

THE HOMELAND SECURITY *NEWS CLIPS*

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TO: THE SECRETARY AND SENIOR STAFF

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LEADING DHS NEWS

4 Things To Watch As SCOTUS Weighs Obama's Immigration Orders

[National Journal](#), April 17, 2016

Another presidential election year, another Supreme Court referendum on another signature policy of President Obama's.

The Court is scheduled to hear oral arguments Monday in *U.S. v. Texas*, a landmark challenge to Obama's executive orders on immigration. A coalition of 26 states, led by Texas, say Obama overstepped his authority when he announced a new policy, known as DAPA, that allowed about 5 million undocumented immigrants to remain in the U.S.

Obama's policy temporarily shields from deportation undocumented immigrants whose children are U.S. citizens or legal residents, allowing them to remain in the country and to work here. Obama announced the policy on the heels of Congress's rejection of comprehensive immigration reform, and his conservative critics say his quest for a unilateral executive approach went too far.

Now—as with so much of Obama's domestic agenda—the Supreme Court will determine whether his immigration plan lives or dies. The justices set aside an extra half-hour for the case, scheduling a total of 90 minutes of arguments.

Monday's oral arguments will set the stage for a ruling just a few weeks before the Republican convention, in what may be the most politically significant test of how well the Court can function—and preserve its above-the-fray image—with only eight justices.

Here's what to watch for during Monday's session:

How much policy did Obama change?

The most fundamental dispute in this case is over the scope of Obama's policy changes. It's not just a dispute over what the president has the power to do, but over what the president did.

Texas claims that Obama has granted new legal protections and work authorizations to millions of undocumented immigrants. "Congress has never given the Executive carte blanche to grant lawful presence to any alien it chooses not to remove," the state said in its brief to the high court.

The Justice Department isn't necessarily arguing that it does, in fact, have that blank check. Rather, it says Texas is "fundamentally wrong" about what DAPA does.

"Aliens covered by the Guidance, like all aliens afforded deferred action, are violating the law by remaining in the United States, are subject to removal proceedings at the government's discretion, and gain no

defense to removal," the Justice Department said in a brief.

So the justices will be asking a lot of questions Monday about the president's authority—but, his authority to do what? The biggest clues to how they're leaning will likely come from the way they frame DAPA. Questions accepting the premise that Obama granted work authorizations to 5 million people are a bad sign for the administration; questions accepting the premise that DAPA triggered other, previously established immigration laws are a bad sign for the states.

Do the plaintiffs have standing?

The Obama administration's strongest argument in this case might be a procedural one. The Justice Department has argued at great length that Texas and the other 25 states involved in this lawsuit do not have the legal standing to challenge Obama's executive actions. To challenge a federal policy in court, you have to show that the policy has injured you—and the states can't show that, the administration argues.

Texas says the injury here takes the form of millions of dollars in spending, particularly the cost of subsidizing drivers' licenses for people covered by DAPA. But, the Justice Department says, Texas subsidizes drivers' licenses voluntarily and could stop doing so at any time. If states can challenge federal policies because of their "incidental effects" on states' budgets, the Justice Department argues, they would gain a "virtually unfettered ability to conscript courts into entertaining their complaints about federal policies."

That argument might have some appeal to Chief Justice John Roberts, both because he has taken a relatively limited view of standing in the past and because he tries to keep the Court out of political disputes as much as possible. If Roberts doesn't spend much time on standing questions Monday, that would be a bad sign for the White House.

Roberts vs. Kennedy

There's only one way Obama will be able to implement even part of his immigration program before he has to leave the White House, and that's to win this case outright. A ruling for Texas would, obviously, be a win for Texas, and a tie would leave the matter unresolved until the next administration comes in. So if DAPA is ever going to see the light of day, the Justice Department will need to win over either Roberts or Justice Anthony Kennedy, and it's not entirely clear which is the more likely swing vote.

Standing is the Justice Department's best pitch to Roberts. And though it could also resonate with Kennedy, he's generally more willing than Roberts to dive into bigger, more fundamental legal questions. The government's pitch to Kennedy is a more emotional one.

"De-ferred ac-tion ... provides some meas-ure of dig-nity and de-cent treat-ment. ... It re-cog-nizes the dam-age that would be wreaked by tear-ing apart fam-il-ies, and it al-lows in-di-vidu-als to leave the shad-ow eco-nomy and work on the books to provide for their fam-il-ies," the Justice De-part-ment wrote in a brief.

They're very dif-fer-ent ar-gu-ments: Roberts might be more likely to help the ad-min-is-tra-tion dis-pose of this chal-lenge on pro-ced-ur-al grounds. But if that fails and the Court moves more heav-ily in-to the mer-its, Kennedy might be the bet-ter bet for the Obama ad-min-is-tra-tion. Either scen-ario, though, hinges on con-trolling the de-bate over what Con-gress has au-thor-ized in the past.

Pars-ing the polit-ics

Al-most everything about U.S. v. Texas is messi-er than the Court usu-ally likes. The pro-ced-ur-al his-tory is un-usu-al. There are only eight justices. And the polit-ics are even messi-er. Of all the polit-ic-al cauldrons in all the elec-tion years, the justices will be walk-ing in-to a ma-jor im-mig-ra-tion rul-ing just a couple weeks be-fore Don-ald Trump leads the Re-pub-lic-an Party in-to its first con-tested con-ven-tion in dec-ades.

All of that points to the justices pre-fer-ring as min-im-al a rul-ing as pos-sible. Polit-ic-ally, the easi-est thing for Roberts is prob-ably a dead-lock: If the Court ends up in a 4-4 tie, it could de-cide to re-hear the case once it gets a ninth, tie-break-ing justice. That would ef-fect-ively let Roberts off the hook: Obama would not get to im-ple-ment DAPA, but the Court wouldn't rule on it. The next pres-id-ent would de-cide wheth-er to pur-sue DAPA—and if not, this case would be-come moot and no re-hear-ing would be ne-ces-sary. Plus, it would high-light the need to con-firm a new justice.

But even if the Court doesn't dead-lock, it's still safe to ex-pect a nar-row rul-ing. The Court could rule that Texas doesn't have stand-ing, which would avoid reach-ing the mer-its of DAPA. Or, it could rule that DAPA should have been ad-op-ted through form-al no-tice-and-com-ment rule-mak-ing—a de-cision that would block the pro-gram for now but al-low a Demo-cratic pres-id-ent to re-con-sti-tute it.

Which of those es-cape hatches seems most real-ist-ic? We'll find out by around 11:30 a.m. Monday, when or-al ar-gu-ments con-clude.

Obama Immigration Action Goes Before Supreme Court

By Lawrence Hurley

[Reuters](#), April 17, 2016

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

6 Things To Know About The Supreme Court Immigration Case

By Lydia Wheeler And Mike Lillis

[The Hill](#), April 17, 2016

The Supreme Court will hear oral arguments Monday in a blockbuster case that threatens to kill the executive actions President Obama took in 2014 to save nearly 5 million illegal immigrants from deportation.

It's possible the eight-justice bench could deadlock in deciding whether the president overstepped his executive authority. The court has shown signs that it's struggling to reach consensus without a ninth member since the unexpected death of Justice Antonin Scalia.

A 4-4 tie would still be a win for Texas and the 25 other states challenging a pair of executive actions — which created the Deferred Action for Parents of Americans (DAPA) initiative and expanded the Deferred Action for Childhood Arrivals (DACA) programs — that a lower court put on hold in February 2015.

Here are six things to know ahead of Monday's oral arguments.

1. Before the Supreme Court can rule on the merits of the case, it must first decide if Texas had a legitimate basis to bring the case forward to begin with.

The states argue they will have to spend more in public services like healthcare, law enforcement and education if undocumented parents of both American citizens and legal permanent residents are allowed to stay in the country.

Texas says it would be most burdened by having to issue a substantial number of new driver's licenses, a benefit that is partly subsidized. The administration argues those costs are self-generated.

"Texas has chosen to subsidize driver's licenses for all aliens within various federal immigration categories," the administration said in a brief. "If that choice no longer suits Texas's interests, it can make a different choice."

If the court finds the states lacked standing, the case would be dismissed without consideration of the other challenges being lobbed and Obama would be free to launch his programs.

2. House Republicans will have 15 of the 90 minutes reserved for arguments to fight for the president's programs to be struck down.

The Supreme Court issued the order giving lawmakers a chance to be heard after the House, in an unprecedented move, filed an amicus brief in support of the states.

The resolution allowing House Speaker Paul Ryan (R-Wisc.) to file the brief passed largely along party lines.

"The executive is certainly free to disagree with the immigration laws and to try to persuade Congress to revise them. And the executive even has some discretion (albeit nowhere near the unlimited discretion it claims) to decide how

best to use its limited enforcement resources. But the executive does not have the power to authorize—let alone facilitate—the prospective violation of the immigration laws on a massive class-wide scale,” the House said in its brief.

Democrats who disagreed have filed their own brief in support of the administration.

Erin Murphy, an attorney with the D.C. law firm Bancroft PLLC, will argue on behalf of the House.

3. One of the questions the Supreme Court is being asked to decide is whether President Obama should have followed the notice-and-comment requirements of the Administrative Procedures Act.

The administration argues that its actions serve as guidance for the Department of Homeland Security in establishing national immigration enforcement policies and priorities but do not change the way the law operates – therefore not triggering the notice-and-comment requirements under APA.

If the court agrees with the states’ arguments that DAPA represents one of the largest changes in immigration policy in the nation’s history and required public notice and an opportunity to comment, Democrats say the programs are as good as dead.

“The trial said you had to use the APA to take a discretionary action,” Rep. Zoe Lofgren (D-Calif.) said. “If the Supreme Court says that, no future president will be able to act.

4. Court watchers say either Justice Anthony Kennedy or Chief Justice John Roberts could swing to the left in this case and side with the administration.

In *Arizona v. United States* in 2012, both Kennedy and Roberts joined the court’s liberal members in a 5-3 ruling – Elena Kagan recused herself – that struck down parts of an Arizona state law that made it a crime to be in the state without legal papers, apply for or get a job in the state and allowed police to arrest immigrants they suspect could be deported.

“A principal feature of the removal system is the broad discretion exercised by immigration officials,” Kennedy wrote in the court’s decision, on which Roberts joined with the court’s liberal justices Ruth Bader Ginsburg, Stephen Breyer and Sonia Sotomayor. “Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all.”

In addition to this ruling, immigration advocates have pointed to Roberts’s history of having a narrow view of standing as a sign he might rule against the states.

5. The court’s decision will also have enormous implications for President Obama’s domestic policy legacy. In both 2008 and 2012, Obama campaigned heavily on promises to push for comprehensive immigration reform, including a pathway to citizenship for millions of undocumented immigrants. The platform energized Latino

voters, who flocked to Obama by overwhelming margins in both elections.

Seven years later, however, Obama has yet to make good on his promise. That failure, coupled with the increase in deportations that marked his early years in office, has alienated many of the Latino leaders who helped get him elected, including several House lawmakers, like Rep. Luis Gutiérrez (D-Ill.), who’ve taken the rare step of picketing the White House.

6. However the court rules, the decision is sure to animate the already intense, and very partisan, fight over immigration reform on the presidential trail that could prove crucial to the outcome of the race.

The number of eligible Hispanic voters is expected to top 27 million this year, according to the Pew Research Center, and those voters could be the difference in a number of battleground states, including Virginia, Florida, Colorado, Nevada and New Mexico.

GOP front-runner Donald Trump has only heightened the debate by characterizing Mexican immigrants as rapists and criminals; calling on Mexico to fund the construction of a border wall; and urging a ban on all Muslims entering the country.

Sen. Ted Cruz (R-Texas), Trump’s closest rival, has also adopted a hardline approach, vowing to prioritize security and enforcement efforts while deporting millions of undocumented immigrants.

The message from the Democrats is decidedly different. Both Hillary Clinton and Sen. Bernie Sanders (I-Vt.) support a comprehensive approach that includes a pathway to citizenship, and both have not only endorsed Obama’s executive actions easing deportation, they’ve vowed to expand on them.

SCOTUS To Hear Immigration Case Monday

[CNN](#), April 17, 2016

(CNN) – The U.S. Supreme Court is scheduled to hear oral arguments Monday on President Obama’s plan to overhaul the nation’s immigration rules.

One of the issues the court will examine is whether the president over-stepped his authority, by issuing an executive order that would spare more than four million undocumented immigrants from deportation and give them work permits.

In February of 2015 a federal judge in Texas blocked the program – after 26 states filed suit.

An appeals court upheld the decision in November.

The death of Justice Antonin Scalia this past February appears to complicate the case.

A tie vote in the high court would leave the appeals court ruling in place – throwing out Obama’s executive action.

Or the justices may try to avoid a formal ruling one way or the other, allowing the immigration program to go into effect.

A decision will most likely be one of the last rulings of the term.

If the justices are evenly divided we could hear much sooner.

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Focus On Chief Justice As Supreme Court Hears Immigration Challenge

By Adam Liptak

[New York Times](#), April 17, 2016

WASHINGTON — Chief Justice John G. Roberts Jr. twice voted to save President Obama's health care law, infuriating his usual allies on the right. Now, conservatives are nervous that the chief justice will disappoint them again in a challenge to another major Obama initiative, this one on immigration.

The case, to be argued on Monday at the Supreme Court, presents fundamental questions about executive power against the backdrop of a wrenching national debate over Mr. Obama's plan to spare millions of immigrants from deportation. But Chief Justice Roberts's record suggests that he may avoid taking a position on such a divisive and partisan issue, focusing instead on the more technical question of whether the states challenging the Obama administration's immigration plan have suffered the sort of direct and concrete injury that gives them standing to sue.

That jurisprudential off-ramp would avoid a deadlock or a grand pronouncement from a short-handed court on a politically charged issue in a presidential election year. And that may prove attractive to a chief justice who has said he does not want the Supreme Court to be viewed as a forum where "partisan matters would be worked out."

A narrow ruling would in some ways echo Chief Justice Roberts's 2012 opinion sustaining the central feature of the health care law on grounds so carefully calibrated that no other justice joined all of his opinion. And it would be consistent with his stated preference for achieving consensus by defining the legal question at issue in a case as narrowly as possible.

Chief Justice Roberts, 61, is a patient man and a canny strategist, sometimes to the frustration of his conservative colleagues. In 2007, three years before the Citizens United decision, Justice Antonin Scalia, who died in February, urged him to move faster in deregulating campaign finance law.

In 2009, Chief Justice Roberts persuaded seven of his colleagues to duck a challenge to the Voting Rights Act on technical grounds and then used language from that opinion in 2013 to justify striking down the heart of the law in *Shelby County v. Holder*.

David A. Strauss, a law professor at the University of Chicago, said an incremental step will appeal to Chief Justice Roberts all the more in the current political climate.

"The chief justice, who has spoken recently about how the confirmation process might affect the court's stature, may be especially troubled by a 4-4 split in this case," Professor Strauss said. A ruling based on standing, he said, "would wipe the slate clean, so the program could be considered in the future by a full Supreme Court."

Mr. Obama's plan would allow more than four million unauthorized immigrants who are parents of citizens or lawful permanent residents to apply for a program shielding them from deportation and allowing them to work legally. In the short term, a ruling to dismiss the case on standing grounds would at least temporarily save the plan.

A tie vote, on the other hand, would leave in place an injunction blocking the plan and probably deny Mr. Obama any chance of resurrecting it.

The case, *United States v. Texas*, No. 15-674, was brought by Texas and 25 other states, which say the plan went beyond what Congress had authorized. Lower courts have sided with Texas.

The trial judge ruled that the Obama administration should have given notice of the plan and sought public comments on its new program. The appeals court affirmed that ruling and added a broader one: The program, it said, also exceeded Mr. Obama's statutory authority.

The Supreme Court asked the parties to address the even broader question of whether Mr. Obama had violated his constitutional obligations to enforce the nation's laws. But the court must first address whether Texas has suffered the sort of direct and concrete injury that gave it standing to sue in the first place.

"Chief Justice Roberts will be very skeptical of Texas's standing claims," said Tara Leigh Grove, a professor of law at William & Mary and the author of an article on lawsuits by states against the federal government to be published next month in *The Cornell Law Review*.

Ken Paxton, the attorney general of Texas, said his state had brought the case to settle fundamental questions about presidential power.

"Our goal really was pretty basic: defend the Constitution and stop President Obama's lawlessness," he said.

A White House spokeswoman declined to comment. In court papers, the administration has defended its plan as lawful, humane and valuable.

A ruling based on standing would sidestep all of those issues. Even lawyers who believe that Texas has demonstrated that it has standing say they are not sure how the chief justice will vote.

"It's no secret that the chief justice is not a fan of expansive standing doctrine," said Jonathan H. Adler, a law professor at Case Western Reserve University who filed a brief supporting Texas on the standing issue.

Professor Adler, who was an architect of a challenge to the Affordable Care Act's nationwide tax subsidies that the Supreme Court rejected last year in a majority opinion from Chief Justice Roberts, added that there was a second reason to worry about the chief justice's vote in the Texas case.

"Ways of disposing of cases without addressing the merits do become more attractive on an eight-member court," he said.

Texas says it has standing to sue based on the budget shortfalls it would sustain if many unauthorized immigrants applied for driver's licenses. The state sets fees for driver's licenses below what they cost and ties eligibility for them to federal determinations about who is lawfully present in the country.

"Our standing argument is based on the cost of driver's licenses, which is obviously not part of our budget at this point," said Mr. Paxton. "The Legislature meets only every other year, and they put together a budget and all of the driver's licenses come out of the budget, and there's no money for it. So our standing is based on that cost."

Experts on standing law have sharply differing views about whether the cost of driver's licenses, a consequence of the state's own choices about fees and eligibility, can confer standing. "Such self-imposed 'injury' has never provided a ticket to federal court," Walter Dellinger, a former acting United States solicitor general in the Clinton administration, wrote in a supporting brief. Chief Justice Roberts cited Mr. Dellinger's views on standing in an opinion in an earlier case.

Ernest A. Young, a law professor at Duke who filed a supporting brief for Texas, said the state has plainly been injured. "All one has to accept for Texas to have standing," he said, "is that governments have interests in administering their own legal regimes, and that because these legal regimes are intertwined with federal law in various ways, federal actions often do affect state public administration in a cognizable way."

Chief Justice Roberts wrote a sharp dissent in *Massachusetts v. Environmental Protection Agency*, a 5-to-4 decision in 2007 that said Massachusetts had standing to challenge the Bush administration's decision not to regulate greenhouse-gas emissions. Relaxing standing requirements "because asserted injuries are pressed by a state," the chief justice wrote, "has no basis in our jurisprudence."

The "true goal for this litigation may be more symbolic than anything else," he wrote. "The constitutional role of the courts, however, is to decide concrete cases — not to serve as a convenient forum for policy debates."

Standing is a neutral legal principle that applies to the right and left alike, he wrote in an influential 1993 law review article.

"It restricts the right of conservative public interest groups to challenge liberal agency action or inaction," he

wrote, "just as it restricts the right of liberal public interest groups to challenge conservative agency action or inaction."

Mr. Dellinger said a rigorous approach to standing was consistent with Chief Justice Roberts's statement at his confirmation hearings that judges should aspire to be umpires, whose only job is to call balls and strikes.

"Before any judge begins calling balls and strikes," Mr. Dellinger said, "he must first make sure the batter at the plate is an actual player and not just a fan who ran on the field."

Litmus Test For Obama's Migrants' Stance

[AFP](#), April 17, 2016

Washington. — The US Supreme Court weighs a major immigration case today that could impact the fate of millions of people facing possible deportation and further raise the stakes in the 2016 White House race.

The eight justices are due to determine the legality of an ambitious bid by President Barack Obama to shield from deportation nearly five million undocumented immigrants.

Immigration is already an explosive issue in the presidential race, where Republican frontrunner Donald Trump has sharpened fault lines by vowing to build a wall along the Mexican border, and deport all 11 million or so undocumented migrants living in the United States.

But the Supreme Court hearing also puts the spotlight on Obama's efforts to circumvent a hostile Congress, with his detractors accusing him of unfair, even illegal, overreach.

At stake are a series of executive actions taken by Obama in November 2014, after he failed to enact a promised immigration reform with a Congress held by his Republican foes.

One initiative shields from deportation people who have lived in the country since 2010, with no criminal record, and with children who are American citizens or lawful residents. Another protects immigrants who entered the United States before they turned 16.

The US federal government under Obama has upheld the policy of deporting migrants, at a rate that rose from 390 000 the year he took power in 2009, to peak at almost 440 000 in fiscal year 2013, according to figures from the Department of Homeland Security.

In unveiling his actions, however, Obama stressed that wanted to prioritise deportations of "felons, not families. Criminals not children. Gang members, not a mom who's working hard to provide for her kids."

Twenty-six states, almost all of them Republican-led, have refused to apply the measures, securing a string of court rulings that found Obama to have overstepped his authority. — AFP.

Obama's Immigration Legacy Goes To Court

By By Seung Min Kim

[Politico](#), April 17, 2016

Immigration advocates from across the country will descend on the Supreme Court's front steps Monday with lawmakers, civil rights activists, and labor officials for a major rally. | Getty

The centerpiece of President Barack Obama's immigration legacy heads to the Supreme Court on Monday, where a short-staffed court bench will decide the fate of his controversial programs to grant work permits to millions of immigrants here illegally.

Whichever way the Supreme Court ultimately rules, its decision will inject the volatile issue of immigration into an already-explosive presidential campaign. Both Hillary Clinton and Bernie Sanders have pledged to push the bounds of executive power and expand Obama's immigration actions. Meanwhile, the top two GOP hopefuls — Donald Trump and Ted Cruz — have promised to rescind the programs immediately and have taken a particularly hardline stance against undocumented immigrants.

But Obama's immigration legacy is also on the line in *United States vs. Texas*. He was not successful in signing comprehensive immigration reform into law during his two terms, and Obama has come under fire from advocates for deporting more than two million immigrants during his tenure. Meanwhile, his sweeping executive actions have been blocked for more than a year, and even if the Supreme Court rules in his favor, the administration will have just seven months to jump-start the programs before Obama leaves the White House.

"I think the president's legacy is intact" on immigration, said Sen. Dick Durbin (D-Ill.), a longtime proponent of immigration reform who will attend Monday's oral arguments. "The Supreme Court, I hope, will sustain his good judgment on this issue."

Other congressional Democrats closely involved in immigration will watch the arguments, including Sen. Bob Menendez (D-N.J.), and Reps. Joaquin Castro (D-Texas) and Luis Gutierrez (D-Ill.), who said Democrats believe the highly-charged immigration case will be a political boon in 2016 regardless of how the court decides. A ruling is expected in June.

Gutierrez reasoned it like this: If the court rules in favor of the administration, Latino voters and others motivated by immigration will come out in droves to protect the programs from a potential GOP president who would move to kill it. And if the administration loses, the same group will vote with similar intensity to punish Republicans, who spearheaded the legal case against Obama at the state level.

"Politically, it's a win-win," said Gutierrez, adding that he was confident the Supreme Court would allow the immigration programs, called Deferred Action for Parents of Americans, to proceed.

Like other high-profile Supreme Court cases, the scene outside 1 First Street NE on Monday morning is sure to be a

circus. Immigration advocates from across the country will descend on the court's front steps with lawmakers, civil rights activists, and labor officials for a major rally. Organizers said they are expecting thousands.

Conservative activists will counter those efforts with a protest of their own that touches not just on immigration but on the ongoing contentious battle to confirm Merrick Garland to the Supreme Court. Groups including the Tea Party Patriots, Judicial Crisis Network, FreedomWorks and Heritage Action will join conservative Reps. Steve King (R-Iowa), Louie Gohmert (R-Texas) and Ted Yoho (R-Fla.).

"We will be there to protest Barack Obama's attempt to stack the high court with a liberal crony who will sign off on his unconstitutional power grabs," said Jenny Beth Martin, the co-founder and CEO of Tea Party Patriots.

The pro-reform side is making a particularly aggressive public-relations effort in the run-up to the high-stakes court case. On Friday, the immigration advocacy group America's Voice released results of a poll from Latino Decisions that found 74 percent of Latino voters were less likely to support a Republican presidential candidate if they opposed the deferred action program.

Latino Decisions does polling for Clinton, who is a vigorous backer of Obama's executive actions and announced last week that she would establish a national Office of Immigrant Affairs if she is elected in November. Similarly, Sanders backs the executive actions and like Clinton has pledged to expand them to a larger pool of undocumented immigrants, despite the legal challenges Obama has faced in doing so.

But Obama's executive actions have united an otherwise splintered Republican presidential field in opposition to the programs. Trump has vowed to undo the programs in his first day of office if he's elected president, as has Cruz, who has repeatedly derided the actions as "executive amnesty."

Republicans have also long emphasized that Obama — who was under pressure from impatient immigration advocates to halt deportations — himself said multiple times that he didn't have the executive powers to do what he ultimately did in November 2014.

"Let's remember it was President Obama who said time and again that he did not have the authority to bypass Congress to impose new immigration laws," said Ruth Guerra, a spokeswoman for the Republican National Committee. "His executive action was contrary to his words, poisoned the well for a legislative effort and blatantly ignored the Constitution."

Inside the courtroom, lawyers for the House of Representatives will be making their own case against Obama's executive actions to provide deportation protections and work permits to more than four million immigrants here illegally, but who are parents of U.S. citizens or green card

holders. Obama's actions also expanded a 2012 initiative granting those benefits to immigrants who came here illegally as children.

The GOP-controlled chamber was granted 15 minutes before the court to back up arguments made by Texas and the 25 other states who have sued the Obama administration to stop the programs. Lawmakers there also voted on near-party lines last month to submit an amicus brief in the case. Senate Republicans also filed a brief defending the conservative coalition opposing the immigration actions.

