriminalized marijuana. "This is a local issue," Mr. Gray said at an April 23 news conference,"They're not having hearings on any laws in Chicago or Los Angeles or New York, are they?" No, nor on Maryland, where lawmakers took steps to decriminalize marijuana about the same time as the District.

What distinguishes D.C. from these other jurisdictions, as Ms. Norton said in a statement, is "Congress's illegitimate power to overturn the democratically enacted local laws of the District." The decriminalization act is undergoing a 60-day legislative review and will take effect at the end of that period

unless disapproved by Congress and the president. The last time a local law was overturned was in 1991, but Congress could use policy riders on appropriations bills to block implementation of the law, as it did with D.C. laws on medical marijuana and abortions for low-income women.

A spokeswoman for the subcommittee pointed to a March 4 hearing in which the U.S. attorney for Colorado testified about enforcement of federal drug laws in a state where marijuana is now legal as evidence of the larger inquiry being conducted, as The Post's Mike DeBonis reported. It's unclear who was invited or who will testify at the D.C. hearing, tentatively set for May 8. We hope the subcommittee will be interested in why the District took this action: racial disparities and ruined lives that go with criminal penalties for a small amount of pot. Even better, the legislators might better spend their time bringing federal drug laws into line with the growing number of states that have eliminated criminal penalties.

Read more about this issue: Ruth Marcus: The perils of legalized pot E.J. Dionne Jr.: Marijuana injustices need to ned The Post's View: Marijuana's foot in the door Doug Fine: Five myths about legalizing marijuana Kathleen Parker: Let's give pot smokers a little leeway

Sylvia Mathews Burwell: The Obamacare War That Wasn't

By Jennifer Haberkorn And Burgess Everett

Politico, April 30, 2014

The proxy war over Obamacare that was expected to dominate the Senate in May is looking more and more like a dud.

The chamber will begin consideration next week of Sylvia Mathews Burwell's nomination to lead the Department of Health and Human Services, the agency tasked with implementing the health care law.

Initially, Republicans seemed poised to use the confirmation process to spur further attacks on Obamacare. But instead, more than a half-dozen GOP senators said in interviews that they are impressed with Burwell's credentials.

In the end, the only thing standing between Burwell and a new seat in President Barack Obama's Cabinet might be two tough grillings in front of the cameras.

"Cursorily, she looks very good, but she's going to have to answer some really tough questions, is all I can say," said Sen. Orrin Hatch of Utah, the top Republican on the Senate Finance Committee, which must vote on Burwell's nomination before it can go to the Senate floor.

Though Republicans are making Obamacare a centerpiece of their bid to regain control of the Senate, some lawmakers say there's a difference between their opposing the law and fighting Burwell personally.

"She's not the one to go after [over] the policy or ideological differences," said Sen. Richard Burr (R-N.C.), another Finance Committee member. "She's got to go in and try to run the place. I'm much more concerned that she's up to snuff on [public health preparedness and the National Institutes of Health] — things where the secretary can have a real impact."

(CARTOONS: Matt Wuerker on Obamacare)

Democrats — even some of those running for reelection this fall in red states where Obamacare isn't popular — are widely applauding Obama's pick. Sen. Mark Begich (D-Alaska) said he had "no real qualms" over her nomination.

That support, in addition to that of some Republicans, means Burwell's confirmation is hers to lose.

She'll have to get through two tough confirmation hearings — one in Finance, the other in the Senate Health, Education, Labor and Pensions Committee. And many Republicans indicated that they have big questions for Burwell, who they hope is exponentially more responsive than outgoing HHS Secretary Kathleen Sebelius to their inquiries.

Republicans want assurances that Burwell will reply to their written letters on Obamacare implementation and work with them on other HHS issues — something they say Sebelius rarely did.

But given Republicans' existing relationship with Burwell at OMB and her unanimous 96-0 Senate approval last year to lead the Office of Management and Budget, Republicans might have little more than tough talk in store for the new steward of Obamacare.

"The interaction I've had with her has been very positive," said Sen. Bob Corker (R-Tenn.). "I know she's knowledgeable, and I don't enter thinking about her in that position with any negative thoughts."

Still, Burwell is not going to get another unanimous confirmation vote.

Some Republicans will still oppose her nomination on Obamacare grounds or because of concerns that she doesn't have enough of a health care background. Rep. Steve Scalise and four other Louisiana Republican House members are already calling on their state's senators to put a "hold" on Burwell's nomination over Obamacare that could delay the vote for a day or two.

But unless she commits a game-changing gaffe during her hearings, it's possible she will clear the Senate by much more than the 51 votes needed.

"Somebody's got to do the job," said Sen. Lindsey Graham (R-S.C.), who's inclined to support Burwell. "Her challenge is to convince the Congress that they're going to get real information in a timely fashion about Obamacare, about enrollment, who's enrolled, what percentage or a certain age group, how many people are paying their premiums. The past lack of transparency is unacceptable."

Sen. John McCain (R-Ariz.) also said he's likely to support Burwell. Democrats believe his support and kind words from Republicans like Burr, Graham and Corker will go a long way toward defusing a long-threatened partisan battle over Obamacare.

"It's going to be impossible for Republicans to misremember their votes on her OMB confirmation just a handful of months ago," said Sen. Chris Murphy (D-Conn.). "I don't expect that this is going to be as big a fight as people originally predicted."

Still, Burwell's GOP grilling is unlikely to be pleasant, even if her confirmation vote is not in doubt. Sen. John Barrasso of Wyoming, the No. 4 in GOP leadership, said that Burwell will be "held accountable" for the health care regulations she's developed at OMB.

"I don't expect her to have a significant willingness to look for ways to head in more effective directions for health care [than the administration has previously supported], and I think that will be a problem in the confirmation process," said Rep. Roy Blunt of Missouri, a member of GOP leadership. "But, it takes 51 votes, and Democrats have 55."

Sen. Jeff Sessions of Alabama, who as the top Republican on the Budget Committee interacted with Burwell more than most other lawmakers, called her smart and courteous — but questioned her qualifications for the HHS job and suggested that at this point in Obamacare's history, the department needs an experienced health care leader from state government or the insurance industry.

"The biggest issue facing America now is what to do about health care, and she lacks experience in that," he said. "They want a message person who is loyal utterly to the White House, and less emphasis is being placed in running these agencies."

Several Democrats facing voters this fall indicated that they'll support her nomination, too, including Begich and Sen. Jeanne Shaheen of New Hampshire.

"She'll hear from me a lot [on] Indian Health Services and the needs that we have and making sure some of the stuff we've worked on gets resolved, but I have no real qualms over her," Begich said.

He said he hopes Burwell's confirmation isn't about Republicans' disgust with the health law, "because she had nothing to do with it."

"Hopefully they're not a bunch of complainers," Begich said.