Obama's executive actions are "an unprecedented effort, as the President acknowledged, to 'change' the immigration laws by executive fiat," the House brief says. "Whether couched as a statutory power, a constitutional power, or an implicit component of 'enforcement discretion,' that is not a power the Executive possesses."

On the opposing side of House Republicans, lawyers representing three undocumented mothers from South Texas will have 10 minutes to make an emotional appeal on the behalf of the immigrant women. The Mexican American Legal Defense and Education Fund, which along with the law firms O'Melveny and Myers and DLA Piper are aiding the women, say the mothers would qualify for DAPA and plan to apply if the programs get the green light from the court to proceed.

Obama's Power Over Immigration Drives Supreme Court Dispute

[Associated Press](#), April 17, 2016

WASHINGTON — The raging political fight over immigration comes to the Supreme Court on Monday in a dispute that could affect millions of people who are in the United States illegally.

The court is weighing the fate of Obama administration programs that could shield roughly 4 million people from deportation and grant them the legal right to hold a job.

Among them is Teresa Garcia of suburban Seattle, who has spent 14 years in the United States illegally after staying beyond the expiration of her tourist visa in 2002.

She already has gotten much of what she wanted when she chose not to return to her native Mexico. Her two sons are benefiting from an earlier effort that applies to people who were brought here illegally as children. Garcia's 11-year-old daughter is an American citizen.

"That's why I come, for the opportunity for the children and because it is much safer here," the 45-year-old Garcia said in an interview with The Associated Press.

Now, she would like the same for herself and her husband, a trained accountant who works construction jobs. Neither can work legally.

"To have a Social Security number, that means for me to have a better future. When I say better future, we are struggling with the little amount of money my husband is

getting for the whole family. It makes for stress every day. We struggle to pay for everything," Garcia said.

The programs announced by President Barack Obama in November 2014 would apply to parents whose children are citizens or are living in the country legally. Eligibility also would be expanded for the president's 2012 effort that helped Garcia's sons. More than 700,000 people have taken advantage of that earlier program, Deferred Action for Childhood Arrivals. The new program for parents and the expanded program for children could reach as many as 4 million people, according to the nonpartisan Migration Policy Institute.

Texas and 25 other states sued to block the new initiatives soon after they were announced, and lower courts have ruled in their favor. The programs have never taken effect.

The states, joined by congressional Republicans, argue that Obama doesn't have the power to effectively change immigration law. When he announced the measures 17 months ago, Obama said he was acting under his own authority because Congress had failed to overhaul the immigration system. The Senate had passed legislation on a bipartisan vote, but House Republicans refused to put the matter to a vote.

"Fundamentally, we don't think the president has the statutory or constitutional authority to issue these executive actions," said Texas Attorney General Ken Paxton.

House Republicans told the court that Obama is claiming the power "to decree that millions of individuals may live, work and receive benefits in this country even though federal statutes plainly prohibit them from doing so."

The administration and immigration advocates say the immigration orders are neither unprecedented nor even unusual. Rather, they say, Obama's programs build on past efforts by Democratic and Republican administrations to use discretion in deciding whom to deport.

The court's last major immigration decision, the 2012 case *Arizona v. U.S.*, lends some support to this view.

"A principal feature of the removal system is the broad discretion exercised by immigration officials. Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all," wrote Justice Anthony Kennedy. "Discretion in the enforcement of immigration law embraces immediate human concerns. Unauthorized workers trying to support their families, for example, likely pose less danger than alien smugglers or aliens who commit a serious crime."

The administration and its supporters said the challenged programs do not offer blanket protection, but depend on case-by-case reviews. The protection from deportation also would be temporary, for three years.

"It's not permanent status, not a green card, not a path to citizenship. It doesn't get you a ticket into a voting booth. At

best, it's a tolerated presence," said Angela Maria Kelley, an immigration expert at the Center for American Progress.

The programs also could be revoked by the next president, as the Republican contenders have promised. That might leave people who have provided the government with information about themselves in greater peril of being deported.

Immigration advocates acknowledged that some people might not be willing to raise their hands until they know the outcome of the election.

The Supreme Court case might not even address the issue of executive authority if the justices determine that Texas and the other states don't have the right to challenge it in federal court. Such a resolution, which could attract support from both liberal and conservative justices, could enable the court to sidestep the potentially divisive details over immigration and avoid a 4-4 tie following Justice Antonin Scalia's death in February.

A decision in favor of the administration would allow the programs to take effect in the waning months of Obama's presidency. A loss or even a tie vote would block them for the foreseeable future.

Garcia said she is eager to apply for the relief Obama offers if it's made available.

Garcia said she volunteers in the local schools teaching Spanish to children, providing translation for interactions between parents and the schools and working on the school district's strategic planning effort. But she has had to turn down offers of a paying job with the school system.

Armed with the Social Security number she so desires, Garcia said, "I would work starting right now."

A decision in *U.S. v. Texas*, 15-674, is expected by late June.

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Fate Of Many Unauthorized Immigrants In Texas At Stake In Monday Supreme Court Arguments

[Dallas Morning News](#), April 17, 2016

The U.S. Supreme Court will hear arguments Monday in a case that could decide the fate of President Barack Obama's sweeping executive actions shielding an estimated 5 million people from deportation.

Texas and 25 other states are seeking to block two programs that would grant eligible unauthorized immigrant parents and children temporary stays, calling the programs an unlawful government overreach. Federal lawyers for Obama, who pledged to overhaul the nation's immigration laws, say the initiatives fall well within the scope of his power.

Both sides are confident the court will rule in their favor. But for immigrant advocates, a victory is less clear. Even if the initiatives are allowed to move forward, the Obama administration would have only six months to roll them out. And all that work could be undone after a new president is elected in November — or if immigrant families don't apply because they fear their applications could be used against them.

Given the high stakes and tight time constraints, immigrant advocates are left with an uncomfortable question: Is it too late for Obama's immigration actions?

There are an estimated 11.3 million immigrants in the U.S. without lawful authorization, according to the Pew Research Center. Texas has about 1.65 million unauthorized immigrants, making it second in the nation behind California's 2.45 million.

Comprehensive immigration reform was a major component of Obama's platform when he campaigned for president in 2008, and one that many immigration advocates say he has failed to achieve. Thus, Obama's legacy on the issue, lawyers and foreign policy experts say, depends on the success of those initiatives.

All three Republican presidential candidates oppose the programs, and with front-runner Donald Trump stoking anti-immigrant rhetoric, many experts and immigration advocates say potential applicants could hold off on signing up for the deferred action programs until the next president is elected.

"I think immigration advocates will be in a bit of a bind," said Muzaffar Chishti, director of the Migration Policy Institute office at the New York University School of Law. "On one hand, they will want this to be . a running program because they've invested so much political capital in making it happen. So for a large number of those people this is finally a dream come true. On the other hand, in good conscience, they cannot advise their clients that there is no risk in applying."

High court's questions

The president's executive action in November 2014 created the Deferred Action for Parents of Americans and Lawful Permanent Residents program, known as DAPA, which would grant unauthorized immigrant parents temporary reprieve from deportation and would allow them to apply for work permits.

It also expanded the Deferred Action for Childhood Arrivals program, or DACA, implemented in 2012, to more than a million new people who entered the country illegally as children. As of December, more than 713,000, or 93 percent of applicants, had received temporary stays through DACA, and several surveys and analysis found that it improved the lives of recipients and caused wages to rise as applicants received jobs that matched their skill sets.

In weighing whether the initiatives can continue, the Supreme Court is to consider three main questions:

Immigrant families and their supporters stand together during a news conference to speak about the Supreme Court arguments that are set to begin Monday on President Barack Obama's immigration initiatives (Photo by Joe Raedle/Getty Images)

Does the president have prosecutorial discretion to forgo the deportation of the millions of immigrants who qualify?

Is Obama neglecting his constitutional duty to enforce immigration policies?

Do Texas and the other states have standing to sue the federal government?

Lower courts have heard the case on the premise that the states have the right to sue as they will incur the burden of implementing the programs. But the Obama administration asked the Supreme Court to reconsider whether the states can file suit against the federal government.

Supporters of the executive orders say legal precedents favor the Obama administration's actions because past presidents — both Democratic and Republican — have used deferred action policies to shield specific groups from deportation.

Tom Jawetz, vice president of immigration policy for the Center for American Progress, said the court might not even get that far. He thinks the court will dismiss the case because the states won't be able to prove that they are being negatively impacted by the programs.

"I think the states have a problem on standing," Jawetz said.

Opponents of the executive actions say the power of regulating immigration is reserved for Congress.

"The real question is whether the president can act unilaterally on immigration, ignore the rule-making process and allow millions of law-breaking foreigners to stay here and receive benefits," said Jon Feere of the Center for Immigration Studies, which advocates for stricter immigration enforcement. "I think the court will have difficulty siding entirely with the Obama administration due to the fact that the court has said repeatedly that immigration policy is shared between the legislative and executive branch."

The death of Supreme Court Justice Antonin Scalia in February raised the possibility of a split decision, which would uphold an injunction handed down by the lower courts.

That has left immigrant rights supporters in the unusual situation of banking on the votes of two of the court's traditionally conservative justices — Anthony Kennedy and Chief Justice John Roberts — for a ruling in their favor.

In Roberts, immigrant rights advocates see a chief justice who will dispassionately consider the legal questions at hand and who has previously cast votes contrary to popular conservative opinion, most notably in upholding the Affordable Care Act. They also see hope in Kennedy's

previous rulings on immigration, which have given deference to the federal government over local entities.

But given the high political tension around the issue — and, more recently, around Obama's nomination of Merrick Garland to fill Scalia's spot on the bench — the court could also choose to punt the case back to a lower court for more information. By doing so, it would put off a landmark decision until a later time when, presumably, it would avoid the pressure of presidential election politics and could consider the topic with a full court.

"At the end of the day, we need five justices," Jawetz said. "We needed five justices two months ago, and we need five justices today."

'Can't turn on a switch'

The court is expected to rule by June, but even if the justices allow the deferred action programs to proceed, that decision would only clear the first obstacle in a race against the clock. The administration would have only six months to implement a system of intake and review that could attract millions of people.

And if the launch of DACA in 2012 is any indication, lawyers and experts said, the application rate will be slow. By the time Obama announced the expansion to DACA in November 2014, less than half of the 1.2 million people eligible for the program had obtained its benefits, two years into the program.

"You can't just turn the switch on overnight," Chishti said. "If you have to give yourself time to prepare to get machinery going, whether this will be enough time for this presidency is of some concern."

Critics of the president's executive action said the time crunch would also raise questions of security and safety. As an example of a lack of scrutiny, Feere pointed to the case of Jesus Rangel-Hernandez, an immigrant charged with murder in North Carolina in the deaths of four people. Rangel-Hernandez was spared deportation under DACA, though he was listed as a gang member in a federal database before applying for the program.

"Virtually everyone who has applied to DACA has been granted the status," Feere said. "How many problematic people would receive this quasi status?"

But immigrant advocates say cases such as Rangel-Hernandez's are few. Their greater concern is whether immigrants will come forward at all.

Trump has said he would require Muslims in the country to register in a database. If he won the White House in November, immigrant families say they fear they might be tracked after applying for the deportation-relief programs.

Immigrant rights supporters say they trust that U.S. Citizenship and Immigration Services will keep a promise to not share the applicants' information with Immigration and Customs Enforcement, but the issue is of some concern.

"What worries me is that the rhetoric will overpower the hope they've (families) been holding onto for so long," said Maria Reza, a member of the University Leadership Initiative, an immigrant rights group at the University of Texas.

Immigration a mobilizer?

Reza is among immigrant rights advocates who say it is not too late for Obama's executive actions. Rather than seeing the presidential election as a looming threat, many consider it a catalyst for political involvement.

A Republican president throwing out the deferred action programs "is a possibility, but that is why Latino voters need to vote," said Barbara Hines, an Austin immigration lawyer and former director of the immigration clinic at UT.

On campus, the University Leadership Initiative is preparing to canvass neighborhoods in the Austin area to ask residents to vote for candidates who support deferred action. The group sees the ruling as a way to apply pressure, essentially daring any presidential candidate to oppose the program and risk alienating the more than a million eligible voters who share homes with a DAPA-eligible person, according to the Center for American Progress.

"Even if there's a negative ruling (from the Supreme Court)," said Sheridan Aguirre, president of the University Leadership Initiative, "we can still say, 'Hey, with a pro-immigrant family candidate, there's still more things to be done.'"

But those advocating for stricter immigration policies are just as motivated by the elections and see a silver lining in that the candidates will have to tackle the issue head-on.

"What this means is that the issue of immigration is guaranteed to be central in this presidential election," Feere said. "All too often, presidential candidates like to avoid immigration altogether. The timing of this case virtually guarantees that there will be a debate on whether or not DACA and or DAPA will be continued."

Q&A: Obama's Immigration Case

[Louisville \(KY\) Courier-Journal](#), April 16, 2016

On Monday, the U.S. Supreme Court will hear oral arguments in a challenge brought by 26 states against President Barack Obama's actions shielding nearly 4 million unauthorized immigrants from deportation. A decision is expected in June.

What's this all about?

Frustrated by Congress' inability to pursue immigration reform, Obama in 2012 claimed executive authority to create Deferred Action for Childhood Arrivals, or DACA, which offered temporary protection from deportation and work permits to unauthorized immigrants brought to the U.S. before age 16. About 713,000 have been approved so far. In 2014, Obama expanded eligibility for the program, and created Deferred Action for Parents of Americans, or DAPA,

to offer similar benefits to unauthorized immigrant parents with legal resident children who have been here since 2010.

Who brought the challenge – and why?

The DAPA and the DACA expansion never took effect. That's because Texas got a court to issue an injunction. The case was joined by 25 other states, including Indiana. Opponents argue Obama lacks executive authority and that it would burden state budgets with new costs and could increase illegal immigration. In January, the Supreme Court agreed to hear the case.

What's at stake?

Nearly 4 million unauthorized immigrants in the U.S. could be eligible for the 2014 actions. The 2012 DACA program is not under challenge at this time. Proponents argue it would allow those who have been in the U.S. for years to obtain legal work permits for better jobs and would increase tax revenues. It would not, however, include a path to citizenship or permanent residency.

What happens if the court upholds the actions?

The Obama administration has said it will move quickly to enact the program if it is upheld. But some Republicans presidential candidates have said they would reverse the actions, leading some immigration advocates to predict that unauthorized immigrants might wait until November to apply. It could also further raise the profile of immigration as the elections approach.

For 4 Million Immigrants, Future In US Hinges On Supreme Court

[Christian Science Monitor](#), April 17, 2016

Tucson, Ariz., and Washington — Lorenzo Victorino hasn't driven a car in more than two years.

The last time the Tucson resident got behind the wheel, his pregnant daughter was in pain, and he was driving her to an urgent care clinic at 2 a.m. He was pulled over by a police officer. When the unauthorized immigrant was unable to produce a valid driver's license, the officer called immigration and an agent took Mr. Victorino to a detention center.

Victorino had worked as a mechanic in an auto repair shop for 16 years. By the time he was released from the detention center two months later, he had lost his job.

The native of Ciudad Juárez in Mexico, who came to the US 18 years ago with his wife, says he isn't sure why he wasn't deported but thinks it was because of his clean record. In cases such as Victorino's, the government often exercises prosecutorial discretion to allow detainees with no criminal background to avoid deportation. He gave up driving because he doesn't want to do anything else that might jeopardize his and his wife's lives in America.

Whether Victorino picks up his car keys again may depend on the US Supreme Court, which is scheduled to hear a case Monday that will determine whether two of

President Obama's executive actions, designed to give relief to an estimated 4 million unauthorized immigrants, are allowed to take effect.

For the administration, the immigration reforms would allow millions of people who have spent more than a decade in the country to fully contribute to the society in which they live. For opponents, one of the Constitution's most hallowed principles – the separation of powers – is at stake, not to mention the rule of law.

But the impact is most intimate and immediate for millions of families like Victorino's. Faced with more legal uncertainty, and now the added alarm of rhetoric from Republican presidential candidates on illegal immigration, they say they have never been more unsure about whether to stay in the shadows or come out into the light.

"The skepticism and anxiety in this population is quite evident," says Muzaffar Chashti, head of Migration Policy Institute's New York office. "They have been salivating for comprehensive immigration reform for 10 years now, and they've had their hopes dashed every time."

A Supreme Court tie would force Victorino and his wife, Norma Rodriguez, to retreat into their home and file away the purple folder filled with family birth certificates, school records, and old utility bills they are collecting as proof of their lives here. Victorino says he would occasionally earn some cash fixing friends' broken cars and Rodriguez would care for children at home, halting plans to get trained as a certified senior care provider.

The couple would then turn to one of their four daughters, who became a lawful resident after marrying a citizen, to help them gain legal status. But before Nancy Alvarez can sponsor her parents, she would have to become a citizen herself and prove that she has enough assets to support them, as well as her own family.

"We can only wait and hope for a favorable outcome at the Supreme Court," Victorino says.

...

The two actions were both announced by Mr. Obama in 2014. The first would broaden the eligibility requirements for the 2012 Deferred Action for Childhood Arrivals (DACA) program, which offered people who entered the US before they turned 16 and before June 2007 a renewable work permit and exemption from deportation. The second would lower the priority for removing undocumented immigrants who have lived in the US since 2010 and have children who are citizens or permanent residents. The program, called the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA), also provides a three-year, renewable work permit.

A month after Obama announced both programs, 26 states sued the administration. Andrew Hanen, a federal judge in southern Texas, issued a preliminary injunction blocking the expanded DACA and DAPA programs. The

administration appealed but the US Fifth Circuit Court of Appeals upheld the injunction. The Supreme Court – reduced to eight justices after the death of Antonin Scalia in February – will now hear the case, *US v. Texas*, on Monday, with a decision expected in June. In the event of a tie, the Fifth Circuit's decision will stand.

The administration argues that with federal resources already stretched thin, authorities have to prioritize whom they target for deportation. Obama's executive actions sought to focus efforts on those with criminal records, while providing temporary relief to otherwise law-abiding immigrants, including children and adults who, like Victorino, have children who are citizens or permanent residents.

These kinds of "mixed-status" families are becoming increasingly common, experts say. At least 9 million people live in such families, according to a 2011 Pew report. Research has shown that growing up with parents in the country illegally puts children at a disadvantage. A recent report from the Migration Policy Institute found that those children were more at risk for health problems, developmental delays, and low school achievement. The poverty rate for DAPA families is 36 percent, compared with 14 percent for families with US-born parents, according to MPI. Providing work authorization for unauthorized parents in these families could raise their income by 10 percent.

But others say the law cannot make exceptions and remain the law.

"We can't make a public policy that says you get to ignore immigration laws if you have a child here," says Jon Feere, "otherwise the result is people coming here illegally in the ninth month of pregnancy."

Mr. Feere, who is a legal policy analyst for the Center for Immigration Studies, is also critical of the administration's prioritization rationale.

"That's not how immigration laws are supposed to operate," he says. "If you're here illegally you're required to leave. Violence shouldn't be a prerequisite for immigration enforcement."

Texas and its co-respondents have also argued that, were Obama's executive actions be upheld, it would open the door for sweeping executive powers that could allow future presidents to circumvent the legislature and judiciary on a range of issues.

For undocumented immigrants across the country, the protracted legal battle – and the extreme political climate that has emerged around it – has exacerbated years of uncertainty and anxiety over their future in the country.

"The people eligible for DAPA have been here a while, so they've been living with that stress for years," says Shane Ellis, deputy executive director of the Nebraska chapter of Justice For Our Neighbors, a national immigrant advocacy group, who authored an amicus brief supporting the administration. "Some folks might decide it's not worth it, that

they can't bear it anymore and that they have to go back to whatever difficult situation in the first place made them come here."

...

Merced Cruz hasn't seen her family in Mexico in 18 years – even for funerals.

Ms. Cruz and her husband came to America on temporary visas to work in 2003, but stayed after her husband was diagnosed with cancer in order for him to have better medical care. Their children were both born in the US, but have grown up "in the shadows" with their parents.

Like many "mixed-status" families, where some family members have legal status and others do not, the Des Moines family struggles to make ends meet.

"You can go anywhere and have a problem," she says. "You have to go to work or take your children to school, you have to go to your job, but always with that fear."

For Cruz, who would be eligible for DAPA, the program would give her more economic security and freedom of movement. She works two part-time jobs, while her husband's illness means he can only work for a few hours each day. He's run out of medication several times because they couldn't afford a refill, she says. One bright spot for the family: Her daughter will be going to college this fall on a full scholarship.

"Otherwise it would be impossible," she says. "I don't make enough money to do that; I make just enough to pay the bills."

Cruz remembers growing up in Mexico City surrounded by family, having parties with her cousins and going to family reunions. When she talks about how her two teenage children haven't been able to do that, she begins to choke up.

"They didn't have the opportunity to have uncles or aunts or cousins, like how I grew up," she says. "It's hard because we have a lot of family – but not here."

Supreme Court Considers Fate Of Millions Of Undocumented Immigrants

[Voice of America](#), April 17, 2016

The nation's highest court will consider the fate of as many as 4 million undocumented immigrants Monday, when Supreme Court justices hear opening arguments in a landmark case debating the legality of President Barack Obama's executive actions on immigration.

The justices' decision will have far-reaching implications on executive actions by future presidential administrations and comes at a time when the nation's flawed immigration system is a constant focus of election-year debate.

The lawsuit in *U.S. v. Texas* asks the court to consider whether the president's 2014 executive actions deferring deportations for some undocumented immigrants are within the government's authority to direct immigration policy, or

whether the president exceeded his constitutional authority by making new immigration laws.

Pending lawsuits

A decision in the Texas lawsuit will affect pending lawsuits in 25 other states opposing the president's immigration actions.

Government lawyers are expected to argue that the federal government has the authority to direct immigration policy and can exercise its discretion in deciding priorities for the deportation of undocumented immigrants.

"It is exclusively the domain of the federal government to decide who gets to stay and who gets to go," said Angela Kelley, the executive vice president at the Center for American Progress Action Fund.

President Obama's November 2014 executive actions expanded and created programs deferring deportation for the undocumented parents of legal U.S. citizens and residents, and for undocumented immigrants who arrived in the country as children.

WATCH: Related video on Supreme Court case

The programs open up the opportunity for legal work permits but do not give applicants a path to permanent residency or citizenship.

Kelley said Obama's executive actions build on decisions from past Democratic and Republican administrations to prioritize the deportation of undocumented immigrants with criminal histories rather than deporting undocumented children and immigrants with ties to the U.S.

Opponents say the Obama administration has not made a convincing constitutional argument for its actions.

'Without historical precedent'

"What the president is doing here is without historical precedent in the history of the country," said Dan Stein, president of the Federation of Americans for Immigration Reform. "You have one political party that is saying, 'We're going to double down and exclude Congress, exclude the American people and not worry about what they've said about the rules.'"

Obama said his 2014 actions directing immigration enforcement priorities were a result of Congress' failure to act on immigration reform.

But Stein said a Supreme Court decision in favor of the federal government would disenfranchise Congress and the American people.

"All the states are trying to do is ask the federal government to carry out its obligations faithfully under the Constitution," he said. "To say no one person can be a judge, a jury and also a lawmaker at the same time, as well as claim their actions are not reviewable."

FILE – Immigration activists demonstrate at the Supreme Court in Washington in support of President Barack Obama's executive order to grant relief from deportation in order to keep immigrant families together, March 18, 2016.

Earlier in the year, Congressional Republicans filed a brief with the Supreme Court supporting the lawsuits, writing “neither any immigration law now on the books, nor the Constitution empowers the executive to authorize — let alone facilitate — the prospective violation of those laws on a massive class-wide scale.”

Oral arguments

Representatives for House Republicans will have 15 minutes on Monday to present oral arguments.

The absence of a ninth Supreme Court justice — after the passing of Justice Antonin Scalia in February — could result in a split 4-4 decision that just decides the Texas lawsuit.

Only a majority decision of the Court can set a precedent so the other 25 lawsuits would work their way through lower state courts for individual decisions.

While the case hinges on interpretations of U.S. Constitutional law, Kelley said the human impact of a decision will be measured internationally.

“This is where we could really shine as a nation and show leadership at a time when the world is really grappling with what we do with undocumented populations and refugees,” she said.

The Supreme Court will announce the decision in June.

Obama Amnesty Supreme Court Case To Test Limits Of Presidential Power

By Stephen Dinan

[Washington Times](#), April 17, 2016

The Constitution was ratified more than two centuries ago, and in all that time no president had ever tested the limits of executive power enough to force the Supreme Court to rule whether he has lived up to the founders’ command that the laws be “faithfully executed.”

Until now.

When the justices convene Monday morning, they will hear what is shaping up to be the biggest case of the term, and perhaps one of the most consequential in a generation, as they consider whether President Obama has overstepped his constitutional powers by trying to grant a tentative deportation amnesty to up to 5 million illegal immigrants.

PHOTOS: See Obama’s biggest White House fails

“In 225 years, the Supreme Court has never had occasion to ask the president whether he has reneged on his oath to take care that the laws are faithfully executed. However, with pens and phones replacing checks and balances, the Supreme Court is now poised to break new constitutional ground in order to preserve our embattled separation of powers,” said Josh Blackman, associate professor at the South Texas College of Law, who has followed the case from the start and filed amicus briefs opposing Mr. Obama’s claim of powers.

At issue is the Take Care Clause, which is what scholars call the Constitution’s charge to presidents to “take care that the laws be faithfully executed.”

That clause has been read to be both empowering to presidents, emboldening them with independent authority to see through the execution of laws, but also as a check — that, in the end, he carry out laws rather than write them.

PHOTOS: Best states for concealed carry — ranked worst to first

For many, Mr. Obama’s deportation amnesty for illegal immigrants, announced in November 2014, strays too far into lawmaking.

At that time, Mr. Obama and Homeland Security Secretary Jeh Johnson announced a policy of granting nearly half of the 11 million illegal immigrants in the U.S. a proactive stay of deportation, along with the promise of work permits, entitling them to driver’s licenses, Social Security numbers and some taxpayer benefits.

Texas led 25 other states in suing, arguing that they suffered economic harm from the amnesty and that it would likely lead to even more illegal immigrants. The states said Mr. Obama broke administrative law and immigration law, and violated the Constitution.

Lower courts sided with the states and halted the amnesty on statutory grounds, and never reached the constitutional questions. But the justices, in what Mr. Blackman said was a first, asked both sides to also file briefs on the Take Care Clause.

Immigrant rights advocates say the case should be easy for the justices, pointing to smaller actions taken by Presidents Reagan and George H.W. Bush that they say paved the way for Mr. Obama. Those advocates say immigration legislation passed by Congress appear to approve of the “deferred action” power Mr. Obama used to halt deportations and grant work permits.

If Congress granted the president that kind of broad authority, then it’s legal and constitutional, said Brianne J. Gorod, chief counsel at the Constitutional Accountability Center.

“If the court concludes, as I think it will and should, that these executive actions are consistent with the laws passed by Congress, then it necessarily follows that they are consistent with the Constitution,” she said.

But John Yoo, a law professor at the University of California, Berkeley, said Mr. Obama’s intention in this instance wasn’t to carry out the law, but rather to undermine it by halting deportations — and granting a future get-out-of-jail card.

“The president gets to make the policy decisions about how the law is enforced. But he can’t take it all the way to say I’m not going to enforce it at all, and I think that’s where the line is crossed,” said Mr. Yoo, who served in the Bush

administration and helped explore the limits of presidential war powers.

Mr. Obama has complicated his case by his own words. Before his 2014 announcement, he repeatedly and forcefully denied having the power to use deferred action so broadly. But after Congress refused to act on his immigration proposals, he reversed himself and claimed he did, after all, have the power.

Then just days after he announced the policy, he told an audience he “took an action to change the law” — a power that is supposed to be reserved for Congress.

Lower courts noted both of those statements in ruling against Mr. Obama, but Mr. Yoo said they are not likely to have much effect on the justices. He said it’s similar to how Chief Justice John G. Roberts Jr. didn’t give much credence during the Obamacare case to the president’s initial claim that the health care law wasn’t a tax.

Indeed, the justices eventually ruled that the reason Obamacare was constitutional is because it was a tax, no matter what Mr. Obama told voters.

Legal analysts said the case could decide the limits of presidential powers for years to come. Mr. Yoo said if the justices side with Mr. Obama, it opens the way for a future Republican president to use prosecutorial discretion to stop enforcing tax laws.

He also said Mr. Obama’s expansive interpretation of carrying out laws could frighten Congress away from dealing with the White House.

“He’s actually damaging the presidency for the future, because if you’re Congress in the future, and you’re working out some deal with the president, you can’t trust any deal you make with the president again,” he said.

A ruling is expected from the justices by the end of June.

But with the death of Justice Antonin Scalia, the eight-member court could deadlock 4-4. That would leave the appeals court’s decision in place, which would be a victory for Mr. Obama’s opponents.

A tie ruling, though, would also mean the court wouldn’t issue a definitive statement on Mr. Obama’s claims of power. That would leave for a future court the question of just how far a president can go to shape or, as Mr. Obama said, to “change” the law unilaterally.

Ms. Gorod said the justices may not even reach the big issues in the case. She said there is a good chance they throw out Texas’ challenge altogether, ruling that the state can’t show it’s been harmed by the president’s action.

She said Chief Justice Roberts and Justice Anthony M. Kennedy were skeptical of similar claims in other cases.

Hispanic rights groups say the issue is already baked into the November elections no matter what the justices do and that voters are prepared to reward Democrats for backing Mr. Obama and punish Republicans for opposing him.

By a 5-1 margin, Hispanic voters say they are less likely to vote for a candidate who fought the amnesty. They also said they increasingly see Republicans as “hostile” toward Hispanics and view Democrats as “increasingly welcoming,” according to polling conducted by America’s Voice, a major advocacy group for immigrants’ rights.

Mr. Obama has argued that legalizing illegal immigrants and giving them a chance to work could pour billions of dollars into federal and state treasuries, bringing the immigrants into the above-ground economy, where their wages will be higher.

But the legal fight over the amnesty has proved damaging to the president, after the Homeland Security Department admitted it violated a lower court’s order halting the entire program early last year. Judge Andrew S. Hanen is still pondering whether to sanction the Justice Department for its behavior, saying the lawyers misrepresented some facts in the case.

On Friday, the Justice Department insisted it didn’t try to mislead the judge, saying there was an “unintentional miscommunication that occurred here.”

Judge Hanen issued an order in February 2015 keeping Mr. Obama’s broad amnesty from taking effect, and last year a federal appeals court, in a 2-1 decision, upheld that ruling.

Supreme Court To Hear Challenge To Obama Immigration Order Shielding 4 Million From Deportation

By Tess Owen

[Vice](#), April 17, 2016

The fate of a plan to offer work permits to more than 4 million undocumented immigrants residing in the United States hangs in the balance, as Supreme Court justices prepare to hear the last major case of President Barack Obama’s presidency on Monday.

In the case – United States v. Texas – lawyers will defend the president’s plan against accusations of unilateral overreach.

The House of Representatives, Texas and 25 other states are mounting challenges to Obama’s initiative, which was part of a November 2014 executive order to spare millions of unauthorized immigrants from deportation. The states which are challenging Obama have governments which are Republican-dominated — an indication of just how politically polarizing the issue of immigration has become.

“Fundamentally, we don’t think the president has the statutory or constitutional authority to issue these executive actions,” Texas Attorney General Ken Paxton told the Associated Press.

Related: What Mass Incarceration Problem? US Officials Want Longer Sentences for Border Crossers

The president's executive action was meant to bypass roadblocks put up by the Republican-controlled Congress, but was blocked again by a federal court in February 2015. Obama then took the issue to the highest legislative body, the Supreme Court.

Obama's plan seeks to help parents who have kids born in the US but are not citizens themselves, protecting them from deportation through a process called "Deferred Action for Parents of Americans and Lawful Permanent Residents" (DAPA). His executive action also expands "Deferred Action for Childhood Arrivals" (DACA) to provide benefits to non-citizens who arrived in the US when they were children.

"We'll bring more undocumented immigrants out of the shadows so they can play by the rules, pay their full share of taxes, pass a criminal background check, and get right with the law," Obama said after the programs were announced.

While neither DAPA or DACA grants US citizenship automatically, the order would put undocumented immigrants on the path to legitimacy and bring millions out of the shadows. They could go about their daily lives without fearing deportation, could get a job, have access to public benefits, and get a driving license.

"It's not permanent status, not a green card, not a path to citizenship. It doesn't get you a ticket into a voting booth. At best, it's a tolerated presence," Angela Maria Kelley, an immigration expert at the Center for American Progress told AP.

Among the potential beneficiaries of the new initiative is Teresa Garcia, from Mexico originally, who now lives on the outskirts of Seattle. She has lived in the US illegally for the last 14 years after her tourist visa expired in 2002. Her 11-year-old daughter who was born here is an American citizen.

"That's why I come, for the opportunity for the children and because it is much safer here," Garcia told AP. She currently volunteers in schools teaching Spanish to children and providing translation between parents and teachers. She has had to turn down offers of a paying job with the school system. If Obama's plan goes ahead, she is eager to enjoy some of its benefits.

But immigration is a fraught and political hot button issue — increasingly so — as Republican presidential frontrunner Donald Trump has made building a wall along the Mexican border the centerpiece of his campaign platform, and has played on some Americans' feelings of economic and national insecurity. Trump has also vowed to deport the 11 million people estimated to be living in the US illegally.

Related: India Is Pissed About the US Now Charging More Money for Guest Worker Visas

For those in favor of such proposals, the absence of conservative Justice Antonin Scalia will loom large. Scalia, who died in February, would have almost certainly voted to strike down Obama's proposal. But without his vote,

there is a very real possibility that the remaining eight justices will arrive at a 4-4 split — which would preserve Obama's order.

A recent Pew Research poll found that opinions on immigration have become increasingly divided along party lines. For over 20 years, Pew has asked people whether immigrants in the US "strengthen our country because of their hard work and talents," or whether they are a "burden on our country because they take our jobs, housing and health care."

Between 1994 and 2005, Pew noted, Republicans' and Democrats' views on immigration "tracked one another closely." But around 2006, those views began diverging. Since then, the numbers of Democrats and Democratic-leaning independents in favor of immigration have increased from 49 percent to 78 percent. Meanwhile, only 35 percent of Republicans and Republican leaning independents shared this view in 2006 — which rose by just one percent.

But beyond immigration, there's another issue at stake in *United States v. Texas*. Amanda Frost, a law professor at American University, wrote on the SCOTUS blog that the justices will have to first and foremost determine when and whether states actually have the standing to sue the US federal government.

This issue, as Frost points out, has cropped up often over the last decade, in many cases, including but not limited to the Affordable Care Act, federal disaster relief, and federal environmental policies.

"This case gives the court an opportunity to settle questions about the role of the states (and thus the courts) in monitoring federal law policies," Frost writes. "Texas's standing to sue is thus a major and unresolved question that the Court must address even before it reaches the legality of the president's deferred-action initiatives."

Related: The US Keeps Mistakenly Deporting Its Own Citizens

Solicitor General Donald Verrilli, who is defending the Obama administration, is arguing that granting states the permission to sue the federal government would "upend the constitutional design." Verrilli also argues that the "Constitution reserves exclusive authority for the National Government to make and enforce immigration policy."

The decision in *United States v Texas* is expected in late June.

Topics: immigration, scotus, supreme court, united states v texas, deportation, americas, politics, barack obama, antonin scalia, united states, donald trump

Supreme Court Showdown To Begin Over Obama's Moves To Block Deportations

By David Nakamura

[Washington Post](#), April 17, 2016

A short-handed Supreme Court will hear oral arguments Monday in the fight over President Obama's executive actions on immigration, a case that could alter the fate of millions of people and become a flash point in the 2016 elections.

The court's decision in *United States v. Texas*, which is expected in late June, will determine whether the administration can begin enrolling illegal immigrants in a federal program to grant them work permits without fear of deportation.

Obama's use of executive power to establish the deferred-action program in November 2014 came after House Republicans blocked a legislative overhaul of border-control laws in Congress. But the president's move outraged his detractors and led to a legal challenge from more than two dozen states, most of which have Republican governors.

The court battle presaged a divisive political fight over immigration on the presidential campaign trail, where Republicans Donald Trump and Sen. Ted Cruz (Tex.) have promised to sharply reverse Obama's policies and ramp up enforcement on the nation's 11 million illegal immigrants. Hillary Clinton and Sen. Bernie Sanders (Vt.), the Democratic candidates, have backed the president's initiatives and pledged to expand them.

White House officials professed confidence that the high court would overturn an injunction from a federal judge in Texas that blocked the deferred-action program last year. But they also suggested the president was eager to make his case to voters to highlight the stark divide between the parties.

"We are prepared to make a strong case, both on the political merits but also on the legal merits, that what President Obama is seeking to do . . . is actually good for the country," White House press secretary Josh Earnest said. "And that's an argument I suspect we'll have multiple opportunities to make not just before the Supreme Court, but potentially over the course of the election as we're debating all these policies."

Emotions are running high. Advocates for immigrant rights said they expect hundreds of demonstrators outside the courthouse Monday, and several Democratic lawmakers, including Rep. Luis V. Gutiérrez (D-Ill.), said they will attend the hearing.

In an unprecedented move, the court has granted the Republican-led House time to present its argument in support of the states that have opposed the Obama administration.

Opponents of the president's efforts said the outcome will resonate in a campaign season that has been animated by the debate over immigration and Obama's use of executive power.

"Whether the court upholds the president's actions or rules against him, it's going to affect the [presidential] race to some degree," said Mark Krikorian, executive director of the

Center for Immigration Studies, which advocates for lower immigration levels. "Ironically, if they find for the president, it seems to me it would energize Republicans — and vice versa."

Obama explained his deferred-action program as part of a broader effort to concentrate federal resources on hardened criminals and undocumented immigrants who have entered the country recently. The program is modeled after a smaller-scale 2012 initiative that has provided work permits for 700,000 immigrants who entered the country illegally as children.

The new regulations expanded the effort to cover the undocumented parents of U.S. citizens, provided they have not committed other crimes and have lived in the country since Jan. 1, 2010. That population is estimated at more than 4 million.

But Texas and 25 other states filed a federal lawsuit challenging the initiative, and U.S. District Judge Andrew Hanen of Brownsville, Tex., issued an injunction in February 2015 to halt the program a day before it was set to begin. The U.S. Court of Appeals for the 5th Circuit upheld the ruling late last year.

The Obama administration is challenging Texas's legal standing to sue over border enforcement policies, which are the domain of the federal government. Texas officials have said that the state would incur new administrative fees, including to issue driver's licenses, if the program moves forward.

The Supreme Court also will examine whether Obama's policies are arbitrary and capricious; whether the administration failed to follow federal rulemaking requirements; and whether Obama's deferred action program violates the Constitution's "take care" clause that stipulates the president carry out laws set by Congress.

Legal analysts said that if the high court, which has just eight justices after the death of Antonin Scalia in February, deadlocks at 4-to-4, the lower-court ruling would remain in place. In that case, other states or advocacy groups could attempt to file suit in other jurisdictions in hopes of winning a favorable ruling to move forward with the program, analysts said.

"A 4-4 decision would leave a very complicated and confusing scenario in place," said Brianne Gorod, chief counsel at the Constitutional Accountability Center.

For Obama, the outcome could help determine his legacy on immigration, which has been mixed over his time in office. Immigration rights advocates have criticized his administration for record levels of deportations: more than 2.5 million in all. But they have praised the president for using his executive power in 2012 to shield the younger immigrants, known as "Dreamers," from deportation.

Simon Rosenberg, founder of NDN, a liberal think tank, pointed to the sharp reduction in overall deportations in

recent years as the administration has sought to implement and strengthen guidelines that put the focus on felons and new arrivals.

"History books will show President Obama did far more, regardless of the outcome of this case, to improve the management of the border and the domestic immigration system than virtually anybody gives him credit for," Rosenberg said. "If this case is decided in his favor, it will be an extraordinary achievement against incredible political opposition."

But others said the president has moved too cautiously over the years to exert his powers.

"We provided advice that was hundreds of pages of actions the president could take under existing law. He was very conservative," said Rep. Zoe Lofgren (D-Calif.), who supports the deferred-action program. Asked whether Obama was out of options if he loses in the Supreme Court, she added: "We believe there are [more] things that administrations can do. We'll have to wait and see. But I expect to win."

As Supreme Court Battle Looms, Undocumented Immigrants Seek Truce

By Richard Wolf

[USA Today](#), April 17, 2016

LORAIN, Ohio — Police Chief Cel Rivera recalls his first meeting with undocumented Mexican immigrants in 2013, when he learned that minor traffic infractions were leading to federal detention, deportation proceedings and the risk of broken families.

He was struck by the story of Anabel Barron, a single mother who was picked up for driving 6 miles per hour over the speed limit and wound up in a federal detention center for seven hours, fretting over the future of her four children if she was deported.

Anabel Barron, 35, of Lorain, OH, photographed outside the Salon Trinitario Trinity Hall at Sacred Heart Church in Lorain, OH. Barron who is undocumented immigrant, is a case worker at El Centro and vice president of L.O.I.R.A. (Photo: Salwan Georges, USA Today Network)

Rivera awoke at 4 a.m. the next morning and wrote out a new policy that forbids officers from detaining or arresting anyone just because they lack the proper papers. The response, amid scattered opposition voiced in e-mails and on the radio, has been a kind of immigration truce in this city of 63,000, which is 25% Hispanic.

"We wanted them to know that they could feel as protected as anyone in the city," says Rivera, whose Puerto Rican heritage is shared by many in Lorain. "When they come this far, they're just looking to work on the farms for \$7 an hour. They're not committing crimes here."

As the Supreme Court prepares Monday to hear the Obama administration's final plea to resurrect a 2014 policy offering a temporary reprieve to more than 4 million undocumented immigrants, Lorain offers a glimpse of a community coming to terms with an intractable problem.

On a national scale, the problem is what to do with more than 11 million undocumented immigrants. Legally, the issue is whether President Obama can do for parents what he did in 2012 for more than 700,000 young people brought to the country as children — offer them temporary relief from deportation and make them eligible for work authorization.

Here in Lorain, an informal version of that effort is well under way. Through a series of meetings and negotiations, fundraisers and letter-writing campaigns, a fledgling immigration rights movement has won support not only from the police chief but the mayor and City Council, school officials and church leaders. Even as the Obama administration continues to deport more undocumented immigrants than any of its predecessors, Lorain has become an unofficial sanctuary.

"I end up writing letters for people a lot," says Rev. Bill Thaden, who leads Sacred Heart Church, an Hispanic Catholic congregation at the center of the immigration crisis. "I can't change the legal system, but we try to find any way that we can."

Fr. Bill Thaden, right, joins others during an evening meeting put by L.O.I.R.A., at the Salon Trinitario Trinity Hall at Sacred Heart Church in Lorain, OH. (Photo: Salwan Georges, USA Today Network)

That isn't always easy or politically popular. The economy here has been in the tank since the hulking U.S. Steel plant and a Ford auto plant closed down. A new Border Patrol station in nearby Sandusky has increased federal oversight. The presidential campaigns of Donald Trump and Ted Cruz have given rise to anti-immigration forces. Ohio, led by Republican Gov. John Kasich, also a presidential candidate, has joined with 25 other states in Texas' lawsuit against the federal government.

Even in relatively tolerant Lorain, not everyone believes undocumented immigrants — many of whom are forced to drive without driver's licenses — should be allowed to stay.

A man walks past a painted map of Puerto Rico on the front wall of latin grocery store in Lorain, OH. (Photo: Salwan Georges, USA Today Network)

"I feel for the people, but then there's laws. It's a tough call," says Jani Oehlke, 56, who sells antiques and collectibles at The 530 Shop on Broadway. "I can't imagine being the person who has to make that choice."

National immigrant rights groups say the battle over undocumented immigrants will be a potent political issue in the fall. "The mobilization of our community is going to happen, with or without a victory at the Supreme Court," says Ben Monterroso, executive director of Mi Familia Vota, which

promotes civic participation by Latinos. "For each undocumented person who might benefit, there are definitely family members who can vote."

But getting them to the polls is difficult, immigrant rights leaders here say. "That community doesn't vote," says Victor Leandry, executive director of El Centro de Servicios Sociales, a local non-profit that provides social, educational and cultural services to the Hispanic community. "They have been so much in the shadows that they're afraid."

Rather than mass mobilizations, groups like El Centro and the Lorain Ohio Immigrant Rights Association operate at a granular level, seeking assurances from federal and local law enforcement officials and rallying behind each undocumented immigrant who gets ensnared in a deportation proceeding.

They have history and demographics on their side. Mexicans began coming to Lorain in the 1920s and Puerto Ricans in the late 1940s in search of jobs. The steel plant once employed more than 10,000 people. Ford had about half that many, and a couple thousand more worked at a local shipyard on Lake Erie.

The jobs left, but the Hispanic population remains. Every year, this so-called "International City" that once housed more than 50 ethnic groups holds an international festival. Businesses post signs reading "Se Habla Espanol." Watering holes along East 28th Street boast names such as Royal Corona Lounge and Cantina Sports Bar.

Despite two federal court rulings thus far against Obama's deferred-action program, the Mexican community here is cautiously optimistic that the Supreme Court will give it a green light.

Last Wednesday night, as local school officials urged parents through translators to get more involved in their children's education, volunteers manned a table set up to help undocumented residents with the paperwork for a program that remains blocked in court.

"I've got all my papers prepared. I'm ready to go," said Salvador Calderone, 44, who earns \$12 an hour picking peaches, strawberries and tomatoes to support his wife and five children. The three youngest kids are U.S. citizens; the two teenagers qualified for the earlier deferred-action program. Only Calderon and his wife, Maria, risk being deported.

Salvador Calderon, 44, of Lorain, OH, plays with his son Salvador Calderon II, 7, at home in Lorain, OH. (Photo: Salwan Georges, USA Today Network)

The next day, immigration activists and community organizers traveled to Cleveland to meet with regional Border Patrol officials. Their goal was typically granular — to win assurances that they would be contacted if a local resident was arrested and detained.

Among those at Thursday's meeting was Barron, the young woman stopped three years ago for driving 6 miles per

hour over the speed limit. Still in legal limbo because she crossed the Mexican border not once but twice — the second time after attending her mother's funeral in 2001 — she nonetheless has been granted a driver's license and work permit, which she uses to help other undocumented immigrants as an El Centro caseworker.

"I'm proud to say that I've become an activist, an immigration activist," Barron says. "I'm not American, but I feel like one."

Supreme Court Hears Case On Protecting Illegal Immigrants From Deportation

The case, known as Deferred Action for Parents of Americans and Lawful Permanent Residents, is one of the biggest before the high court this year

By Miriam Jordan

[Wall Street Journal](#), April 17, 2016

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

'I Am President. I Am Not King'

The Supreme Court turns to Obama's lawless immigration order.

[Wall Street Journal](#), April 17, 2016

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

Obama's Immigration Order Overreaches: Our View

[USA Today](#), April 17, 2016

Sometimes it seems the Supreme Court's main purpose these days is to resolve disputes between Republicans and President Obama.

Toward the end of Obama's first term, the court ruled on a challenge to his signature health care law. On Monday, as Obama approaches the end of his second term, the justices are set to consider his executive order that would allow millions of undocumented workers to avoid deportation.

Obama won the first of these cases. The court ruled, correctly in our view, that Obamacare's insurance mandate did not violate the Constitution. The president's backers hope and believe that the court will take a similar tack in *U.S. v. Texas*, finding that the case is a political squabble dressed up as a legal dispute.

That, however, would be a mistake.

To be sure, Obama's quest to reform the immigration system is a worthy cause. Keeping millions of undocumented immigrants in a state of legal limbo makes little sense.

Like his predecessor, George W. Bush, Obama backed legislation to grant these immigrants a path to legal status while beefing up border enforcement and making needed changes to the legal immigration system. That legislation

passed with bipartisan support in the Senate but ran into a buzz saw of opposition from conservatives in the House.

Faced with legislative gridlock, the president acted unilaterally. Obama's 2014 order, known as the Deferred Action for Parents of Americans, combined with a predecessor order he issued two years earlier, would allow as many as 5 million of the estimated 11 million undocumented people to remain in the United States without fear of deportation.

While courts have typically given great deference to presidents in matters of immigration, this is simply too sweeping a policy change to exclude the legislative branch. It does the right thing in the wrong way.

The order has many flaws. Because it could be rescinded by a future president, it would not give immigrants the certainty they'd need to come out from the shadows and fully participate in their communities. Because it addresses only undocumented workers, it would do nothing for backlogs in legal immigration and a shortage of skilled workers.

The order's biggest flaw, however, is the precedent it would set by giving the president sweeping authority to interpret immigration laws virtually any way he or she sees fit. The same people who think Obama should have broad powers over immigration enforcement will feel a lot differently if a Republican wins the White House in November.

Imagine what orders Ted Cruz or Donald Trump would issue if elected president. Trump has advocated mass deportations, temporarily banning entry of foreign Muslims, and building a border wall financed by confiscating the remittances that undocumented workers attempt to send to their families back home.

In an interview with NBC News this year, Trump said he wouldn't hesitate to issue executive orders, noting that Obama had "led the way" with his actions.

The court would be wise to limit the president's authority in this area, and leave Congress and the White House to work out through the legislative process how to handle undocumented immigrants, as maddening as that might be.

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'U.S. V. Texas' Is A Masquerade: Opposing View

By David Leopold

[USA Today](#), April 17, 2016

Don't confuse U.S. v. Texas, the immigration case being argued before the Supreme Court, with a legal dispute. It's a political fight masquerading as a lawsuit.

Before the ink was even dry on the Obama administration's deferred action guidance — which offers a deportation reprieve to as many as 5 million undocumented immigrants with deep roots in America — Republicans in Congress tried unsuccessfully to block it.

The state of Texas, joined by Republican governors and attorneys general from 25 states, then launched a legal assault in the courtroom of U.S. District Judge Andrew Hanen, who had made a name for himself in other cases excoriating the Obama administration.

As predicted, Hanen blocked the deportation deferrals and was later affirmed by the 5th Circuit, the most conservative appeals court in the country. At its core, the GOP lawsuit relies on these judges' willingness to credit political diatribe over the plain language of the president's policy. But not without disagreement. Fifth Circuit Judge Carolyn Dineen King, in a forceful dissent, concluded the lawsuit was a political dispute that had no place in court.

Republicans do not challenge the president's authority to temporarily defer the removal of millions of hardworking parents and DREAMers. Nor can they. Since the Eisenhower administration, presidents have used temporary relief to shield undocumented immigrants from deportation.

What the states oppose is allowing these immigrants to work legally to support themselves and their families. Yet the law authorizing work permits has been on the books for nearly two decades.

Ultimately, what's at stake in U.S. v. Texas is much more than immigration. Allowing individual states to challenge a president's discretionary policy decisions would open the door to a floodgate of politically motivated lawsuits challenging myriad of policies.

Hopefully, the eight justices will see this case for what it is: a shameless political attack by Republicans on the president's immigration executive actions. The issue should be decided at the ballot box, not in the Supreme Court.

David Leopold is a former president of the American Immigration Lawyers Association

Texas Immigration Case Should Be An Easy Call: Column

By Erwin Chemerinsky

[USA Today](#), April 17, 2016

At the very least, Supreme Court justices should be consistent. If they hold to that standard, even in the most minimal way, they will dismiss the challenge by Texas and other states to President Obama's executive action on immigration. Chief Justice John Roberts explained it all in a 2007 opinion that should lead both conservatives and liberals

to conclude that the federal courts lack jurisdiction to hear the suit.

The case before the justices on Monday, *United States v. Texas*, centers on Obama's Deferred Action for Parents of Americans (DAPA) program. It defers deportation for undocumented individuals who have been in the country since 2010 if they do not have a criminal record and if they have a child who is a citizen or lawfully present in the United States. This would allow about 4 million people to live in the U.S. temporarily without constant fear of deportation and would avoid separating parents from their children.

Texas and 25 other states filed a lawsuit in federal court against DAPA. But in order for anyone, including a state, to sue in federal court, the party must have standing. The Supreme Court repeatedly has emphasized that the Constitution requires that a federal court may hear a case only if the plaintiff is injured, the injury is caused by the defendant, and a favorable court decision will remedy the harm suffered. Unless each of these requirements is met, the case must be dismissed for lack of standing. A careful analysis shows that Texas and the other states fail to meet these requirements.

In *Massachusetts v. Environmental Protection Agency*, state governments sued the EPA to force the federal government to regulate greenhouse gas emissions and prevent major climate change. The Supreme Court allowed the states to sue under the unique circumstances of that case and ordered the EPA to promulgate regulations.

But Roberts wrote a lengthy dissent in which he rejected allowing state governments to sue the EPA in federal court. He explained that "our cases cast significant doubt on a State's standing to sue the federal government." Roberts explained that "the status of Massachusetts as a State cannot compensate for [the] failure to meet" the constitutional requirements for a party to sue in federal court. Roberts, joined by Justices Antonin Scalia, Clarence Thomas and Samuel Alito, rejected the ability of the states to sue the federal government.

The majority opinion in *Massachusetts v. EPA* made clear the case was unusual and explains exactly why Texas and the other states do not have standing to sue to challenge DAPA. In short, to have standing, a plaintiff must have been injured or imminently likely to suffer an injury.

The only harm claimed by Texas is the cost of its processing drivers' licenses for those who are remaining in the country. Yet nothing in federal law requires that any state government lose money in the issuance of drivers' licenses. It is an entirely self-imposed "cost" and thus not a harm of the sort that the court — and especially its conservative justices — allow as a basis for standing to sue in federal court. If that were enough, any state could concoct a way to interfere with federal policies any time it wanted to bring a lawsuit.

This is quite different from *Massachusetts v. EPA*, where the states argued that they were directly harmed by the devastating consequences of global warming, including with flooding of their coastal areas. But even that was not enough harm for the conservative justices.

For decades, it has been the conservative justices on the Supreme Court who have led the effort to restrict who has standing to sue in federal court. A few years ago, it was the five most conservative justices, including Roberts, who held that journalists and others did not have standing to challenge a federal law that allows the National Security Agency to monitor communications between those in the United States and specified foreign countries. These same justices ruled that taxpayers lacked standing to challenge an Arizona law that allowed individuals to get a tax credit if they gave money to parochial schools.

It cannot be that Roberts and conservatives allow standing when they like the claim and dismiss cases when they don't. If the conservative justices follow their reasoning from *Massachusetts v. EPA*, they must vote to dismiss the challenge to DAPA. And that is exactly the right result.

Erwin Chemerinsky is the dean of the University of California, Irvine School of Law and a professor of constitutional law.

Legal Decision Could Resonate Most In Immigration Epicenter Of Los Angeles

By Robert Barnes

[Washington Post](#), April 17, 2016

LOS ANGELES — There is no place in the country that will be more affected by the Supreme Court battle over President Obama's plan to shield millions of undocumented immigrants from deportation than sprawling Los Angeles County.

There are an estimated 1 million undocumented people here, about 400,000 of whom could be eligible for the protected status that Obama says would bring them "out of the shadows."

County officials plan an aggressive program to sign them up should the justices give the green light. Arguments in the case are scheduled for Monday.

"I'm looking at the return the county gets," said Hilda L. Solis, Obama's former secretary of labor who is now chair of the powerful Los Angeles County Board of Supervisors. "Do I want them to pay taxes? Absolutely. Do I want them to be established, with some form of identification? Yes. I think we're all better off, we're safer."

It is a familiar view from a Democratic politician in the state with the country's largest concentration of immigrants.

But the state with the second-largest concentration — Texas — is leading the fight against what it and 25 other states say would saddle them with the cost of providing

benefits for millions of people newly eligible for work permits and government programs. The crux of the states' legal argument is that the program, regardless of its merits, represents an unlawful power grab by the president.

"It is not whether this is the right solution or not," said Texas Attorney General Ken Paxton, whose efforts have led lower courts to block the plan from being implemented. "It's whether the president is acting outside his constitutional authority."

It is true that justices will be concentrating on whether Obama overstepped his authority and ignored legal procedures in November 2014 when he announced the immigration changes that Congress refused to enact. And the court also will be considering whether Texas and the other states have the legal standing to interfere in immigration policy that the White House insists belongs to the executive.

But the societal impact of immigration is debated in the court filings. And there is a stark partisan and ideological divide in the case that Daniel Stein, president of the Federation for American Immigration Reform (FAIR) calls "Donald Trump huge."

It is impossible to ignore the political backdrop as well.

The case arrives during a presidential election year in which Trump promises a wall along the border to keep immigrants out, and Sen. Ted Cruz (R-Tex.) is adamant he would immediately reverse Obama's plans should the court uphold them. On the Democratic side, both candidates have taken positions on immigration to the left of the president.

From California, a broad coalition of educators, religious leaders, business executives, politicians and police have coalesced around a message that it is time for a cease-fire.

"In the last half-century, California has attracted more immigrants — and done more to grapple with immigration policy — than any other state," said one brief that contends Obama's plan would result in "stronger, safer, and more prosperous communities."

It added, in a mellow tone, "The identity of a thriving city or state depends on the sense of community shared by its inhabitants and those inhabitants in turn draw their dignity and their identities from the social and religious communities they build."

It is a far different statement from the one California voters made in 1994, when they overwhelmingly passed Proposition 187. It withheld from illegal immigrants public education, all manner of state services and non-emergency health care. The proposal was ruled unconstitutional.

A generation later, the state has gone through "all that bumpy stuff that the rest of the country is experiencing now," said Manuel Pastor, executive director of the University of Southern California's Center for the Study of Immigrant Integration.

"We understand that undocumented folks are now part of the state's fabric," Pastor said. "One of six people you

touch in the labor force is not here legally. I mean, my God, that's how Southern California functions."

Obama said it was a recognition of that reality that led him to announce the deportation "guidance" after House Republicans blocked an effort to pass a comprehensive immigration bill.

The plan is called Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA). It would allow illegal immigrants in those categories to remain in the country and apply for work permits if they have been here for at least five years and have not committed felonies or repeated misdemeanors.

More than 4 million immigrants could qualify for the program and a simultaneously announced expansion of an earlier program, Deferred Action for Childhood Arrivals (DACA), which affects those who were brought to this country as children.

The Obama administration says it is doing nothing more than setting priorities about whom to deport. As a practical matter, it argues, Congress has given the administration only enough money to deport annually no more than about 400,000 of the nation's estimated 11 million illegal immigrants.

The money should be used to find and deport those with criminal violations, the administration says, rather than immigrants who have established a life here and "anchor families" that would be torn apart by deportation.

But a federal district judge in Texas and then an appeals court ruled 2 to 1 that the plan "is much more than nonenforcement: It would affirmatively confer 'lawful presence' and associated benefits on a class of unlawfully present aliens."

The ruling was welcomed by Texas officials. But it is Obama's message that resonates in California, where immigrants have become a powerful political force even if many of them cannot vote. In Los Angeles County, for instance, home to more people than the entire state of Michigan, more than two-thirds of those under 18 have at least one parent who is an immigrant.

"There are lots of immigrants who can vote who are sympathetic to the plight of the undocumented," Pastor said. Moreover, he said, there is a recognition of how integrated the communities have become.

"Forty percent of the people aged 25 to 64 who have a PhD in the state of California are immigrants," he said. "And those high-skilled immigrants — for instance, in Silicon Valley — are often coupled with unskilled undocumented immigrants, because who takes care of their children? Who prepares their food? Who mows their lawns?"

A USC Dornsife/Los Angeles Times poll published last month showed that nearly two-thirds of Californians think illegal immigration is a major problem in the state; 9 in 10 Republicans think it is either a "crisis" or major problem.

But more than three-fourths of voters said immigrants already here should be allowed to stay, and 60 percent said they should be allowed to apply for citizenship — something DAPA does not contemplate.

Even among Republicans, only 36 percent said immigrants should be required to leave, the poll indicated.

The political impact in a state where Democrats rule has been striking. The place that in the 1990s would have denied state benefits to any illegal immigrant just extended health-care coverage to the undocumented 19 and younger. This was a compromise from a proposal to extend it to all.

Robin Hvidston, executive director of a group called We the People Rising, said her organization testified against the plan, but is without much support in the California legislature.

"We feel like we don't have a voice in Sacramento," she said. "We look with more hope to Congress."

Solis, whose district of more than 2 million residents is more than 50 percent Latino, said the political climate has changed as the undocumented community has become more established. More than half of those in the county have been there more than 10 years.

"There's more of a tolerance because there are so many people now who can say, 'I know somebody who's in that situation,'" she said in an interview in her office. "There are probably some people in this building who are in that situation. I'm pretty sure of it."

She also credits a younger generation that has taken advantage of DACA and changes that allow them to pay in-state college tuition.

"They paid for their own education because they didn't qualify for federal or even state aid at the time," Solis said. "Why would you want to deport those kids? These are going to be the people who replace me or replace you, the bankers, the lawyers."

She might have been talking about Anabel Cuevas. Her father, Eugenio, came from Mexico in 1989, followed by Anabel and her mother, Victoria, a year later.

Anabel Cuevas grew up in Pasadena and said she did not know she was undocumented until applying for college. She found that she could not accept the scholarship she was offered at a private college because she was not a citizen.

"My parents were always hard workers so we were always, I guess you could say, moving one step up, to a better apartment or whatever," she said. Her mother has worked as a babysitter and housekeeper; her father is an independent construction contractor, specializing in tile and stone.

When the private college fell through, Anabel Cuevas went to California State University at Northridge. It cost her father about \$70,000, he said.

She was able to get a work permit through DACA and now writes computer code for a high-tech company. And hers is one of the many "mixed" families in the county: She has the

work permit, her parents are undocumented, and her younger brother, born here, is a citizen.

So the Cuevases would qualify. But nothing is certain. The DAPA program may not survive the court challenge. If it does, it could still be revoked. And the deferral from deportation under DAPA is only temporary.

But she said it is worth speaking out and being identified. She feels there is little danger of being deported in L.A. County.

"But we're so close as a family, I've told [her parents], 'If you guys get deported, I'm coming with you, and we'll start a business somewhere else,'" she said. "My experience as an immigrant is that nothing is guaranteed."

More Minors, Families Apprehended At Border

After declining in 2015, more unaccompanied minors and families from Central America were stopped as they entered the U.S.

By Miriam Jordan

[Wall Street Journal](#), April 17, 2016

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

Who's To Blame For Fugitive Illegal Immigrant?

By Kathy A. Bolten

[Des Moines \(IA\) Register](#), April 16, 2016

COUNCIL BLUFFS, Ia. — In the space of a few seconds, Scott Root's crushing grief gave way to blinding fury as he got off the phone with Omaha police.

It was painful enough that Root was making final funeral arrangements for his 21-year-old daughter, Sarah, who was involved in a fatal car crash just 16 hours after she had graduated summa cum laude from Bellevue University, south of Omaha.

Now he had to tell Sarah's mother and brother that the man accused of driving drunk and causing the accident — who was in the U.S. illegally and was now charged with motor vehicle homicide — was already out of jail after posting bond.

"We hadn't even had our service yet," Root, 50, of Council Bluffs said in an interview with The Des Moines Register. "You lose a kid, and then you find out the person who killed her is let loose. ... Words really can't describe how you feel."

Within three days of making bail, 19-year-old Eswin G. Mejia fled — and no one has been able to find him since.

Mejia's case has triggered an international manhunt and ignited a flurry of finger-pointing over who's to blame for letting him out of jail. It has also prompted larger questions about how the U.S. handles people in the country illegally who are accused of crimes.

"Anything that could go wrong with this case has," said Sarah's mother, Michelle Root, of Modale, Iowa, who will add

to the debate when she testifies before a congressional committee Tuesday. "Losing our child wasn't bad enough?"

For his part, Scott Root remains baffled about why Mejia, who police and court records show was driving drunk and street racing when he slammed into Sarah Root's vehicle, was allowed out of jail in the first place. Mejia's bond was \$50,000, but he needed to post only 10 percent to gain his release.

U.S. senators, including Iowa's Chuck Grassley and Joni Ernst, along with immigration policy reform advocates, have seized on the case.

They have publicly berated the federal Immigration and Customs Enforcement agency, or ICE, for refusing local authorities' request to issue a detainer that would have kept Mejia in jail for at least an additional 48 hours before he could make bond.

ICE officials contend that Mejia's charge didn't make him an "enforcement priority" and that local officials should have requested a higher bond if they wanted to make sure Mejia remained in jail. The judge who set Mejia's bond is also under attack.

Ira Mehlman, a spokesman for the nonpartisan Federation for American Immigration Reform, said there's no shortage of blame to spread around.

"None of (the agencies involved in the case) did what was necessary to protect safety here," he said. "We need people to be held accountable, and we need accountability at every level." A stolen future

Sarah Root spent much of Jan. 30 celebrating her graduation from Bellevue. The commencement ceremony was at 9:30 a.m.

Root, who had a 4.0 grade-point average, did many of the things that day that excited college graduates do. She walked across the stage. She posed for a formal photo, smiling broadly in her black gown and cap with gold tassel.

She went out for a celebratory lunch with her family at Olive Garden. In the evening, she hung out with friends in Omaha.

Early on Jan. 31, she headed to her home in Council Bluffs.

She was driving a 2002 white Oldsmobile Bravada, and she stopped at a red light at a southern Omaha intersection near the top of a hill.

Mejia was driving a dark Chevrolet pickup truck up the hill at a "high rate of speed," police say. In addition, court records show Mejia's blood alcohol content was 0.241, more than three times the legal limit.

About 2:15 a.m., Mejia's truck slammed into the back of Root's SUV, pushing it about 800 feet past the intersection and shoving much of the rear into the back seat, Sarah's father said. The impact snapped Sarah's spine and fractured her skull in two places, her mother said.

At the University of Nebraska Medical Center, doctors told Sarah's family she had no brain activity. A two-minute hearing

Sarah Root was an organ donor. While medical staff contacted organ recipients and arranged surgeries, a life-support system kept Sarah's body functioning. Her family stayed with her round the clock until her organs were harvested.

"We didn't want to feel like we were abandoning her," said Michelle Root, 47. "We wanted to see the process through — for her and for us."

Mejia was also taken to the Nebraska medical center, then later that day was booked at the Douglas County Jail. A DUI report indicated that he was an "Alien" and a booking sheet noted "he's not a citizen," according to information provided to the Register by Omaha police.

Sarah Root's heart stopped beating early Feb. 4, her parents said.

That afternoon, Mejia appeared before Douglas County Judge Jeffrey Marcuzzo in a bond hearing that lasted 2 minutes, 25 seconds, court records show. Marcuzzo told Mejia he faced a felony charge of motor vehicular homicide-driving under the influence.

According to an audio recording of the hearing, an assistant county attorney explained in less than 45 seconds how the accident occurred, that Mejia "was racing with another car" and had a blood alcohol content of 0.241 percent, and that Root died of her injuries. Marcuzzo was told that Mejia scored a 2 on a flight-risk assessment, a rating considered low.

Mejia's attorney told Marcuzzo that Mejia didn't have any felonies and was eligible for a sobriety program.

"I would ask for a reasonable bond, judge," he said.

After pausing 18 seconds, Marcuzzo said: "I'm going to set your bond at \$50,000, 10 percent if you do post that bond."

At that point, Mejia had been in jail four days, and at least two documents indicated he was in the U.S. illegally. But no mention was made during the bond hearing about Mejia's immigration status or that he had failed to appear at two previous court hearings.

Donald W. Kleine, county attorney for Douglas County, told the Register that prosecutors weren't aware that Mejia was in the country illegally.

"We knew he was born in Honduras — that's the only thing we had," Kleine said. "The judge knew the nature of the charges, but he didn't ask us any more information. He just set the bond."

But according to a document in Mejia's court file, Mejia was advised of the "effect of conviction on non-citizens." The document, printed at 1:15 p.m. Feb. 4, was signed by Marcuzzo.

Both attorneys in the case received copies.

It's unclear whether Marcuzzo signed the document before or after the bond hearing or when the attorneys received the copies. Run-ins with authorities

By the time Eswin (also called Edwin in some ICE documents) G. Mejia had appeared in Douglas County court, he had already had several encounters with U.S. law enforcement.

His first was in May 2013, according to Department of Homeland Security, when Mejia entered the U.S. illegally and was stopped in Arizona by Border Patrol.

The U.S., at the time, was starting to experience a surge of unaccompanied minors entering the country illegally to join family already here. The sudden influx was prompted by violence in Central America and a misunderstanding of U.S. immigration policies, an ICE official told the Senate Committee on the Judiciary in February.

Mejia, whose court records show was born in Honduras, was 16 when he arrived in the U.S. He was placed with a brother who lived in Tennessee while he waited for an immigration hearing. In early 2014, the family moved to Omaha.

Mejia and Omaha police crossed paths at least twice before Jan. 31.

In July 2014, Mejia was cited for driving the wrong way on a one-way street and for not having a valid driver's license. In February 2015, he was cited for driving under suspension and failing to have a child passenger restrained.

He failed to appear in court for either case. 'Pass the buck'

On Feb. 5, one day after Sarah Root was declared dead, Mejia remained in jail most of the day.

Omaha police reached out that day to ICE officials at least four times in attempts to obtain an immigration hold — also called a detainer — on Mejia before he could make bond, according to the timeline provided to the Register. When an officer did reach an immigration official, the detainer was declined, police said.

A detainer would have allowed local authorities to hold Mejia until Feb. 8 or Feb. 9, potentially giving them time to persuade ICE officials that Mejia was a flight risk.

An ICE spokesman, in an April 11 written response to questions from the Register, wrote that the agency "has no record of the police department contacting the local ICE sub-office in Omaha or the Field Office in St. Paul."

Even with the detainer, Mejia would have been eligible for a bond hearing before an immigration judge, "because he had no criminal conviction" and wasn't subject to mandatory detention under federal immigration laws, ICE director Sarah Saldaña wrote in response to questions from Nebraska Sen. Benjamin Sasse, a Republican.

Mejia's bond was posted at 4:52 p.m. Feb. 5; he was released four hours later.

LISTEN: Bond hearing for Eswin G. Mejia on vehicular homicide charge

On Feb. 9, one day after Mejia failed to show up for a mandatory drug screening, a warrant was issued for his arrest.

The finger-pointing began days later.

"Everybody's playing pass the buck," Scott Root said. "This day and age, anybody who has been in any type of trouble — you should know their life story. If he's been in jail four days, you should know a little bit about him; otherwise, you shouldn't be doing legal type of stuff." The role of ICE

On Feb. 29, Sasse, the Nebraska senator, sent a letter to ICE's director asking why the agency declined to detain Mejia, whether it thought he was a flight risk and what was being done to find him.

In mid-March, before the U.S. Senate Committee on Homeland Security and Governmental Affairs, Saldaña offered Sasse and Ernst different reasons about why ICE declined to issue a detainer on Mejia, among them that Mejia wasn't considered an enforcement priority.

An ICE spokesman, in response to Register questions, said officials declined to issue a detainer because Mejia had never been convicted of a criminal charge. The spokesman wrote that "local and state law enforcement agencies do not make determinations regarding federal enforcement of U.S. immigration matters."

Grassley, who has criticized ICE, described the agency's response as "typical."

"They are going to blame local officials because they don't want to take the blame," he told the Register. "Immigration is a federal responsibility."

Mehlman of FAIR said the priorities of federal agencies frequently don't mesh with those of local law enforcement.

"Unless somebody falls into that very, very narrowly defined set of priorities, (the federal agencies) just aren't interested in taking people off the hands of local police departments that have arrested people for sometimes serious crimes," he said. "This was an example of it."

Mehlman also said members of Congress should be held accountable.

"Congress also has the power of the purse," he said. "And they can make it painful for these federal agencies not to carry out the laws. Congress has chosen not to do that." Holding someone accountable

Sarah Root's family has focused their attention on Judge Marcuzzo, asking the public to fill out complaint forms in an attempt to remove him from office.

Scott Root said he plans to submit thousands of completed forms to the state's Judicial Qualifications Commission this spring. Root said he hopes the large volume of complaints will persuade officials to discipline Marcuzzo.

If that doesn't happen, Root said he will campaign against Marcuzzo in his fall retention election. The judge, who

did not respond to an interview request, served a 120-day suspension in 2009 after a private complaint was lodged against him.

"That's all we're trying to do — is hold this gentleman accountable," Root said. "If we do nothing, nothing will happen."

Kleine, the Douglas County county attorney, said he's trying to arrange a meeting between local and federal officials to talk about what happened and improve communication.

"I think it's important that the judge and our office know somebody's immigration status, because it may affect their being a flight risk," Kleine said. "That's important information for the court, let alone the fact that once somebody gets arrested, ICE should be over here putting a detainer on them, especially when we're talking about a felony."

Kleine said attorneys in his office are now more frequently asking about an accused person's immigration status.

"This has been a terrible example of how things haven't worked, so let's fix that," he said. Likelihood of deportation

Since March 30, Mejia has been on ICE's "most wanted list."

In addition, U.S. immigration officials have contacted law enforcement in Honduras about Mejia; Kleine said his office has been in contact with Interpol, the world's largest police organization, which he said issued a red notice — the highest alert level — for Mejia.

Omaha police's fugitive unit also is searching for Mejia.

If Mejia is found, he'll be brought to Omaha to face charges, Kleine said. If convicted, he could face up to 20 years in prison, of which he'd likely serve eight to 10 years because of the state's policy that allows inmates to slice time off their sentence for good behavior.

But even if Mejia is apprehended and convicted, motor vehicle homicide "would not constitute a crime of violence under the immigration laws" that would warrant automatic deportation, Saldaña, ICE's director, wrote to Sasse in March.

While the hunt for Mejia continues, Sarah Root's family mourns. A week ago, Bellevue University gave Sarah's diploma to the family.

Mejia "is the one to blame," Michelle Root said. "He goes out and gets drunk. Street races ... and hits our baby girl, who is at a stoplight."

"We do not want a family to go through this."

What is a detainer?

The following is the American Immigration Council's explanation of an immigration detainer:

A detainer is a tool used by U.S. Immigration and Customs Enforcement and other federal agencies to identify potentially deportable individuals held in jails or prisons.

A detainer allows local law enforcement to keep a person in custody for up to 48 hours after their jurisdiction

ends. That means if an accused offender makes bail, for instance, the local jurisdiction can continue to hold them.

After a detainer is issued, immigration officials decide whether to take custody of the person, who may then appear before a federal immigration judge.

Congressional hearing

Michelle Root will appear before a congressional committee at 9 a.m. CDT Tuesday that is holding a hearing titled "The Real Victims of a Reckless and Lawless Immigration Policy: Families and Survivors Speak Out on the Real Cost of This Administration's Policies."

The hearing will be webcast live at judiciary.house.gov

IMMIGRATION AND CUSTOMS **ENFORCEMENT**

Las Vegas Restaurateur Says Former Fed Manufactured A Criminal Case Against Him

By Jeff German

[Las Vegas Review-Journal](#), April 17, 2016

Las Vegas restaurateur Thomas Kim says a former federal homeland security agent convicted of accepting bribes abused his authority and tried to manufacture a criminal case against him.

And when Kim complained to the agent's boss, he was told, "We can do whatever we want," Kim says.

In a federal lawsuit, Kim alleges the agent launched a phony investigation into allegations of drug use, prostitution and human trafficking at Kim's Korean restaurant, Club Yamang, in 2013 to curry favor with a competitor who had given the agent thousands of dollars in free food and drinks.

The competitor identified in court papers was Dong Myung Yu, who owned the rival Club Sonagi. He could not be reached for comment.

The goal was to drive Club Yamang, then a popular karaoke hangout on East Sahara Avenue, "out of business and into financial ruin," the suit alleges.

Kim later learned that the agent, Joohoon David Lee, had come under investigation for taking bribes in an unrelated case in Los Angeles and ended up pleading guilty, the lawsuit states.

No charges were filed against Kim in the Las Vegas supper club investigation, which Kim and his lawyers, former federal prosecutors Paul Padda and Kathleen Bliss, allege violated the constitutional rights of Kim, his wife and his employees.

"I can't believe something like this could have happened here," Kim, 48, said in an interview, adding that the experience was a "nightmare" for him and his family. He said he has managed to keep Club Yamang open, but it has lost

hundreds of thousands of dollars because of its damaged reputation.

Lee, 44, led a federal raid “not supported by probable cause” at Club Yamang in July 2013 and detained Kim’s South Korean-born fiancée and several employees of the restaurant Kim has run since 2012, the lawsuit alleges.

Then, without a federal court order or approval from an immigration judge, Lee forced Kim’s now-wife, Aeja Kim, to wear an electronic monitoring bracelet around her ankle to track her while he tried to build a criminal case against Kim and his club, the lawsuit alleges.

“Had (Padda) and I not intervened, they would have had a tracking device indefinitely on this woman for what we believe to be completely illegitimate reasons,” Bliss explained. “The Supreme Court said you can’t put a tracking device on a car for an indefinite period of time without probable cause. How can they do this to a human being?”

Lee told Kim he had legal authority to monitor Kim’s wife for “as long as he liked,” the lawsuit alleges.

Kim said when he asked one of Lee’s supervisors to remove the ankle bracelet, the supervisor declined and responded, “We can do whatever we want.”

Kim said his wife, who isn’t a U.S. citizen and isn’t fluent in English, wore the tracker for six months and suffered stress and many sleepless nights worrying whether she would be deported.

Lee in the meantime had become the target of a criminal bribery investigation in Los Angeles stemming from his work with the human trafficking unit of Homeland Security Investigations earlier in 2013. Homeland Security Investigations is part of U.S. Immigration and Customs Enforcement, or ICE. The agency’s office of professional responsibility, its internal investigative arm, conducted the investigation.

Lee pleaded guilty in Los Angeles in December to a felony bribery charge and faces a maximum 15-year prison sentence at his May 23 sentencing. He resigned from ICE on Dec. 10, a week after his guilty plea, officials said.

Federal prosecutors in Los Angeles alleged Lee accepted roughly \$13,000 in cash, hotel expenses and entertainment from a Korean man accused of bringing a woman to the United States to be a sex slave.

Lee traveled to Korea at the unidentified man’s expense and later filed a report aimed at clearing the man of human trafficking allegations, according to prosecutors.

The Las Vegas lawsuit, filed this month, is based on Lee’s actions here, but does not name him as a defendant. About \$1.3 million in damages are being sought from the lone defendant, the federal government, because federal law doesn’t allow Lee himself to be sued, Padda said.

While it became apparent over time that the government had no case, the Kims didn’t learn until more than a year after the July 11, 2013, raid at Club Yamang that

Lee’s investigation “was a complete fabrication and had no proper legal basis,” the lawsuit alleges.

“It was a very difficult time,” Kim said. “He was constantly keeping us under surveillance and harassing employees.”

Lee is accused in the lawsuit of playing up “ethnic stereotypes” — that some Asian entertainment establishments are fronts for sex trafficking — to recruit other law enforcement agencies to “join in the stalking and surveillance” of Kim, his business and his employees.

Kim recalled that Lee interrogated his employees and once brought federal labor department agents to his supper club. After talking to employees, the agents went outside and sat in their car watching people enter and leave the club, Kim said.

When Padda approached Lee about the investigation, the agent acknowledged he had placed the monitoring device on Kim’s wife to track her movements in the criminal investigation of her husband, the lawsuit alleges.

“Shocked by this admission, counsel questioned the legitimacy of this tactic and queried whether he had obtained any court approval,” the suit says.

Lee responded that before the July 2013 raid at Club Yamang, he discussed his investigative methods with Russell Marsh, then chief of the criminal division of the Nevada U.S. attorney’s office, and that Marsh had “approved and sanctioned” the plan, the lawsuit alleges.

Federal ICE agents have the authority to put ankle bracelets on immigrants during administrative detention proceedings, but Padda said no administrative proceedings were brought against Aeja Kim.

Lee, who reportedly was living in Las Vegas in December, could not be reached for comment. His lawyer in the Los Angeles case, Deputy Federal Public Defender Jennifer Uyeda, declined comment.

Marsh, who left the U.S. attorney’s office for private practice a month before the Club Yamang raid, and U.S. Attorney Daniel Bogden declined comment because of the pending litigation.

Virginia Kice, ICE’s western regional communications director, also cited the ongoing litigation in declining comment.

She said ICE’s office of professional responsibility said at the time of Lee’s guilty plea that the agency has “zero tolerance for public officials who abuse their authority and violate the public’s trust.”

CUSTOMS AND BORDER PROTECTION

U.S. Agents Find 140-foot Tunnel Under U.S.-Mexico Border In Calexico

By Laura J. Nelson

[Los Angeles Times](#), April 16, 2016

Federal agents in Calexico discovered a 140-foot-long tunnel across California's border with Mexico, officials said this week.

An agent on patrol two miles east of the Calexico Port of Entry noticed "a depression in the soil" along the All-American Canal that runs parallel to the border, the U.S. Customs and Border Patrol said in a statement Friday.

The patch of soil collapsed as the agent approached, exposing a hole 18 inches wide. Lumber and wiring were visible inside.

Investigators determined that the entire tunnel was about 3 feet wide and 142 feet long, or slightly shorter than an Olympic-sized swimming pool. The tunnel ended in Mexico, about 60 feet south of the border, in an area that is primarily open fields and farmland.

The Border Patrol did not specify what, if anything, had passed through the tunnel. But they noted that "anything or anyone could potentially cross into the U.S."

Last month, agents discovered a smuggling tunnel that ran nearly a quarter of a mile underneath the border, from the El Sarape restaurant in Mexicali, Baja California, into the living room of a home in Calexico. The exit to the tunnel was covered with tile, officials said.

U.S. Homeland Security agents used wiretaps to track the construction of that house, which was finished in December at a cost of about \$86,000. The investigation led to the arrests of four people and the confiscation of more than a ton of marijuana.

Last April, officials observed a man in a wetsuit emerge from the All-American Canal. Investigators later found a 230-foot tunnel beneath the border that had lighting and ventilation, as well as 25 sealed packages of methamphetamines with a street value of about \$700,000.

Feds Find 140-foot, US-Mexico Border Tunnel In California

[Fox News](#), April 17, 2016

A Border Patrol agent on routine patrol found a 140-foot-long tunnel extending across the Mexican border to California.

The agent was on patrol Thursday morning 2 miles east of the Calexico Port of Entry and noticed "a depression in the soil" which caved in as the agent approached, exposing a hole 18 inches wide. The Los Angeles Times reported Sunday.

It was not immediately clear if the tunnel was completed.

The entire tunnel was about 3-feet wide and almost as long as an Olympic-sized swimming pool, according to the Times.

The tunnel ended in the Mexican desert, 60 feet from the border.

"This agent saw something that didn't look quite right and it turned out to be a tunnel," Border Patrol Sector Chief Rodney Scott said, according to Fox 11 Los Angeles.

The Board Patrol discovered another smuggling tunnel last month that ran 400 yards underneath the border from a restaurant in Mexico to the living room of a home in Calexico.

Cocaine Found In Coffee Bags Arriving In NY From Jamaica

[Associated Press](#), April 17, 2016

NEW YORK (AP) — Authorities say a Jamaican woman faces narcotics smuggling charges after cocaine was found in bags of coffee in her luggage after she arrived at New York's Kennedy Airport.

U.S. Customs and Border Protection officers inspecting her suitcase last week removed two plastic bags that contained white powder. They tested positive for cocaine, with an estimated street value of about \$50,000.

The woman, a Jamaican citizen, flew in from Montego Bay, Jamaica.

She was turned over to Port Authority police and faces prosecution by the Queens District Attorney's Office.

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77-year-old Man Accused Of Robbing Alamogordo Bank With Gun

[Albuquerque \(NM\) Journal](#), April 17, 2016

ALAMOGORDO, N.M. — Police say a 77-year-old man is accused of robbing an Alamogordo bank at gunpoint.

Authorities say Anthony Ferdico has been booked on charges of armed robbery, kidnapping and possession of a firearm by a felon.

The alleged robbery occurred Thursday around 12:30 p.m. at Security Finance.

According to witnesses, Ferdico came into the business and brandished a firearm.

Ferdico allegedly demanded money and then left in a SUV before officers arrived.

A Border Patrol agent spotted the SUV nearby and followed it until police vehicles stopped it on Highway 54/70.

Ferdico was subsequently arrested.

It was not immediately known if he had an attorney.

TRANSPORTATION SECURITY

ADMINISTRATION

Charlotte's Airport Director Urges TSA Not To Cut Staff, Warns Of Delays

[Winston-Salem \(NC\) Journal](#), April 17, 2016

The Transportation Security Administration says a new automated system to screen checked bags at Charlotte Douglas International Airport is speeding things up, but the airport's director says TSA staff cuts are slowing things down and causing delays.

The federal TSA and the city-run airport presented dueling pictures of the status of airport security last week. The TSA hosted a tour Friday of its new automated in-line baggage system, which can process 4,000 bags an hour with minimal human interaction needed. That's sped the time it takes to get a bag from the check-in gate at Charlotte Douglas from up to 20 minutes to three or four minutes, officials said.

Interim Aviation Director Brent Cagle, on the other hand, sent a letter to the TSA's top administrator in Washington, D.C., last week asking the agency not to make 60 planned staff cuts, and to add more workers at checkpoints.

"The actions of the TSA have had and will continue to have a detrimental effect on customer wait times and a negative economic impact to the airport and the airlines," Cagle wrote, in a letter dated Wednesday. He referenced Good Friday last month, the start of spring break week, which Cagle called a "fiasco" because passenger wait times at screening lanes exceeded three hours and more than 600 passengers missed their trips.

"It was terrible," Cagle said in an interview Friday. He said some security lines stretched down to the airport's baggage claim area.

He said the TSA opened only seven checkpoints on Good Friday, despite knowing it would be a heavy day. The airport ended up setting a single-day record for passengers that day, with almost 30,000 local passengers screened. (About 80 percent of passengers at Charlotte Douglas are connecting from one plane to another and don't pass through the security checkpoints.)

The airport broke its previous record — set the day after the Democratic National Convention in 2012 — in which the TSA opened 20 lanes.

Cuts coming

Cagle told the Observer that the TSA informed Charlotte Douglas that it plans to cut 60 staff members because of the new automated baggage system. Cagle wants to see those officers redirected to security checkpoints, which he said are understaffed.

Kevin Frederick, federal security director for the TSA in Charlotte, said the airport is adequately staffed to meet security and customer service needs.

"I believe we have enough resources," said Frederick. He confirmed that about 60 TSA positions are being eliminated as a result of the new automated baggage screening system, but he said that won't impact the number available to staff security checkpoints.

He also said it doesn't make sense to staff many of Charlotte's 17 operable checkpoints at times of low passenger traffic.

"We're not going to have people standing around and doing nothing," Frederick said. He disputed how long passengers waited, saying there was no record of anyone waiting three hours on Good Friday and most waits didn't exceed 30 minutes.

Cagle, who is awaiting a response to his letter, said the passenger wait times he referenced were self-reported.

"I think it's silly to argue about the exact amount of time a customer stood in line," said Cagle. "There's no one who was at the airport on the morning of Good Friday who would think the customer service levels provided that day were acceptable."

New system speeds bags

The new, automated baggage system came online in February, after more than six years of planning, design and construction. Thousands of bags a day roll over 3.5 miles of conveyor belts, which shunt them from the airline check-in counters to the airplanes in minutes.

In between, they pass through car-sized X-ray machines and explosives detection equipment. Any possible explosives are identified by advanced computer algorithms that highlight the item in red and show it to remote technicians reviewing the X-rays on computer screens in a nearby, windowless room.

The TSA screeners can rotate, twist, turn and enhance the 3-D image. If they decide a bag needs manual inspection, it's routed to another room, where workers open the bag and go through the contents. Otherwise, the bag continues along to the plane. The process takes seconds, and the screening software identifies and resolves most anomalies on its own, without human intervention.

Faster Way To Avoid Long Airport Security Lines

[CNBC](#), April 17, 2016

When Michael Brunson walked into Denver International Airport on a Wednesday afternoon, he saw a familiar sight: Lines of travelers waiting to go through the security.

Brunson didn't get frustrated. In fact, he didn't even worry about the possibility of standing in line. That's because

he's a member of Clear, a private service that verifies the identity of travelers before sending them to the front of TSA security lines.

"Anything other than waiting is awesome," said Brunson, who spent about 30 seconds being verified by Clear before heading to his flight. "Just hopping through the line and being done is wonderful."

Clear uses biometric identification (fingerprints and iris images) to verify the person holding a boarding pass is a member and is ready for final clearance by the TSA. Members pay \$179 annually for the service.

"Consumers are loving the Clear experience," said Caryn Seidman-Becker, chairman and CEO of Clear. "Not only does it strengthen security but it brings consumers a fast, frictionless experience."

Since Seidman-Becker and a business partner bought Clear in 2010, she's been growing the company by leveraging the speed and security of biometric identification. In the last year, enrollment is up more than 200 percent to more than a half-million members. People who are willing to pay to avoid security lines that seem to be getting worse.

This week American Airlines blamed the Transportation Security Administration for almost 6,800 passengers missing their flights during one week in mid-March because they were stuck getting through security. "The lines at TSA checkpoints nationwide have become unacceptable," American spokesman Ross Feinstein said. "Our customers are waiting in TSA lines greater than one hour."

When asked about complaints regarding long lines, a TSA spokesperson said, "While we at TSA have a robust plan to address the volume — including more canine use, encouraging 'PreCheck' enrollment, overtime, accelerated hiring and more, we are appreciative that our airline partners are working with us and asking travelers to arrive at the airport two hours early for domestic flights to help alleviate some of the expected summer congestion."

Clear is at just 13 airports, and expanding to more has been slow, in part, because many airports have limited space for TSA lines. With space limited, there's a reluctance to free up one of those lines for Clear and a relatively small number of travelers compared to those going through TSA lanes.

While Seidman-Becker sees congestion at airports as a clear opportunity, she wants to push biometric identification even further. The company is testing a pilot program in San Jose, California, where members show up at the airport, put their fingers on the Clear machine to prove their identity and their boarding pass immediately comes up. "You don't need your cellphone, you don't need a ticket in terms of a paper ticket, you just tap and go. It is that seamless, frictionless experience from curb to gate, it's awesome."

But is that experience worth the price of membership?

David Heyman, a homeland security expert at The Aspen Institute, said Clear struggles to win over many

travelers because those people have other options that already cut down their airport wait times. "With the preclearance, Pre-Check programs, with the airline elite programs that allow people to move faster through lines, it (Clear) hasn't necessarily caught on, and it's only in a few airports around the United States."

The next frontier for Clear: Stadiums and sports arenas, which are ramping up security that means it now takes longer to get inside. Coors Field in Denver now has a designated entrance for Clear members who can enroll in the stadium service for free.

"It sure beats having to wait in line and having to come through the gates with the crowd," said passenger Joe Cassa after using the Clear line to go in and watch the Colorado Rockies.

Long Lines, Cranky Travelers: TSA Adding Staff At Bustling Sea-Tac Airport

By Eric Lacitis

[Yakima \(WA\) Herald-Republic](#), April 17, 2016

Summer's coming and there'll be waiting, and more waiting, in the Seattle-Tacoma International Airport lines.

Help is on the way in the form of more TSA agents and more dogs trained to sniff for explosive vapors, it was announced Friday.

It's not as if you — that would be you, among the 42 million people who went through the airport last year, making it the fastest growing in the country — haven't let your frustrations be known.

TSA says it doesn't keep track of airport wait times, or rank them against each other, but here are some choice comments posted on Skytrax, the London-based airline and airport review site:

"Just standing around ... my wait was over an hour and a half."

"Slow and rude ... It is worse than going through customs at Newark."

"No one in line could believe how they had us snaked around the terminal."

"... one of the nastiest airports that I've flown through ..."

At a news conference held on the mezzanine above Checkpoint 3 in the middle of the airport, Sen. Maria Cantwell and Peter Neffenger, administrator for the Transportation Security Administration, promised major changes by summer travel season.

Fortuitously, during the late-morning event, although there were short periods of the long lines to which passengers have grown accustomed, they moved along pretty fast. Maybe five or 10 minutes of waiting.

"It's good luck," said Neffenger.

He said the TSA Academy is graduating 200 new officers each week, and that they'll be "front-loaded" to facilities such as Sea-Tac, which Cantwell said is expected to soon see 50 million people passing through each year.

Right now, Sea-Tac has the equivalent of 840 TSA staffers among its part-timers and full-timers. Their entry-level salary is \$16 an hour and they all qualify for federal health benefits, vacation and 401(k). The TSA says the latter benefits make it an attractive job.

Neffenger said the agency has 322 trained sniffing dogs nationwide and expects that total to reach 500 by the end of the year.

Right now, Sea-Tac has five such dogs, and there'll be seven by the summer.

Neffenger said the canines sniffing through the lines can speed up lanes by as much as 100 passengers an hour.

A dog such as Loki, a male golden lab, is trained to sniff for primary components of improvised explosive devices, such as urea nitrate and hydrogen peroxide, and a component called "RDX" that's used in plastic explosives.

Loki and his fellow sniffing dogs are trained to let their handler know "an explosive scent has been detected, often without the source being aware," says the TSA.

If you pass muster with Loki, then you advance faster through the TSA lines, perhaps not even having to endure the unpopular task of taking off and putting back on your shoes.

But the dogs require 10 months to train, and 13 percent flunk out.

So, a lot of promises.

Sea-Tac said it has hired 90 workers to help passengers put their belongings in bins for screening, freeing up TSA agents to move things along. It said it expects to have 28 screening lanes open during peak times, as opposed to the current 16 to 18 lanes.

Presumably, this all will improve the grades that the airport has been getting.

It is proud that in 2016, Skytrax awarded it the "Best Staff in North America" based on survey questionnaires and also listed it among the top 10 global airports in the 40-to-50-million-passenger category.

At the same time, so far this year, the airport itself has received 649 negative comments about its checkpoints, 173 neutral comments and only 54 positive comments.

Of course, it is the grumps who are the loudest, right?

My oh my.

"If you'd like to see what a look of pure hatred looks like I'd love to introduce you to the TSA guy who checked my ID here at SeaTac."

Another person said the TSA employees were "reminiscent of a drill sergeant."

"I'm watching people cry, begging @TSA agents to be moved to the front of the line."

OK, here is one of 54 positive comments:

"I've heard of it being a nightmare but the security line @SeaTacAirport was actually a breeze! Totally organized and moving fast."

And a final word from TSA Administrator Neffenger.

As always, "Arrive early. Two hours in advance."

Have fun!

FEDERAL EMERGENCY MANAGEMENT AGENCY

Restrictions Proposed For Building In Flood Plains

By Rob Manning

[Associated Press](#), April 15, 2016

PORTLAND, Ore. (AP) – Building in flood zones is about to get harder across much of Oregon, due to new federal recommendations.

The government published the recommendations, called a biological opinion, in response to a lawsuit from environmental groups. The Audubon Society of Portland, National Wildlife Federation, Northwest Environmental Defense Center and Association of Northwest Steelheaders had argued that federal flood insurance was encouraging development detrimental to threatened salmon.

Will Stelle, regional administrator for the National Oceanic and Atmospheric Administration, said the agency recommends FEMA make several efforts to change the flood insurance program.

"The first effort is a mapping effort," Stelle said. "The second effort is development standards to try to steer development out of harm's way, in order to protect those most important habitat functions for salmon and steelhead."

The biological opinion does not directly ban development in flood plains along salmon-bearing waterways. But there is a "no net loss" policy, requiring that developers or property owners mitigate any lost salmon habitat with new habitat.

FEMA said that 251 Oregon communities have flood plain areas along salmon-bearing rivers and streams out of 271 communities with flood plains. Affected areas are up and down the coast, throughout the Willamette Valley, east to the Idaho border and into much of central Oregon.

Some Oregon communities and leaders have expressed concern about the effect rules could have on property owners and potential development near salmon-bearing streams.

FEMA's regional branch chief for Floodplain Management & Insurance, John Graves said that his agency will work with the state of Oregon and local governments on implementation, including new maps and how rules may work on the ground.

Oregon Congressman Peter DiFazio garnered support in the U.S. House for legislation potentially blocking FEMA from following the recommendations.

"For over a year and a half, I have worked with local officials and directly engaged with the Federal Emergency Management Agency to stop a bureaucratic overreach . that could supersede Oregon's land-use laws and prohibit development on tens of thousands of acres across the state," DiFazio said in a statement supporting the FEMA amendment. "We can protect our endangered species without dictating unworkable solutions for communities in flood prone areas."

Environmental groups have signaled their support of the biological opinion, and optimism that the changes to flood insurance could improve recovery efforts for threatened salmon and steelhead.

"It has been a long time coming, but we are very pleased that the National Marine Fisheries Service has outlined sensible improvements to FEMA's flood insurance program to help recover listed salmon and steelhead," said Bob Sallinger Conservation Director for the Audubon Society of Portland, one of the environmental groups to file the lawsuit in 2009.

The two agencies at the center of the changes – NOAA and FEMA – do not see eye-to-eye on all aspects of what about the federal flood insurance program should change. As NOAA regional administrator Will Stelle explained on a conference call with reporters, the two agencies differ in at least two areas.

One is where edge areas, what he called "erosion zones," are concerned. NOAA believes those areas should be included in FEMA's new mapping efforts. FEMA has said those areas are not within flood zones and should be treated differently. The other difference of opinion relates to map revisions that property owners can request, if, for instance, they're filling in an area. Stelle and John Graves with FEMA said the two agencies agreed to discuss those situations on a case-by-case basis.

FEMA and NOAA have been down this road before, in response to a similar lawsuit in the Puget Sound area, and implementation ran into some difficulty on the ground. How the recommendations will play out on the ground is on the minds of environmental groups.

"Now it is time move forward and ensure that FEMA works with Oregon's state and local governments to manage floodplain development in ways that protect salmon and make our communities more resilient in the face of increasing threats from extreme weather events," said Andrew Hawley, staff attorney for the Northwest Environmental Defense Center.

Information from: KOPB-FM, <http://news.opb.org>

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FEMA Changes Flood Insurance Approach To Protect Fish

By Erick Bengel

[Daily Astorian \(OR\)](#), April 15, 2016

The Federal Emergency Management Agency is changing how it implements the National Flood Insurance Program in Oregon to avoid further destruction of fish habitat.

But the agency's new direction — a response to a lawsuit from several environmental groups — won't disrupt the effort of North Coast communities challenging the data behind FEMA's controversial draft floodplain maps of the region.

The federal flood insurance program, which subsidizes flood insurance for building and development, influences how development occurs in floodplains.

The program has changed how many floodplains function, often to the detriment of species protected by the Endangered Species Act, Will Stelle, the National Oceanographic and Atmospheric Administration Fisheries West Coast Region, said.

In a biological opinion issued Thursday, NOAA found that the flood insurance program "reduces the floodplain and wetland habitat available to salmon in Oregon, which in turn jeopardizes the continued existence of 15 salmon and steelhead species, plus eulachon and Southern Resident killer whales," the opinion states.

Under the Endangered Species Act, any action authorized, funded or carried out by a federal agency, like FEMA, must not imperil the continued survival of ESA-listed species, or adversely modify their critical habitat, Michael Milstein, a spokesman for NOAA Fisheries West Coast Region, said in a release.

"Floodplains, of course, are very important to salmon in terms of habitat, but in Oregon that habitat is increasingly endangered," Milstein said.

The Audubon Society of Portland, National Wildlife Federation, Northwest Environmental Defense Center and Association of Northwest Steelheaders had sued FEMA for the indirect damage the agency's flood insurance program does to salmon-bearing waterways.

Recommendations

To avoid additional harm to these species, the opinion gives a set of recommendations for FEMA to follow as the agency administers the flood insurance program.

First, NOAA recommends that FEMA improve floodplain-mapping techniques to more accurately identify the high-risk areas and how those areas may change in the future.

Second, FEMA should limit new development in the most hazardous, flood-prone areas — often the most beneficial habitat for endangered fish, Milstein said.

Third, FEMA should mitigate development that does proceed in the floodplain by restoring floodplain elsewhere, so recovering native salmon don't face a net loss of habitat.

"NOAA fisheries and FEMA both value endangered species, and we worked together closely on ... these recommendations," Milstein said.

The proposed safeguards — which incorporated feedback from Oregon tribes and local communities — will affect 251 of the 271 communities in Oregon that participate in the flood insurance program, said John Graves, floodplain management and insurance branch chief at FEMA.

"Much of the recommendations that we are making to FEMA today really do go to some of the core components of the (flood insurance program), but doing so from a perspective of how can we enhance the ability to protect floodplain functions that are vital for salmon, both babies and adults," Stelle said.

'A changing world'

Floodplains are a touchy issue on the North Coast.

The city of Warrenton, for example, is challenging the data of FEMA's preliminary flood maps, arguing that the maps overstate the local flood risk.

Property owners and business owners along stretches of riverfront worry that they will have to pay thousands of extra dollars in flood insurance if the questionable maps go into effect.

Last year, five Clatsop County agencies — the cities of Warrenton and Astoria, Clatsop County, the Port of Astoria and Diking District No. 9 on the west side of Youngs River — hired Coast & Harbor Engineering to run an analysis and technical review of the data. The agencies hope the ongoing project will lead to FEMA revising the maps.

How do NOAA's recommendations impact the ability of a community or individual to appeal FEMA's maps? They don't, Graves said.

"Our appeals process will remain the same," he said.

Graves added that the first recommendation — the need to use better mapping techniques — speaks to the need to produce accurate maps "in order to know where these floodplains are in a changing world."

US CITIZENSHIP AND IMMIGRATION SERVICES

Ask For Help With Search For Immigration Records

By Sharon Tate Moody

[Tampa \(FL\) Tribune](#), April 17, 2016

Immigration is a hot topic in this presidential election year. Of course, for genealogists it always has been a vital matter. Many family historians, however, don't know that the U.S. Citizenship and Immigration Service is interested in helping with their ancestor hunting.

There are a couple of paths researchers can take. For those missing all immigration details on an ancestor, the place to start is with an Index Search. On this path, the researcher provides information to USCIS, which in turn searches its historical immigration and naturalization record indices for citations related to a specific immigrant.

The researcher must provide basic information for this index search: the name (aliases, maidens and variations), date of birth (actual or estimated) and country of birth. It will be helpful if the researcher also can provide a date of arrival and places of residence. There is a \$20 fee for the search.

For privacy reasons, if the ancestor was born less than 100 years ago, the researcher also must provide proof of the ancestor's death. Acceptable documentary proof of death includes a photocopy of a death certificate; Social Security Death Index entry; printed obituary; funeral program; photograph of a gravestone; Bible, church or other religious death record; or records relating to payment of death benefits.

With an index search, the service returns to the researcher all record citations and instructions on how to request the files from the USCIS, the National Archives or local courts. The researcher then can make a record copy request. The researcher must provide a valid file number, such as a naturalization certificate number.

Records the researcher can hope to locate through the USCIS include:

- ◆ Naturalization Certificate Files (C-files) from Sept. 27, 1906, to April 1, 1956
- ◆ Alien Registration Forms from Aug. 1, 1940, to March 31, 1944
- ◆ Visa files from July 1, 1924, to March 31, 1944
- ◆ Alien Files (A-Files) numbered below 8 million and documents dated prior to May 1, 1951

The cost for the records is \$20 for a copy from microfilm or \$35 for a hard copy. Researchers can make requests online using a credit card or by mail using a money order or cashier's checks.

The Genealogy Index Search Request Form G-1041 is available online at www.uscis.gov/sites/default/files/files/form/g-1041.pdf. The Genealogy Records Request Form G1041A also is online at www.uscis.gov/g-1041a.

The USCIS says it usually mails an index search request within three to four weeks but cautions it could take up to 90 days. Record requests take an unspecified "longer" time. But there is a "Genealogy Request Case Status" Web

page, www.genealogy.uscis.dhs.gov/case_status.aspx, where researchers can check the order status.

Rather than the G-1041 and G1041a forms, anyone searching for records of naturalization on or after April 1, 1956, or arrival after May 1, 1951, should submit a Freedom of Information Act/Privacy Act (FOIA/PA) request.

To make an FOIA request, researchers can use Form G-639, which is available at www.uscis.gov/sites/default/files/form/g-639.pdf. More information on this procedure is available at www.uscis.gov/g-639. There is no fee to file this form.

Mineral Wells' Baker Hotel Stuck In Quagmire Of Bureaucratic Red Tape

By Bill Hanna

[Fort Worth \(TX\) Star-Telegram](#), April 17, 2016

The long-awaited plans to redevelop the historic Baker Hotel remain on hold.

The huge structure still towers over the Mineral Wells skyline, attracting curiosity seekers, history buffs and those who illegally try to sneak in.

Southlake-based developers want to restore the 86-year-old hotel, in part using money from foreign investors, but are still awaiting pre-approval from the Department of Homeland Security's EB-5 Immigrant Investor program. The developers applied for the program last September but have no idea how long it will take to get pre-approval, called "exemplar status."

We're just waiting.

Chad Patton, one of the Baker developers.

"We're just waiting," said Chad Patton, one of the partners in the project. "It could take up to a year to get exemplar status. It potentially could be awhile."

The EB-5 program allows wealthy international investors to obtain visas by placing at least \$500,000 in a U.S. business that creates or preserves at least 10 full-time jobs. To go forward with redevelopment of the old hotel, Patton said they will need to raise \$28 million from foreign investors.

About 80 percent of EB-5 investors come from China, according to Invest in the USA, an industry trade group.

Though it has been around for 25 years, the program is still relatively small and is capped at 10,000 visas annually.

The program has its critics, who say it essentially allows the U.S. to sell visas to foreign investors. The program was extended until Sept. 30 as part of Congress' omnibus spending bill that passed in December.

But a variety of unresolved issues remain.

Just last week, the Senate Judiciary Committee had a hearing about overhauling the program.

Among the issues is the fact that most of the foreign investment is going to luxury hotels and condos in places like

New York City and South Florida, rather than rural or economically distressed urban neighborhoods as originally intended. There were complaints about "gerrymandering" the program to qualify places like Manhattan and Beverly Hills for projects.

Foreign investors appear to be drawn more to projects in glitzy urban areas than small towns like Mineral Wells. Program is 'deeply flawed'

Sen. Charles Grassley, R-Iowa, chairman of the Senate Judiciary Committee, called the program "deeply flawed," saying Midwestern states are at a disadvantage the way the program is being administered.

Last week, The Wall St. Journal quoted court documents in which an official from the Manhattan-based real estate banking firm, The Carlton Group, called EB-5 "legalized crack cocaine" in urging a client to take advantage of the program as a way to obtain a lower interest rate.

The hearing also outlined how the program was little-used until the 2008 real estate crash made financing difficult to obtain. The project has since exploded, and there now is a backlog of 22,000 foreign investors awaiting approval, said Peter Joseph, executive director of Invest in the USA, an EB-5 industry trade group.

"The annual visa backlog threatens the viability" of the program, Joseph testified before Congress.

While the program has its critics, it has enjoyed support from both Republicans and Democrats.

The EB-5 program even became part of the presidential discussion last month when Bloomberg reported that Trump Bay Street, a luxury apartment tower under construction in Jersey City, N.J., was partially funded by Chinese investors.

Donald J. Healy, chief executive officer of Dallas-based Civitas Capital Group, which also manages the City of Dallas Regional Center, testified that any reform shouldn't focus on a rural versus urban debate but should base its criteria more on areas that "are distressed and not distressed."

Texas Sen. John Cornyn, R-Texas, also said during the hearing that he is "very aware that rural areas need help" but he also didn't want to see it become an issue of rural versus urban projects.

The Baker developers were originally working with Civitas but switched last year to Florida-based Pathways, which also operates EB-5 regional centers around the country. Among the projects listed on its website are the \$495 million Butler Brothers Building in Dallas and a \$40 million multifamily project in Austin.

The developers of the Baker redevelopment turned to the EB-5 program "since traditional financing hasn't really been interested in the project," Patton said. "I do believe it will happen."

Since hosting its last guest in 1972, the Baker has slowly decayed, assisted by vandals who destroyed many of the old hotel's fixtures and defaced the interior with graffiti.

Mother Nature has also taken a toll — water damage is an issue in parts of the hotel.

Two years ago, the \$56 million project got overwhelming support when nearly 96 percent of Mineral Wells' voters approved reallocating an eighth of a cent of the city's sales tax to it. In final totals, 1,558 voted in favor and 65 voted against.

Mineral Wells Mayor Mike Allen, who is seeking re-election in May, has heard complaints about other civic issues but said most residents continue to support the project.

"I don't have any concerns," Allen said. "I do believe it will happen."

Part of the reason Allen remains confident is the time and money invested by Patton, his partner, Laird Fairchild, and the others who have become part of the Baker team. These include Dallas businessman Brint Ryan, who brought the shuttered Settles Hotel in Big Spring back to life; and Jeffrey Trigger of Austin-based La Corsha Hospitality Group, who once oversaw Dallas' Mansion on Turtle Creek and Austin's Driskoll Hotel.

"When a group puts in as much money as they have, they can't get their money back unless it goes forward," Allen said. "We all feel good that they can get the financing."

Last month, Patton and Fairchild traveled to Shanghai, China, where they attended the 2016 Invest in America Summit.

"The Chinese trip — I would call it a successful one," Patton said. "We got to meet some of the folks raising capital — they're called migration agents. Now, we're just in the process of fostering those relationships and waiting on the exemplar status."

They also developed a video to attract foreign investment.

A number of cities, such as Dallas and Las Vegas, have used EB-5 to finance new projects, including hotels and casinos. A 2012 study by Invest in the USA, which represents 260 EB-5 regional centers nationwide, said the program added about \$6.1 million to the Texas tax rolls. 'Rival anything in Las Vegas'

The Baker could again make Mineral Wells a tourist destination.

In its early days, tourists flocked to the city to partake of the spring waters that supposedly cured a variety of ailments.

By 1920, the city had 400 mineral wells and was known as "the South's greatest health resort," according to the Handbook of Texas.

The 200-room Crazy Water Hotel opened in 1927, followed by the Baker on Nov. 9, 1929, just two weeks after the stock market crash.

The hotel included mineral baths, an Olympic-size swimming pool and a rooftop nightclub known as the Cloud

Room, where old-timers could recall hearing tunes drifting through the air at night.

"Back in those days, the Baker would probably rival anything in Las Vegas today," former assistant manager Roy D. Walker said in a 1993 Star-Telegram article. "Big-name stars like Lawrence Welk, Sophie Tucker, the Dorsey Brothers. You couldn't find a parking place for blocks."

Mineral Wells, home to Fort Wolters, became a military town by World War II, and that continued through the Vietnam War.

As the military's presence declined, so did the Baker. The hotel shut down in 1963 but reopened two years later, only to have its final paying guest in 1972. Fort Wolters closed three years later, in 1975.

In recent years, the Baker has become an online attraction as websites, Facebook pages and YouTube videos have been devoted to the hotel. Many contend it's haunted.

This report contains information from the Star-Telegram archives

- Roughly half the funding for renovating the Baker Hotel is expected to come from the EB-5 visa program, one of five employment-based programs administered by the Homeland Security Department's U.S. Citizenship and Immigration Services.

- In the EB-5 program, international investors can get visas by investing at least \$500,000 in a U.S. business that creates or preserves at least 10 full-time jobs in a rural or high-unemployment area. The investor is not required to work for the business.

- A 2012 study commissioned by Invest in the USA, a trade association that backs the program, said Texas EB-5 projects have supported 1,467 jobs, contributed more than \$109 million to the gross domestic product and brought \$6.1 million in tax revenue to the state.

- One local project that used EB-5 funding for part of its financing has received accolades. The NYLO Dallas South Side hotel won the Dallas Business Journal's Most Creative Financing Deal of the Year in 2013.

IMMIGRATION

Prosperous But Undocumented

Many unauthorized immigrants break the stereotype and live comfortably and successfully. How they do it points to a dysfunctional immigration system.

By Miriam Valverde And Doreen Hemlock

[South Florida Sun Sentinel](#), April 17, 2016

The world of undocumented immigrants includes maids and farmworkers, several families under one roof and people living in the shadows.

But it's also the world of a North Miami couple who own a successful remodeling business, an elegant condo and a Mercedes-Benz.

It includes Kelsey Burke, a lawyer practicing personal-injury law in West Palm Beach.

And Wilfredo Noguera, an accountant at a Miramar firm.

All four aspire to the American Dream. Yet none has a green card, a path to legal U.S. residency, or a guarantee they won't be deported.

Of the nation's estimated 11 million undocumented immigrants, about 1 million are professionals, according to a report from Migration Policy Institute, a nonpartisan think tank based in Washington, D.C. In Florida, about 79,000 professional people are undocumented immigrants.

"There's a stereotype, but it doesn't apply to everyone," said Jeffrey Passel, a demographer with Pew Research Center.

How is this lifestyle possible?

It's not easy to deport undocumented immigrants who don't have a criminal record or a removal order. The process can take up to six years or more because of backlog in immigration courts, federal officials say.

The federal government focuses its efforts on deporting people who have been convicted of felonies. "If you are a run-of-the-mill immigrant here illegally, your odds of getting deported are close to zero," John Sandweg, the former acting director of Immigration and Customs Enforcement, told the Los Angeles Times in 2014.

"It's just highly unlikely to happen."

Mass deportation, as some politicians have suggested, could take 20 years, the conservative think tank American Action Forum said in a 2015 report.

And many of the undocumented immigrants have received temporary legal protection under federal laws and policies in the absence of national immigration reform.

But while the chance of deportation doesn't necessarily preclude an undocumented immigrant from holding a high-profile job or live in a nice home, it does require planning that most Americans never have to think about.

Mauro Kennedy and Maria Bilbao, the Argentine couple who own the remodeling business in Miami, have learned to navigate a system that allows them to own a business and pay taxes but denies them benefits like driver's licenses and medical insurance.

"I feel like there's something hypocritical about it," said Bilbao, who's become an activist. "We can contribute to the economy, but not have benefits."

They pay state and local fees to keep their business in good standing. But they make the payments online; websites do not ask about their immigration status.

They bank legally. The Kennedys used their passports and their taxpayer identification numbers — which the IRS

issues to people who don't have social security numbers — to open a checking account.

The taxpayer identification numbers allow them to report wages to the IRS and pay taxes. "My business has papers, but I don't," Kennedy said.

No one knows exactly how much unauthorized immigrants pay in taxes. The Institute on Taxation and Economic Policy, a research group based in Washington, D.C., published a report in February estimating that households led by undocumented immigrants nationwide pay up to \$11.6 billion in state and local taxes a year.

In Florida, households headed by undocumented immigrants pay about \$588 million annually in state and local taxes, according to the report. The Institute partners with Citizens for Tax Justice, a left-of-center research and advocacy organization.

The Kennedys also own their home, despite being undocumented. Kennedy's mother, a U.S. resident, bought their unit in 2004, and later deeded the property to her son and daughter-in-law. They have since kept up monthly payments.

They can't get auto loans. So they bought their used cars with cash. They keep them going for as long as possible — the odometer on their 2004 Acura has more than 200,000 miles; the silver Mercedes still runs after 15 years.

Kennedy and Bilbao obtained Florida driver's licenses when they arrived as tourists in 2001. They insured their cars and have been making payments online and on time ever since, they said.

But when their driver's licenses expired in 2007 and 2008, they were unable to renew them. Because they're undocumented, they don't have the required identification — a green card or Social Security number — to get a new license.

Driving without a license makes them nervous. They avoid highways, keep close watch on their speedometers and make sure to use turn signals. The Kennedys are concerned about being stopped by the police and sent before an immigration judge.

Bilbao has been rear-ended four times in Miami's congested traffic. Each time, she tells the other driver that everything is fine, that her car is strong, and that there is no need to call the police.

Citing public safety concerns, about a dozen states have enacted laws to allow the undocumented to apply for driver's licenses, according to the National Immigration Law Center. Florida is not one of them.

"For all of us to have a driver's license is a matter of common sense," Bilbao said. "Everyone would have to pass a driving test, buy insurance and make the roads safer for all."

Some states are making their own laws for undocumented immigrants. In California, for example, they

can obtain driver's licenses. In New York, undocumented immigrants can become teachers. And in Florida they now can pay in-state tuition at public universities.

"We're seeing a patchwork of policies, a glimpse of what's coming as more [undocumented] students graduate from college and pursue whatever career path they chose," said Juan Escalante of Miramar, who obtained temporary protection from deportation under a 2012 presidential program and earned a master's degree from Florida State University.

The Kennedys may not be typical unauthorized immigrants. They're fans of Broadway musicals, foreign films and jazz. They like to collect books on art theory, architecture and philosophy.

Mauro Kennedy spends part of his days sketching sleek kitchen and bathroom designs for his clients. The private contractor also does some of the remodeling work and supervises workers. His wife, Maria Bilbao, helps with the family business.

In 2001, the couple and their son, Thomas, then 9 years old, boarded a plane in Argentina during one of that country's worst economic crises. Once in the U.S., they chose not to return to their homeland, where Kennedy's Irish great-grandparents had migrated decades earlier.

The Kennedys never intended to remain in the U.S. without papers, they say. They believed they could transition from tourists to permanent U.S. residents, because at the time Kennedy's mother had a green card and his two siblings were American citizens.

"I thought the immigration process would be much easier," Kennedy said.

U.S. laws offer few opportunities for workers who want to come to the U.S. legally. Since 1965, immigration policy has focused on family reunification, refugees and certain high-skilled workers.

Passel, the Pew Research demographer, notes that many immigrants don't fit into any of these categories.

"People will say, 'Why don't they get in line [for a path to citizenship]?' " Passel said. "There is no line to get on."

The nation is at odds over what to do with undocumented immigrants, including professionals.

"If you are going to legalize folks, should their education matter much? If the concern is only economic, maybe it should. If your primary concern is the legality, what does it matter?" said Steven Camarota, research director at the Center for Immigration Studies, a Washington, D.C., research group that advocates for tighter control on immigration. "They are violating the law and they know it."

Others argue that undocumented immigrants who haven't committed violent crimes should be allowed to stay.

"We should be just as concerned about an immigration system that shoots itself in the foot by rejecting the talents of educated professionals as one that rejects workers

performing essential tasks in our fields and factories," said Tom Jawetz, vice president of immigration policy at the Center for American Progress, a liberal think tank in Washington, D.C.

Over the years, the Kennedys have pinned hopes on proposals never approved by Congress and on presidential actions stalled in court.

In 2014, President Obama announced plans to temporarily shield from deportation as many as 5 million unauthorized immigrants and to offer them work permits. The plan included the undocumented parents of legal residents and U.S. citizens, and expanded protection to those who entered the country illegally as children.

The Kennedys thought they stood to benefit from the president's plan, known as DAPA (Deferred Action for Parents of Americans and Lawful Permanent Residents). Their son, now 25, became a permanent U.S. resident through marriage before the president announced the plan.

But the family's hopes for immigration relief faded when two federal courts halted the president's program.

Twenty-six states, including Florida, say the president overreached his executive powers on immigration policy. The U.S. Supreme Court is scheduled to begin hearing oral arguments in the case on Monday and a decision is expected by June.

Kelsey Burke was 10 years old when her mother returned from the U.S. to Honduras, determined to lead her children to a better life. For months they journeyed through Guatemala and Mexico, until they reached the U.S. border, where they crossed illegally.

Seventeen years later, Burke, now 28, crossed another threshold — into the legal profession. In September 2015, Burke was sworn in as a lawyer.

Judge Lisa Small welcomed the young immigrant into the Florida Bar, citing a passage from Thomas Wolfe's novel "You Can't Go Home Again": "So, then, to every man his chance — to every man, regardless of his birth, his shining, golden opportunity ..."

"It's been quite a journey," Burke said, standing before the judge. "I'm grateful. I'm eager to get started."

Burke came to Lake Worth in 1998, as a sixth-grader who didn't speak English. By eighth grade, she was fluent and taking honors classes, she said.

While in high school, Burke discovered a passion for the law. Her older brother — who crossed the border with her — got into legal trouble and was detained by police. Burke accompanied Julio to court hearings, hoping her fluency in English might help. It did not. Eventually, he was deported.

"I felt helpless. I wanted to do more for him," Burke said. "So I knew I wanted to be an attorney."

She signed up for her high school's criminal justice program and also took advanced-level classes to prepare for college.

But becoming a lawyer seemed like an impossible dream. She didn't have the money or legal status to achieve her goal.

Burke's mother supported her children as best she could: cleaning homes, working in fields and nurseries, and packing vegetables at local farms.

Though Burke excelled academically, her immigration status held her back. She took driver's education classes in high school, but couldn't get a license. She looked for jobs after school, but didn't have a Social Security number to put on employment applications.

After graduating from high school, she ended up with a job embroidering hats at a shopping mall kiosk.

At 19, her fortune changed.

A lawyer helped Burke obtain Temporary Protected Status, or TPS, a federal law that shields immigrants from deportation to countries affected by civil strife or natural disaster. Since the 1990s, more than 350,000 Central Americans have obtained relief under that program. TPS, however, doesn't lead to legal U.S. residency or citizenship and can be terminated at any time by Congress.

With her protected status, Burke got a driver's license and a Social Security number and qualified for in-state tuition. She enrolled at Florida Atlantic University and was awarded a scholarship to cover the cost.

Still, without a green card, Burke couldn't get federal aid or student loans for law school. She got a break when close friends agreed to co-sign for more than \$100,000 in student loans, enabling her to enroll at Florida A&M University's law school in Orlando.

The prospect of a law degree, however, didn't guarantee her a career.

The 1996 Welfare Reform Act approved during the Clinton administration limited certain professional licenses, including those for lawyers, to permanent legal residents or refugees — unless states said otherwise. The law did not include immigrants like Burke with temporary protection status.

Burke learned about another aspiring lawyer with a similar plight, Jose Godinez-Samperio. He was an unauthorized immigrant from Mexico who passed the Florida Bar in 2011 but was denied admission because of his immigration status. His case went before the state Supreme Court, where justices urged the Legislature to intervene.

Burke worried that new legislation might apply only to "Dreamers" like Godinez-Samperio, who came to the U.S. as minors and are protected from deportation under Obama's 2012 deferred action program.

She went to Tallahassee to lobby lawmakers, shared her story on Spanish-language television and was featured in a newspaper column.

"Giving up was not an option," Burke said.

In 2014, Florida lawmakers enacted legislation allowing students like Burke to be admitted to the Bar. She passed and is now a personal-injury lawyer for Murray & Guari in West Palm Beach.

In 2013, Wilfredo Noguera, his wife and two young daughters came to the U.S. to visit family. But the accountant was considering a bigger plan: to build new lives in the United States.

Some South Americans, like the Nogueras, come as tourists hoping to be granted asylum and be allowed to stay permanently. Noguera applied for asylum three years ago. He's still waiting for an answer.

"I'm not illegal but not legal," the 37-year-old accountant said. "I'm on standby."

The Nogueras are allowed to live and work in the U.S. while a judge decides on their case. They have work permits that must be renewed yearly.

Noguera, who is fluent in English, works at a business consulting firm in Miramar. His wife, Carol, has an office job near their Doral home.

If granted asylum, Noguera would like a job that allows him to travel internationally. And take his family on nice vacations and get a good night's sleep.

If his request is denied?

"I don't want to think about that."

Many undocumented immigrants don't want to draw attention to themselves out of fear of being deported.

But not the Kennedys. When it comes to immigration reform, they are in your face.

In October, Kennedy got kicked out of a Donald Trump rally in Doral, after chanting along with other protesters, "No human being is illegal. We want dignity."

"We weren't going to let him come to our city and insult us," Kennedy said, referring to comments previously made by the Republican presidential front-runner. Trump has characterized some Mexican immigrants as drug dealers and rapists and called for a ban on Muslims entering the U.S.

The couple are actively pushing for comprehensive immigration reform, one that will give them and millions more a path to legal status. Even though they can't vote, they encourage others to cast their ballots on Election Day. They hope more Hispanic votes will pressure both parties to fix a broken immigration system.

The Kennedys aren't afraid to speak out because they believe it's their responsibility.

"You can't let fear hold you back and take away your freedom," Kennedy said.

"If I stay home, nothing is going to change," Bilbao said. "And I want change."

Staff writer Stephen Hobbs and researcher Barbara Hijek contributed to this report.

What's More Effective Than A Wall On The Border?

By Daniel M. Gerstein

[US News & World Report](#), April 15, 2016

Building a wall to keep undocumented immigrants and illicit materials from entering the United States has become a hot topic of discussion in this election year. Yet history suggests that a thin brittle line across a shared land border has little chance of success.

Walls have been a common means of securing borders for centuries. While illegal entry across the U.S. southern border is clearly not a military incursion but instead an economic migration and smuggling problem, perhaps borrowing a few examples from military history might still be instructive. From the Great Wall of China to the French Maginot Line to the Demilitarized Zone on the Korean Peninsula, evidence seems to point to – at least from a narrower military perspective – the ineffectiveness of building “impenetrable” walls. Today, more than a quarter-century after the fall of the Berlin Wall, walls are again being built to stem the flow of refugees across Europe, drawing criticism from many.

Borders are the physical expression of a nation's sovereignty. The nation's borders consist of the land, air and sea ports and approaches through which flow licit and illicit migrants and goods. In total, U.S. borders span 5,500 miles of land to the north, 2,000 miles of land to the south, 95,000 miles of shoreline and over 300 ports of entry. The nearly exclusive focus on the southern-border wall reflects a one-dimensional discussion, which fails to account for the full breadth of border issues facing the United States.

Over time and more prominently since 9/11, America's borders – particularly the southern border – have been reinforced with personnel and technology, including fencing, unmanned aerial systems, mobile radars, aerostats and unattended ground sensors. Over 650 miles of physical barriers have been constructed along the southern border in critical trafficking areas at a cost of over \$2.4 billion. While arguably more coverage could be deployed, perhaps the more relevant question is how much additional benefit would more enhancements along the border wall have for U.S. border control?

The answer is, probably not very much. Experience along the U.S. southern border demonstrates that even with fortifications, a wall provides only modest capacity to stop illegal crossings. Determined individuals have demonstrated their ability to rapidly breach the physical barrier using saws, acetylene torches and other tools to cut through the wall within minutes and before patrols can respond. Tunnels, some over a mile long, have been built to smuggle people and narcotics into the United States. Storm drainage systems have served as ready routes for illegal entry.

Building a wall spanning the entire U.S.-Mexico border would have its own negative consequences, including high cost, likely requirement for use of eminent domain to gain access to the property in some locations, and diverting resources away from other border control measures that have a higher probability of success.

[RELATED: More Mexicans Leave the U.S. Than Come Across the Border]

Apprehensions along the southern border are down in comparing 2014 and 2015 data, though the number of unaccompanied minors is growing. Additionally, the number of visa overstays – 500,000 in fiscal year 2015 alone – highlights a larger problem with illegal immigration.

Border security requires a collection of federal, state, local, tribal and territorial governments working together in unison. At the federal level alone, the collaboration at the border includes elements from the Departments of Homeland Security, Health and Human Services, Agriculture, Defense and the intelligence community to name a few. The list expands as issues demand. For example, if there was an ecological, chemical or biological threat, the Environmental Protection Agency would undoubtedly assume an important role. The growing number of states choosing to interpret federal immigration policies – some more and others less restrictive than federal policy – has further complicated the implementation of a national immigration policy.

To improve coordination, Homeland Security's unity of effort initiative has created Joint Task Forces East, West and Investigations, led by the U.S. Coast Guard, Customs and Border Protection and Homeland Security Investigations, respectively. Recent testimony highlighted that the intent of these JTFs is to move from a narrow focus along the border to a layered system of security, enforcement and response measures based on situational awareness, intelligence and information sharing and operational coordination.

International cooperation should be a foundation of this expanded approach as well. The home countries of illegal immigrants serve an important role in seeking to discourage those tempted to breach U.S. borders. Messaging should be clear and unequivocal; if caught, offenders will be swiftly processed and returned to their host nation. Only under clearly defined circumstances will asylum be granted. The processing of undocumented immigrants should be streamlined as well. The immigration court system should be more efficient with more judges and less processing time. In addition to messaging, important international collaboration supporting the return of people to their home nations should continue to be emphasized.

More emphasis should be placed on expanding border security beyond the physical dimension. In this regard, electronic and cyber defenses should stand on an equal footing. For instance, continued and even expanded use of trusted traveler and shipping programs such as Global Entry

and Customs-Trade Partnership Against Terrorism should be emphasized. Broader use should be made of technological advances that allow for enhanced targeting of suspect air and sea cargo and individuals. Information sharing should span all levels across government and industry, and more powerful targeting algorithms to identify and prevent border intrusions should be deployed.

The importance of cross-border flows to building communities and economic viability on both sides of the border should be part of the calculus. In all of these efforts, the delicate balance between border security and the legitimate flow of goods and services should be maintained.

Daniel M. Gerstein works at the nonprofit, nonpartisan RAND Corporation. He was the undersecretary (acting) and deputy undersecretary in the Science and Technology Directorate of the Department of Homeland Security from 2011 to 2014.

Texas' Drone Exemption Along Border Unfairly Targets Mexicans, Lawsuit Alleges

By Stephen Dinan

[Washington Times](#), April 17, 2016

A Texas man sued Friday to stop a new state law giving drones "unfettered" rights to snap photos or video along the southwest border, saying it appears to be a racially tinged effort to target Mexicans for intrusive scrutiny.

Manuel R. Flores, who lives in Laredo, said either Texans should be allowed to film anywhere or nowhere — but treating those who live along the border differently is a violation of his constitutional rights.

Texas law generally prohibits using drones to snap unauthorized photos of people or things on private property, but Gov. Greg Abbott signed several new drone bills into law last year laying out exceptions such as surveyors, academics, utility workers and realtors, who are allowed to photograph as long as no individuals are shown.

But Mr. Flores and his lawyer, Carlos Soltero, say they can find no good reason why the legislature would have carved out a 25-mile zone along the border and allowed anyone to photograph people and property.

"Inexplicably, the Texas Legislature and Governor Abbott has chosen to make this artificial strip of lands 25 miles from the U.S.-Mexico border a playground for drone enthusiasts who would otherwise be precluded from filming people in their homes, washing their cars, gardening in their yard, or simply walking on their private property," the lawsuit says.

Mr. Soltero said there's little legislative history to help guess at what was in lawmakers' minds, but he said it's striking that the population inside the 25-mile zone is predominantly of Mexican ancestry.

SEE ALSO: Paul Ryan caught in middle of budget war over Flint, Puerto Rico, Zika crises

"It appears that the legislature has determined that the privacy of Texas residents of Mexican descent and national origin as well as others who live or have property as far away as 25 miles from the border as being less important than those of other Texans or less worthy of protection from drone-taken images," the lawsuit charges.

The challenge was filed in state court.

Mr. Abbott's office referred questions to the attorney general's office, which said Friday it hadn't been served with the lawsuit yet so it couldn't comment.

The federal government is still trying to work its way through national drone policy, but many states, including Texas, have been proactive in grappling with the issue.

Some states have erred on the side of privacy, insisting that police can't use evidence obtained from drone flights unless they first obtained a warrant for the operations. Others have gone further, attempting to limit drones when flown by private citizens.

The patchwork, however, has produced its own backlash, with some members of Congress pushing for a national uniform standard. That's part of the debate on updating authority for the Federal Aviation Administration. The Senate is expected to vote on the FAA bill this week.

In Texas, Mr. Soltero said it's up to the legislature as a public policy measure to decide whether the border policy should be extended across the state, or whether the ban on photographing that applies elsewhere should cover the border region, too. What's unacceptable, he said, is having different rules.

"Why is my client's privacy less valuable than the privacy of the same type of individual in Austin or Amarillo or Lubbock?" he said.

US COAST GUARD

Coast Guardsman Gets 20 Years In Prison For Child Porn

By David Goodhue

[Miami Herald](#), April 17, 2016

A federal judge has sentenced a Key West-based U.S. Coast Guardsman to almost 20 years in prison after he pleaded guilty in December to producing child pornography.

Of the three child-porn counts with which a grand jury charged Drew Alexander Young, 24, in August, he pleaded guilty to convincing a 13-year-old girl, who was up front about her age, to send him lewd photographs of herself to his cell phone.

He pleaded not guilty to all three counts in September but changed his plea on Dec. 7. He was facing a maximum of 70 years in prison.

U.S. District Judge Jose E. Martinez sentenced Young on April 12 to 19 years and six months. Young, who was a fireman in the Coast Guard, was administratively discharged in the months after his August indictment. He enlisted in 2011.

In addition to the two decades in federal lockup, Young must serve 10 years probation upon release and abide by a number of conditions, including staying away from children in his private life and at work, undergoing sex offender treatment and agreeing to having restricted computer access.

The child pornography case was brought by Coast Guard Investigative Service agents when they were looking into sexual harassment allegations against Young in May 2015. A female Coast Guard colleague said Young assaulted her.

Agents seized Young's cellphone on May 13 looking for messages sent to the alleged victim, including those that contained sexual content or threats.

During the search, agents found the text message app Kik Messenger, which contained chats between Young and girls under 18 years old. Most of the girls were between 14 and 16.

Online, Young was known to his victims as "dyshizz1" and "Drew Y."

Agents obtained a second search warrant to look further into Young's phone and found 30 conversations with girls, some as young as 13 years old, according to court papers. In these conversations, agents say Young directed the girls to take photos of their genitals.

Young made six attempts to meet with the girls, but it doesn't appear that any of them took him up on the offer, agents said. In one of these requests, Young told a 13-year-old girl that he would take her virginity, according to the detention order. In another thread, Young proposed anal sex with another 13-year-old girl.

Some of these girls also sent photos of them exposing themselves to Young, Coast Guard investigators say.

Young's phone also had a collection of "explicit videos of underage girls, some as young as 8 years old," Judge Lurana Snow wrote in a September detention order.

SECRET SERVICE

Bernie Sanders Supporters Target Another George Clooney-Hosted Fundraiser

[ABC News](#), April 17, 2016

Bernie Sanders supporters protested outside yet another George Clooney-hosted Hillary Clinton fundraiser this weekend: Following a similar protest Friday night in San Francisco outside a fundraiser hosted by the actor at the home of a venture capitalist, supporters of the Democratic

presidential hopeful gathered in Los Angeles, where they protested outside of the actor's Studio City home.

About 100 Sanders supporters – who were part of a counter-fundraiser being held down the street at the home of Howard Gold, whose family founded the 99 Cents Only chain – filled the street outside Clooney's home.

Tickets to the Clinton fundraiser, which was attended by about 150 supporters, started at \$33,400. Co-hosts included Jeffrey and Marilyn Katzenberg, Steven Spielberg and Kate Capshaw and Haim and Cheryl Saban.

Once Clinton's motorcade arrived, Sanders supporters held high signs that read "Feel the Bern! Only \$27" – a reference to the cost of the counter-fundraiser – and "Goldman Sachs Loves Hillary. Feel the Bern". Some supporters also showered her motorcade with money, an apparent jab at Clinton's perceived close relationship with Wall Street.

The protesters then kicked off an impromptu dance party in the street, blasting music on a loud speaker and singing in unison the song "This Land is Your Land."

There were no arrests, but there was a tense moment when a Secret Service agent encouraged one of the protesters to the side of the street, prompting others to shout "don't touch her!"

The open-to-the-public counter-fundraiser organized by Gold was dubbed the "99% Party," and featured performers and food.

TERRORISM INVESTIGATIONS

College Student Is Removed From Flight After Speaking Arabic On Plane

By Liam Stack

[New York Times](#), April 17, 2016

A college student who came to the United States as an Iraqi refugee was removed from a Southwest Airlines flight in California earlier this month after another passenger became alarmed when she heard him speaking Arabic.

The student, Khairuldeen Makhzoomi, a senior at the University of California, Berkeley, was taken off a flight from Los Angeles International Airport to Oakland on April 6 after he called an uncle in Baghdad to tell him about an event he attended that included a speech by United Nations Secretary General Ban Ki-moon.

"I was very excited about the event so I called my uncle to tell him about it," he said.

He told his uncle about the chicken dinner they were served and the moment when he got to stand up and ask the secretary general a question about the Islamic State, he said. But the conversation seemed troubling to a nearby passenger, who told the crew she overheard him making

“potentially threatening comments,” the airline said in a statement.

Mr. Makhzoomi, 26, knew something was wrong as soon as he finished his phone call and saw that a woman sitting in front of him had turned around in her seat to stare at him, he said. She headed for the airplane door soon after he told his uncle that he would call again when he landed, and qualified it with a common phrase in Arabic, “inshallah,” meaning “god willing.”

“That is when I thought, ‘Oh, I hope she is not reporting me,’ because it was so weird,” Mr. Makhzoomi said.

That is exactly what happened. An Arabic-speaking Southwest Airlines employee of Middle Eastern or South Asian descent came to his seat and escorted him off the plane a few minutes after his call ended, he said. The man introduced himself in Arabic and then switched to English to ask, “Why were you speaking Arabic in the plane?”

Mr. Makhzoomi said he was afraid, and that the employee spoke to him “like I was an animal.”

“I said to him, ‘This is what Islamophobia got this country into,’ and that made him so angry. That is when he told me I could not go back on the plane.”

Zahra Billoo, the executive director of the San Francisco Bay Area office of the Council on American-Islamic Relations, said there had been at least six cases of Muslims being pulled off flights so far this year. The conduct of Southwest Airlines was of particular concern, she said, after another Muslim passenger was removed from a flight in Chicago last week.

“We are concerned that Muslims are facing more and more scrutiny and baseless harassment when they are attempting to travel,” Ms. Billoo said.

Brandy King, a spokeswoman for Southwest Airlines, said the company was unable to comment on the conduct of individual employees. Efforts on Saturday to contact the employee in Los Angeles, whose name was provided by Mr. Makhzoomi, were unsuccessful.

“We regret any less than positive experience a customer has onboard our aircraft,” the company said in a statement. “Southwest neither condones nor tolerates discrimination of any kind.”

Law enforcement officials arrived shortly after Mr. Makhzoomi accused the airline employee of anti-Muslim bias, he said. He was brought into the terminal and searched in front of a crowd of onlookers while half a dozen police officers, including one with a dog, stood watch.

Three agents from the Federal Bureau of Investigation arrived and brought him into a private room where they questioned him, he said. They asked about his mother, who lives with him and his younger brother in Oakland. They also asked about his father, Khalid Makhzoomi, a former Iraqi diplomat who was jailed in Abu Ghraib prison by Saddam

Hussein and later killed by the dictator’s regime, according to Mr. Makhzoomi. His family came to the United States in 2010.

Mr. Makhzoomi said an F.B.I. agent told him the Southwest Airlines employee who was upset by the allegation of anti-Muslim bias said a passenger reported hearing him talk about martyrdom in Arabic, using a phrase often associated with jihadists. He denied the charge and was allowed to return to the terminal, he said, where the same Arabic-speaking employee refunded his ticket.

A spokeswoman for the F.B.I. in Los Angeles, Ari Dekofsky, confirmed that agents responded to the airport that day but had found there to be no threat. “We determined that no further action was necessary,” she said on Saturday.

Mr. Makhzoomi was able to book a new flight on Delta Air Lines and arrived in Oakland eight hours after he originally planned. He said he has no plans to pursue legal action against Southwest Airlines but he does want the company to apologize for the way its employees treated him.

“My family and I have been through a lot and this is just another one of the experiences I have had,” he said. “Human dignity is the most valuable thing in the world, not money. If they apologized, maybe it would teach them to treat people equally.”

CYBER NEWS

DHS Increases Its Presence In Silicon Valley For Cybersecurity Edge

[FedTech Magazine](#), April 17, 2016

The Department of Homeland Security’s (DHS) expanding presence in Silicon Valley could lead to closer cooperation on cybersecurity between private-sector technology firms and the federal government.

DHS has sent Sean McAfee, who previously was deputy chief for DHS’ National Cybersecurity Assessments and Technical Services team, to lead the agency’s National Protection & Programs Directorate (NPPD).

The NPPD works with state and local governments and private industry to make the country’s physical and cyber infrastructure more resilient and secure.

“The Silicon Valley Office will pursue relationships with industry, academic, and military partners, federal law enforcement entities, and non-profit organizations in the Silicon Valley,” Phyllis Schneck, DHS deputy undersecretary for cybersecurity and communications for the NPPD, wrote in an email sent to NPPD employees that was first reported by Federal News Radio and confirmed to FedTech by a DHS official. “This is meant to provide broader understanding of DHS roles and responsibilities in cybersecurity, to participate in regional events, and to facilitate dialogue while supporting operational activities between Silicon Valley cybersecurity

partners and DHS component organizations.” A New Face in Silicon Valley

DHS Secretary Jeh Johnson first announced plans to open a satellite office in Silicon Valley in April 2015. The goal, he said, was to “strengthen critical relationships in Silicon Valley and ensure that the government and the private sector benefit from each other’s research and development.”

The office, which had been supported by DHS’ Science & Technology Directorate, officially kicked off operations in February and the office issued a \$200,000 contract to startup Pulzze Systems to improve security for devices connected to the Internet of Things (IoT), according to FCW. Melissa Ho, the office’s managing director, told FCW that the office is still small and figuring out how its mission will evolve. “We’re still determining what bandwidth this office will require,” she said.

McAfee, who FedScoop notes led DHS’ efforts on cyber hygiene during the aftermath of the Heartbleed bug in 2014, has been with the agency since 2008. He started working in the Silicon Valley office on Feb. 2, according to FCW and FedScoop.

“We sent out one of our best,” Schneck told FCW, referring to McAfee. “We made a statement.”

McAfee will likely be responsible for recruiting cybersecurity professionals to join the NPPD, according to FCW, but the publication said that might be hampered by the fact that special arrangements might need to be made to give those workers access to classified networks and information.

However, it is clear that McAfee and the NPPD’s presence in the Bay Area will seek to tighten the bonds between technology companies and DHS.

“NPPD seeks innovative capabilities and new developments that can be applied immediately to DHS cyber operations,” Schneck wrote in her email. “NPPD operational activities in this office will include the sharing of threat information, establishment of technical capability demos for broader stakeholder engagement, continued development of the ‘DHS Hacker-in-Residency’ program, and improving upon the lessons learned from our industry and government partners.” Testing New Technologies

What kinds of technologies might DHS look to research, test and potentially use to enhance cybersecurity?

Andrew Lustig, a partner at law firm Cooley LLP who specializes in information technology and cybersecurity, told FedTech that DHS will likely focus on working with technology companies that specialize in hardening critical infrastructure and IoT devices. Another potential technology avenue, he says, would be anything that helps the agency take action based on threat intelligence.

Lustig says DHS is “desperately in need of technologies that help them streamline the analysis and the processing and mitigating of issues that come out of those systems” that monitor threats.

Lustig says that while the private sector, especially in Silicon Valley, is likely going to be warier of dealing with the federal government given the FBI’s contentious fight with Apple over encryption, getting validation from DHS could help tech companies gain credibility.

Additionally, Lustig says that even if DHS does not strike a formal partnership with a tech company, merely being in Silicon Valley could prove beneficial as an intelligence-gathering exercise. The technologies DHS observes could inform requests for proposals the agency makes; they could also help DHS developers work on new solutions.

DHS spokesman Scott McConnell declined to comment on what kinds of technologies the NPPD will be looking to test or incorporate to aid DHS’ cybersecurity operations.

DHS plans to launch similar technology hubs at offices across the country. “We want to make sure we are not just focused on California,” Schneck told FCW. “That was a good place to start; it offers us a plethora of companies,” but there are other opportunities as well.

Cyber-extortion Losses Skyrocket, Says FBI

By David Fitzpatrick And Drew Griffin

[CNN Money](#), April 15, 2016

Cyber-criminals collected \$209 million in the first three months of 2016 by extorting businesses and institutions to unlock computer servers.

At that rate, ransomware is on pace to be a \$1 billion a year crime this year. The FBI told CNN that the number “is quite high” because a few people “reported large losses.”

The agency also said that the losses could even be bigger once other related costs from these extortion schemes are factored in. Plus: Some victims may choose to pay and not report the crime.

CNN recently reported on this fast-growing crime.

In one case, a South Carolina school district paid an estimated \$10,000 when cyber-criminals locked up its computer servers.

That relatively small amount is the norm because it encourages companies and institutions to pay up as soon as possible to regain control of their computers.

“The ransomware criminals understand this,” said Paul Roberts, founder and editor of a website called The Security Ledger. Their business in some ways is a volume business so they don’t set their ransom so high that you can’t pay it. They set it at a level so they can get their money and move on to the next victim.”

Related: U.S. hospitals are getting hit by hackers

Roberts said that many of the cyber-criminal groups operate out of Russia and the former Soviet republics in Eastern Europe.

CNNMoney (New York)

‘Toxic’ Data Threatens Agencies – FCW

By Sean Lyngaas

[Federal Computer Week](#), April 15, 2016

Datasets have a shelf life. If kept too long, data can pose a security threat to agencies. Addressing that threat could help stave off the next Office of Personnel Management-type hack, according to military officials.

"We have to start measuring the toxicity of data over time because...the longer we retain it, the more and more threat it represents from a compromise perspective," said David Tillman the Department of Navy's cybersecurity director. He and other military officials spoke April 14 at a panel hosted by FedScoop.

Datasets created and stored before the development of advanced cybersecurity protections can potentially offer easy pathways for hackers. The advent of cheap storage encourages data hoarding and "creates a more and more toxic environment from a threat perspective for our agencies and our departments," Tillman said.

Ray Letteer, chief of the Marine Corps' cybersecurity division, agreed with Tillman – and warned of the ramifications of data hoarding.

If datasets do not have an expiration date beyond which they are treated as greater threats, "we're going have another problem like OPM did," he said. Letteer noted that some of the Corps' network inspectors have found personal information, such as résumés, stretching back decades.

OPM's dated IT systems came under scrutiny after a breach compromised the personal information of at least 22 million Americans. Failure to detect the breach earlier was not a sign of the hackers' sophistication, but rather a function of "1970s legacy systems that operate on COBOL mainframe applications that have not been updated since the Y2K bug," the Institute for Critical Infrastructure Technology opined in a July 2015 report.

Defense Department CIO Terry Halvorsen has said data should come with an expiration date because it is generally less valuable as it ages, and therefore less worth securing.

A complicating factor is federal agencies' obligations to preserve information under the Freedom of Information Act. "This is nothing new for us," said Essye Miller, the Army's director of cybersecurity. "The FOIA rules have existed for years."

Security This Week: Tax Day Is Near, And The IRS Is As Hackable As Ever

[Wired](#), April 16, 2016

There's rarely a boring moment in the security world. This week, a former journalist, Matthew Keys, was sentenced to two years in jail for aiding Anonymous hackers who briefly defaced a headline on the LA Times website. Keys was charged under the Computer Fraud and Abuse Act, a 1986

computer crime law that allowed his prosecutors to push for felony charges.

Then the world learned that the US government paid "grey hat" hackers for information about an iOS 9 software vulnerability, which the feds then used to access the locked iPhone that belonged to a San Bernardino terrorist. The hackers who rolled out a full PR campaign a month before they revealed the Badlock bug turned out to be over-hyping a medium-level security flaw. And the man who wants the world to think he's the brains behind Bitcoin announced that he will demonstrate proof in London next week—but skeptical security researchers aren't holding their breath.

But most of the news in the digital security world, as usual, happened behind the screen. Researchers showed that people who prefer the aesthetic consistency of URL shorteners are actually opening themselves up to malware attacks and online spying. Meanwhile, the web is becoming more secure (whew!), thanks the efforts of the technologists of Let's Encrypt, who are helping tens of millions of websites switch to an HTTPS standard that will encrypt traffic between websites.

And there was more: Each Saturday we round up the news stories that we didn't break or cover in depth at WIRED, but which deserve your attention nonetheless. As always, click on the headlines to read the full story in each link posted. And stay safe out there. It's Tax Time, But the IRS Still Sucks at Cybersecurity

IRS Chief John Koskinen admitted Tuesday that unless the agency is given permission to pay digital security professionals more than the currently approved salary rates, those much-needed experts will take jobs elsewhere. He noted that the IRS's top cybersecurity expert recently left and that currently there are only 10 such experts employed at the agency. The IRS has already been the victim of security breaches this year, and Commissioner Koskinen is calling on Congress to authorize the IRS to pay for the expertise it needs to keep Americans' financial data secure.

Anyone the IRS does hire to boost its security won't be starting from scratch. Security technologist Bruce Schneier noted this week that the annual Government Accountability Office report on the state of IRS security outlines 43 recommendations for fundamental improvements to IRS security. This is a big deal because of how sensitive taxpayer data is—cybercriminals can easily use it to commit serious fraud.

But taxpayers shouldn't only worry about the IRS' own lax security. Ars Technica reported this week that millions of Americans have received fraudulent robocalls from scammers outside the United States claiming to be the IRS. When someone receives a call, they get routed to overseas call centers, where operators urge them to wire money under false threats of prosecution. The White House Has a Brand New Cybersecurity Commission

The President has assembled a new crew of experts from across the business, government, and academia worlds to help advise the executive branch on improving the US' cybersecurity. The 12-member body includes General Keith Alexander, who's the former head of the NSA; chief security officers and executives from Uber, Facebook, Microsoft, and MasterCard; as well as academics from Stanford and Georgia Tech, to name a few. Among other responsibilities, the new task force will make bold recommendations to improve digital security across the government and the private sectors, as well as ways for Americans to improve their personal privacy practices. The FBI Finds Nothing Interesting So Far on Syed Farook's iPhone

In a development that's resulted in more facepalming than surprise within the cryptography community, a source tells CBS News that the FBI has found "nothing significant" in the data of the now-cracked iPhone of San Bernardino shooter Syed Rizwan Farook. According to CBS, the FBI is still analyzing the phone, which was unlocked with the assistance of contract hackers after a six-week legal dispute with Apple over the company's refusal to help bypass its own encryption. But iPhone forensics expert Jonathan Zdziarski is skeptical: "There's no such thing as 'an ongoing analysis' this long, unless you're playing Angry Birds on Farook's phone," he wrote on Twitter. The anti-climax of accessing Farook's work-issued phone was predictable: The FBI had already accessed his personal phone and an older iCloud backup, and the NSA had found no contact with terrorists in his metadata. This all suggests that the FBI's push for Apple to help unlock the phone was about setting a precedent, not opening a single iPhone 5c. The FBI Hacked PCs to Get Around Encryption as Early as 2003

The crypto war, it's sometimes easy to forget, didn't start with a locked iPhone stymying the FBI. This week, the New York Times reminded us of the crypto war's decades-long history when it covered a recently unsealed 2003 case in which the FBI hacked into the PCs of animal rights activists to bypass their encrypted communications. The case known as Operation Trail Mix, the first of its kind, used a piece of spyware to grab either the keystrokes or decryption keys of PGP-using members of a group called Stop Huntingdon Animal Cruelty, who were attempting to stymie a New Jersey lab's pharmaceutical testing on animals. Despite rules that the FBI must report any instance when it encounters encryption to the federal court system, it never noted the hacking incident in its annual account of its wiretaps. Malicious Wi-Fi Network Gadget Can Brick Unpatched iOS Devices

As WIRED's Brian Barrett warned back in February, don't be one of the dummies that falls for a 4Chan prank advising iPhone users to set their phone's clock back to January 1, 1970. Doing so, thanks to a serious bug in iOS, can permanently brick your device. Now that Apple has

patched that retro clock bug, a couple of security researchers have turned that prank into a full-on attack. They used a Raspberry Pi mini-computer to create a mobile Wi-Fi hotspot with the network name "attwifi," so that any iOS device in range that's ever logged on at a Starbucks would automatically connect. Then that malicious network would automatically change the device's clock date, triggering that very nasty bug in any unpatched phones or iPads. Simply walking down a city street with the hackers' device could likely brick devices in all directions—a disturbing demonstration of the importance of keeping iOS updated. Canadian Police Had a Secret Blackberry Global Decryption Key for Years

Canadian court documents linked to the prosecution of a Montreal-based crime network revealed in a Vice investigation this week that Canadian police have an encryption key that can unlock millions of Blackberry devices. Law enforcement kept this power a secret for years. The documents came to light after a two-year trial revealed the Canadian police used the global encryption key to surveil communications intercepted from cell site simulators. Exactly how Blackberry has worked with Canadian law enforcement to provide the decryption key remains unknown, but what is clear is that the mobile communications company has deeply collaborated with law enforcement to help read customer communications in ways unbeknownst to Blackberry users. The CIA's Venture Capital Firm Is Investing in Companies That Surveil Social Media

It shouldn't surprise anyone that the CIA is watching social media, but now we know a lot more about how it's done and what the agency hopes to do in the future. An investigation by The Intercept into the CIA's venture capital unit, In-Q-Tel, reveals that a number of tech companies that specialize in social media mining and data analytics receive funding from the CIA to build and research new tools for social media surveillance. One company, Dataminr, scans Twitter to help law enforcement track trending topics. Another, Geofeedia, specializes in geolocation tracking of posts during events (e.g., a protest), while other companies build tools to help analyze networks and influencers posting and organizing on social media websites. Privacy advocates warn that these technologies are helping the US government compile dossiers on people based on constitutionally protected speech. The fact that the police are using algorithms built by private companies for the purpose of labeling social media users is a serious cause for concern, advocates say.

Maryland National Guard Steps Up Role In Cyberspace

[Baltimore Sun](#), April 16, 2016

Each year, the imaginary nation of Berylia is summoned into existence solely to have its simulated computer networks pummeled by an elite team of hackers.

But the Berylians are not left undefended in the face of the onslaught. A NATO-backed center in Estonia invites military teams from across the alliance to come to its aid — and next week a small detachment of Maryland National Guard airmen will help staff the digital ramparts.

Maryland National Guard Col. Charles S. Kohler, who has been helping to plan the exercise, has had a look behind the scenes. The defending teams should expect to be pushed to their limits, he said: "It's not designed to be easy."

It's the first time troops from the Maryland National Guard will be involved in the exercise, the largest of its kind in the world. Their participation is part of the Guard's larger effort to expand its ability to fight in cyberspace, the emerging fifth domain of warfare, after land, sea, air and space. The Guard is ramping up new units, planning a pair of major building projects and figuring out how to work with other agencies in the face of a hack.

The Defense Department is moving quickly to train thousands of troops to fight battles on computer networks. Commanders envision a major role for the National Guard, which has members who bring cutting-edge skills from their full-time careers, and the ability to be deployed more easily than regular troops to respond to hacks against civilian targets.

"These are the people who are probably working in the security space already by day," said Richard Forno, the director of the graduate cybersecurity program at the University of Maryland, Baltimore County. "When the balloon goes up, they can lend assistance, they're trained, they're competent."

Just as the National Guard has been ready to respond to major snowstorms and civil disturbances, it now has contingency plans for major cyber incidents. One scenario envisioned by analysts involves an attack on the power grid that leaves customers without power for days, but less dramatic hacks still could overwhelm the ability of public agencies or businesses to respond.

During the unrest last year that followed the death of Freddie Gray, guardsmen were deployed to make sure state computer networks stayed up and running.

Guard units in other states have demonstrated how they can help before a crisis. Last year, Washington State guardsmen helped a public utility figure out where it had weaknesses in its computer networks.

Kohler said Maryland, which is home to the National Security Agency, U.S. Cyber Command and a sizable private cybersecurity industry, is especially well positioned to take on a bigger role.

"You have a tremendous amount of need in this area for these types of people who work in this field," he said. "Maryland is just a natural fit."

The Maryland Air National Guard now has 300 personnel assigned to four squadrons in the 175th Network Warfare Group.

To accommodate the growth, the Guard is planning to build a \$4 million facility on Fort Meade and a \$13 million building at its air base in Middle River.

The aim is to have troops trained and ready to keep enemy hackers out of the military's networks — or to at least keep computers working as they come under attack — and to respond in kind.

The Defense Department announced this year for the first time that it was launching cyber attacks in the midst of a conflict, using digital weapons to attack the computer systems of Islamic State terrorists in Iraq and Syria.

While the world has yet to see a full-scale cyber conflict, a battle for dominance online is widely expected to be part of any future war.

It's that kind of scenario that will play out in the Estonia exercise, which is run by the NATO Cooperative Cyber Defence Centre of Excellence in Tallinn. Called Locked Shields, it's expected to involve some 550 participants this year.

The Maryland airmen are to be embedded with an Estonian team, one of twenty charged with defending Berylia's networks.

Those teams will battle the attacking force for a week, facing close to 2,000 attacks, the organizers say.

They'll have to consider questions they would face in a real operation — such as how much information to give to regular Internet users who are noticing interruptions in their service.

Tallinn, with its medieval walls and picturesque old town, might seem an odd choice for a center dedicated to the newest form of warfare. But Estonia was quick to embrace the Internet.

The Maryland National Guard has long-standing ties with Estonia under a Defense Department program designed to bolster the militaries of former Soviet republics. With Maryland emerging as the home of the United States' cyber efforts, the two have followed a similar path.

Maj. Gen. Linda Singh, the head of the Maryland Guard, now wants to bring a version of the center of excellence home with her. The idea, Kohler said, is to coordinate among the government, businesses and universities that teach cybersecurity courses.

Doug Mayer, a spokesman for Gov. Larry Hogan, said the administration supports the effort.

The center could help ensure a pipeline of workers with the skills to defend computer networks and, enable the state

to better coordinate its response when a major institution or piece of infrastructure comes under attack.

"We want to make sure we're all pulling in the same direction," Kohler said.

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Federal, State Authorities Investigating Source Of Data Used To Steal Baltimore City Employees' Tax Returns

[Baltimore Sun](#), April 15, 2016

Baltimore officials have not learned how fraudsters obtained enough information on dozens of city employees to file fake tax returns in their names, and were working with federal and state authorities Friday to investigate any link between the victims.

But even in an age in which massive data breaches have become commonplace, cybersecurity experts said the blame might not rest on how well the city protects sensitive data. Given that it takes little more to file a tax return than a Social Security number and income information, thieves are increasingly assuming victims' identities to steal their tax returns.

The IRS caught 1.4 million cases of identity theft last year in returns seeking \$8.7 billion. Officials said they didn't have precise figures on how often it occurs in Maryland, but nearly 600 people called the state attorney general's office to report such crimes in the past year, a spokeswoman said.

"It's on the rise and it's hugely pervasive, not only here in Maryland but across the country," said Alan Brody, a spokesman for Comptroller Peter Franchot.

Officials notified all city employees Thursday night that they were at risk of fraud after "a few dozen" of their colleagues reported that when they attempted to file their taxes, the IRS rejected the returns. The affected employees work for various city agencies, so no immediate connection was apparent that would explain how the fraud occurred.

The pool of affected employees could be larger than officials know, city spokesman Howard Libit said. It's possible some whose information was stolen filed their taxes before fraudsters tried to, he said. The city is offering credit monitoring services to all current and recently departed employees, as well as retirees.

The FBI, Secret Service, IRS, state attorney general's and comptroller's offices, and city police are involved in the investigation, Libit said.

Cybersecurity experts said there could be a number of explanations for the fraud. Hackers could have broken into city databases using what is known as "spear phishing," when an email appears to be from someone the recipient knows. Or the city might not have been the source of the information

at all — the victims could share a common health insurer or may be customers of the same retailer that was targeted.

"They're related, as far as we know, only by the fact that they're city employees," said Richard Forno, assistant director of the University of Maryland, Baltimore County's Center for Cybersecurity. "There's still not enough to go on to say the city is to blame here."

If city systems were breached, experts said, it was not surprising that the source of the data used in the fraud has not been discovered, given the size and complexity of city government. Such a breach would not have been easy to prevent, they added. Four employees in the Mayor's Office of Information Technology are dedicated to cybersecurity, Libit said.

"Most organizations, but particularly local governments, that face serious financial constraints can't keep up with the technology even though they do the best they can, because the modes of attack keep changing," said Donald F. Norris, director of the School of Public Policy at UMBC.

Social Security numbers are shared so frequently, it's becoming less reasonable to assume they can be protected, said Jonathan Katz, director of the Maryland Cybersecurity Center at the University of Maryland, College Park. Katz said his Social Security number was exposed in a recent breach, so he applied to the IRS for a personal identification number for added security. He was surprised by how difficult it was to obtain something that he suggested everyone should have.

"It's unsustainable, this model of relying on Social Security numbers alone to verify somebody's identity," Katz said. "The assumption that it could possibly be kept secret is just not a realistic one."

On top of that, city employees' salaries are public, making them easier targets for tax return identity theft.

A bill that was Franchot's top legislative priority in this year's General Assembly session would have made government salaries available to the public only in \$5,000 increments. It also would have given the comptroller's office the power to arrest those suspected of tax fraud.

Both chambers of the General Assembly approved the bill, but it died because lawmakers did not meet to iron out differences in versions passed in the House and Senate.

"That clearly is something we should deal with," Sen. Bobby Zirkin said.

The Baltimore County Democrat said he has received notifications from the IRS each of the past two years that someone attempted to file a tax return under his name.

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Cyber Attack Temporarily Shut Down Newark Police Computer Systems

[New Jersey Local News](#), April 17, 2016

NEWARK — A cyber attack against the Newark Police Department computer network shut down various systems used by the department for several days last week, NJ Advance Media has learned.

Officials did not specify when the attack began, but sources told NJ Advance Media that the attack started at some point last week.

Acting Public Safety Director Anthony Ambrose confirmed that department staffers were unable to access the systems for three days while staffers worked to clear servers of a virus implanted during the attack.

http://www.nj.com/essex/index.ssf/2016/04/after_war_of_words_newark_and_uber_make_a_deal.html

The virus temporarily locked down the servers, blocking access to the computer program used by the department to track and analyze crime data, and also the program used to dispatch police and emergency officers.

"The virus did not disrupt the delivery of emergency services to our citizens," Ambrose said. A backup system was used to dispatch emergency officers while staffers worked to restore the programs, said a spokesman for the department.

According to department officials, there is no indication that any information stored on the affected servers was compromised.

Per protocol, the department reported the breach to the Essex County Prosecutor's Office, the FBI and the New Jersey State Police, officials said.

Department officials declined to disclose what security measures failed during the attack. But additional safeguards have been implemented to "further reduce the likelihood of another infection," Ambrose said.

Officials declined to say if any suspects had been identified in the attack. An investigation into the incident is ongoing.

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CIA Tech Firm Seeks More Social Media Spying

By Tom Risen

[US News & World Report](#), April 15, 2016

The CIA's venture capital firm has reportedly invested in several companies designing technologies that would help the government collect social media information and rapidly process it to spot people viewed as potential threats.

Documents obtained by The Intercept say the firm, called In-Q-Tel, funded four companies that specialize in social media mining and surveillance. The news website identified the companies as PATHAR, Geofeedia, TransVoyant and Dataminr.

In-Q-Tel's new startup investments would make it easier for the CIA to collect and analyze data to give people "so-called threat scores" based on their online speech, personal contacts and other activities, says Lee Rowland, a senior staff attorney with the American Civil Liberties Union. Large-scale social media surveillance by law enforcement occurs whether or not people have committed a crime, she says.

"The government should not be in the business of suspicionless surveillance," she says.

In-Q-Tel declined to comment for this article. The social media analytics and data-mining startups mentioned in the report could not be reached for comment.

The mission statement of In-Q-Tel is to invest in startups developing technologies that meet the needs of the U.S. intelligence community – and those needs increasingly rely on its ability to monitor Internet activity.

Geofeedia, for instance, advertises that its services have been used to help corporations monitor Black Lives Matter protests for potential violence. The Intercept report noted that In-Q-Tel has also developed a site called Lab41 in Silicon Valley to help intelligence agencies process large amounts of data. Lab41 in February published an article on its site explaining how big data can be used to track a person's location through their contacts on Twitter.

The Obama administration has coordinated with tech companies including Apple, Twitter and Google to find ways to counter terrorist threats online. Silicon Valley remains concerned that government efforts in the name of public safety could undermine cybersecurity or consumer privacy following leaks to the press in 2013 about broad electronic surveillance conducted by the National Security Agency.

Rowland says massive collection and surveillance of social media information violates the Constitution and creates huge stacks of data that make it more difficult to find quality leads. Data collected from websites and social media is at times public, but government analysis of that data in a vast dossier violates the Constitution's privacy protections, she says.

"Mass surveillance of American's social media speech is both constitutionally problematic and a poor law enforcement policy," she says. "The courts have rightly recognized that when millions of bits of data are aggregated into a dossier about your behavior, that is no longer properly public and violates privacy rights."

The CIA Is Very Interested In Your Tweets And Instagram Photos

By Lee Fang

[Mashable](#), April 15, 2016

Soft robots that can grasp delicate objects, computer algorithms designed to spot an "insider threat," and artificial

intelligence that will sift through large data sets — these are just a few of the technologies being pursued by companies with investment from In-Q-Tel, the CIA's venture capital firm, according to a document obtained by The Intercept. Yet among the 38 previously undisclosed companies receiving In-Q-Tel funding, the research focus that stands out is social media mining and surveillance; the portfolio document lists several tech companies pursuing work in this area, including Dataminr, Geofeedia, PATHAR, and TransVoyant.

Those four firms, which provide unique tools to mine data from platforms such as Twitter, presented at a February "CEO Summit" in San Jose sponsored by the fund, along with other In-Q-Tel portfolio companies.

In-Q-Tel's investment process.

The investments appear to reflect the CIA's increasing focus on monitoring social media. Last September, David Cohen, the CIA's second-highest ranking official, spoke at length at Cornell University about a litany of challenges

stemming from the new media landscape. The Islamic State's "sophisticated use of Twitter and other social media platforms is a perfect example of the malign use of these technologies," he said.

Social media also offers a wealth of potential intelligence; Cohen noted that Twitter messages from the Islamic State, sometimes called ISIL, have provided useful information. "ISIL's tweets and other social media messages publicizing their activities often produce information that, especially in the aggregate, provides real intelligence value," he said.

The latest round of In-Q-Tel investments comes as the CIA has revamped its outreach to Silicon Valley, establishing a new wing, the Directorate of Digital Innovation, which is tasked with developing and deploying cutting-edge solutions by directly engaging the private sector. The directorate is working closely with In-Q-Tel to integrate the latest technology into agency-wide intelligence capabilities.

Dataminr directly licenses a stream of data from Twitter to spot trends and detect emerging threats.

Dataminr directly licenses a stream of data from Twitter to visualize and quickly spot trends on behalf of law enforcement agencies and hedge funds, among other clients.

Geofeedia specializes in collecting geotagged social media messages, from platforms such as Twitter and Instagram, to monitor breaking news events in real time. The company, which counts dozens of local law enforcement agencies as clients, markets its ability to track activist protests on behalf of both corporate interests and police departments.

PATHAR mines social media to determine networks of association.

PATHAR's product, Dunami, is used by the Federal Bureau of Investigation to "mine Twitter, Facebook, Instagram and other social media to determine networks of association,

centers of influence and potential signs of radicalization," according to an investigation by Reveal.

Over the last decade, In-Q-Tel has made a number of public investments in companies that specialize in scanning large sets of online data.

TransVoyant, founded by former Lockheed Martin Vice President Dennis Groseclose, provides a similar service by analyzing multiple data points for so-called decision-makers. The firm touts its ability to monitor Twitter to spot "gang incidents" and threats to journalists. A team from TransVoyant has worked with the U.S. military in Afghanistan to integrate data from satellites, radar, reconnaissance aircraft, and drones.

Dataminr, Geofeedia, and PATHAR did not respond to repeated requests for comment. Heather Crotty, the director of marketing at TransVoyant, acknowledged an investment from In-Q-Tel, but could not discuss the scope of the relationship. In-Q-Tel "does not disclose the financial terms of its investments," Crotty said.

Carrie A. Sessine, the vice president for external affairs at In-Q-Tel, also declined an interview because the fund "does not participate in media interviews or opportunities."

Over the last decade, In-Q-Tel has made a number of public investments in companies that specialize in scanning large sets of online data. In 2009, the fund partnered with Visible Technologies, which specializes in reputation management over the Internet by identifying the influence of "positive" and "negative" authors on a range of platforms for a given subject. And six years ago, In-Q-Tel formed partnerships with NetBase, another social media analysis firm that touts its ability to scan "billions of sources in public and private online information," and Recorded Future, a firm that monitors the web to predict events in the future. In-Q-Tel portfolio companies.

Bruce Lund, a senior member of In-Q-Tel's technical staff, noted in a 2012 paper

that "monitoring social media" is increasingly essential for government agencies seeking to keep track of "erupting political movements, crises, epidemics, and disasters, not to mention general global trends."

The recent wave of investments in social media-related companies suggests the CIA has accelerated the drive to make collection of user-generated online data a priority. Alongside its investments in startups, In-Q-Tel has also developed a special technology laboratory in Silicon Valley, called Lab41, to provide tools for the intelligence community to connect the dots in large sets of data.

Such CIA-supported surveillance technology is also used for domestic law enforcement and by the private sector to spy on activist groups.

In February, Lab41 published an article exploring the ways in which a Twitter user's location could be predicted with a degree of certainty through the location of the user's

friends. On Github, an open source website for developers, Lab41 currently has a project to ascertain the “feasibility of using architectures such as Convolutional and Recurrent Neural Networks to classify the positive, negative, or neutral sentiment of Twitter messages towards a specific topic.”

Collecting intelligence on foreign adversaries has potential benefits for counterterrorism, but such CIA-supported surveillance technology is also used for domestic law enforcement and by the private sector to spy on activist groups.

Palantir, one of In-Q-Tel’s earliest investments in the social media analytics realm, was exposed in 2011 by the hacker group LulzSec to be in negotiation for a proposal to track labor union activists and other critics of the U.S. Chamber of Commerce, the largest business lobbying group in Washington. The company, now celebrated as a “tech unicorn” — a term for startups that reach over \$1 billion in valuation — distanced itself from the plan after it was exposed in a cache of leaked emails from the now-defunct firm HBGary Federal.

Yet other In-Q-Tel-backed companies are now openly embracing the practice. Geofeedia, for instance, promotes its research into Greenpeace activists, student demonstrations, minimum wage advocates, and other political movements. Police departments in Oakland, Chicago, Detroit, and other major municipalities have contracted with Geofeedia, as well as private firms such as the Mall of America and McDonald’s.

Lee Guthman, an executive at Geofeedia, told reporter John Knefel that his company could predict the potential for violence at Black Lives Matter protests just by using the location and sentiment of tweets. Guthman said the technology could gauge sentiment by attaching “positive and negative points” to certain phrases, while measuring “proximity of words to certain words.”

Privacy advocates, however, have expressed concern about these sorts of automated judgments.

“When you have private companies deciding which algorithms get you a so-called threat score, or make you a person of interest, there’s obviously room for targeting people based on viewpoints or even unlawfully targeting people based on race or religion,” said Lee Rowland, a senior staff attorney with the American Civil Liberties Union.

She added that there is a dangerous trend toward government relying on tech companies to “build massive dossiers on people” using “nothing but constitutionally protected speech.”

The CIA’s Investment Portfolio Includes Dataminr, Kensho, And Docker

[Fortune](#), April 15, 2016

In-Q-Tel, the CIA’s venture capital arm, is investing in some of Silicon Valley’s hottest startups.

According to a brochure from IQT’s CEO Summit obtained by The Intercept, the U.S. Central Intelligence Agency is investing heavily in tech, particularly in big data analytics, social media mining, and data center infrastructure.

Big data analytics

Among IQT’s investments is cloud-hosted big data analytics and processing platform Databricks, named by data experts as one of the top data companies to watch and whose product, Spark, was called by IBM

ibm one of “the most significant open source project of the next decade.” The reason for this distinction is that Spark is able to sort through enormous amounts of data really, really fast, according to Business Insider.

Satellite image processing software Orbital Insight, which recently raised \$8.7 million in capital, is another portfolio company of note. As Fortune’s Jen Wieczner writes, the company counts other governmental agencies as clients, including the World Bank, which is using the technology to track poverty levels.

Social media mining

IQT is also investing heavily in companies that track social media activity, such as Dataminr and Geofeedia. Dataminr uses machine learning and cross-references Twitter with other data sets to identify tweets and trends with impact, based on unusual patterns and “clusters” of similar tweets. According to another Fortune story by Wieczner, the company alerted clients to the Paris attacks five minutes after they occurred, more than 45 minutes before the AP tweeted the news.

Geofeedia, on the other hand, collects geotagged social media messages to monitor breaking news events in real time. The company markets its ability to track activist protests, and counts Dell, CNN, Mall of America and the NCAA among its clients, according to TechCrunch.

Data center infrastructure

Two of the most well-known companies that the CIA is investing in are Docker and Mesosphere, both of which are valued at or above \$1 billion, according to BI. Docker’s big pitch is that it makes it easier to build and manage software at large scales and across cloud platforms, while Mesosphere’s product “can be thought of as a data center mother brain that automatically distributes the appropriate resources and data to power a software application, so IT staff doesn’t have to worry about tweaking servers or other gear behind the scenes,” writes Fortune’s Jonathan Vanian.

A representative from In-Q-Tel declined Fortune’s request for comment.

The CIA Is Investing In Social Media Surveillance Even More

[Engadget](#), April 15, 2016

In-Q-Tel has been making bets on similar companies over the last decade, so these investments aren't particularly shocking. But they show what's important to the agency today: It needs solid tools for sorting out everything happening on social networks. These four companies are just a handful of the 38 new investments revealed by The Intercept, via a program from this year's CEO Summit. The firm also invested in the likes of Lookout, which focuses on mobile security, and Transient Electronics, which is developing dissolvable semiconductor tech.

While better social media analysis makes sense, there's also the danger of unlawfully singling out people based on their race or religion, says Lee Rowland, a senior staff attorney at the ACLU. Our ability to sift out data from social networks is progressing far faster than the laws protecting civil rights, so it's worth questioning how, exactly these companies get results.

Japan Enacts Law To Increase Cybersecurity Specialists < Japan Today: Japan News And Discussion

[Japan Today](#), April 17, 2016

TOKYO — The Diet has enacted legislation to increase the number of specialists with skills to counter cyberattacks ahead of the 2020 Olympics and Paralympics in Tokyo.

Under the revised law on cybersecurity, a new national qualification for those who "support work to ensure security in information processing" will be set up, with the government planning to start a qualification exam in fiscal 2017 beginning April next year. Tokyo hopes more than 30,000 specialists will have passed the exam by 2020.

The move follows an increasing number of cyberattacks in Japan. A record 54.51 billion such attacks were detected in the country in 2015, double the number from the previous year, according to a survey by a government-backed institute.

The legislation will also expand the scope of entities subject to vulnerability checks following a massive leak of personal data from the Japan Pension Service last year.

Online Publishing Site Medium Apparently Blocked In China

[Reuters](#), April 15, 2016

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

NATIONAL SECURITY NEWS

Air Campaign Shifts To ISIL's Cash And Oil

By Jim Michaels

[USA Today](#), April 17, 2016

WASHINGTON — The U.S.-led coalition has ramped up its air campaign on the Islamic State's finances, launching 15 strikes against cash depots and more than 125 attacks on oil infrastructure over the past six months, according to U.S. military statistics.

"We've been able to identify and strike strategic targets that place increased pressure on their ability to recruit and sustain operations," Air Force Lt. Gen. Charles Brown, who oversees the air war, said in a statement.

The Islamic State cut pay to its fighters by as much as half, after much of the terror group's cash literally went up in smoke, according to the Pentagon. Revenue from oil, the militants' principal source of income, has also taken a hit.

Such a strategy is not new. "Targeting an enemy's economy is almost as old as air power," said Richard Muller, a military history professor at the Air Force's School of Advanced Air and Space studies at Maxwell Air Force Base in Montgomery, Ala. "This is an explicit return to something that hasn't been at the forefront for many years."

The Islamic State is viewed by the military as a hybrid terror organization that set itself apart from al-Qaeda and other groups by controlling large swaths of territory and governing people. That made the Islamic State, also known as ISIL or ISIS, vulnerable to air attacks since running an economy forces the organization to be more visible.

The coalition launched Operation Tidal Wave II last year, an air campaign targeting the Islamic State's oil refineries, collection points and other facilities. It was named after the 1943 allied operation against oil refineries that fueled the Nazi war machine.

In the current campaign, military planners are making a similar effort to get at the oil revenue keeping the Islamic State afloat. Coalition pilots hit oil facilities in Iraq and Syria early in the campaign, but in November commanders began to systematically target tanker trucks, oil collection points, pump stations and wellheads.

The State Department estimated earlier this year that the Islamic State's oil revenue dropped to about \$1 million a day from a peak of \$1.3 million. Since then, the coalition continues to attack oil facilities almost daily.

Last October the coalition broadened its economic targets to include Islamic State cash distribution sites in Iraq and Syria, with most of the 15 strikes against the financial centers occurring since January, according to the military statistics.

The terror group conducts most of its business in cash, since its access to the banking system has been largely cut off. That means storing piles of cash in warehouses and vaults.

"We have a greater understanding of patterns of life, and we have strategically and precisely employed coalition air power to effectively target funding streams and other key

targets wherever they may reside,” said Lt. Col. Chris Karns, a spokesman for Air Force Central Command.

Historically, attacks on economic targets were considered legitimate military objectives if tied directly to an enemy’s ability to wage war and if civilian casualties can be minimized.

During the 1999 air campaign in the Kosovo war, NATO aircraft attacked a number of economic targets, including factories belonging to business associates of former Yugoslav president Slobodan Milosevic, which helped pressure him to withdraw his forces from Kosovo.

The precision of today’s munitions and aircraft allows coalition commanders to minimize civilian casualties. Leaflets warning drivers to abandon their vehicles are dropped before the coalition targets tanker trucks.

Military planners also try to minimize destruction to a country’s economy. The Pentagon has said the attacks on the terror group’s oil infrastructure can disable wells and other facilities without causing permanent destruction.

“We’re not going to do irreparable damage to an economy,” said James Poss, a retired Air Force major general. “You’re going to have to deal with it after the war is over.”

The expansion of the air war to include economic targets is long overdue, some analysts say.

“From the very beginning we needed to treat the Islamic State as a state and not just an insurgency,” said David Deptula, a retired Air Force lieutenant general.

Syrian Opposition Say Rebels Should Retaliate Against Army; Hint At Talks Exit

By Suleiman Al-Khalidi

[Reuters](#), April 17, 2016

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

The Saddest Piece Of Barack Obama’s Legacy

By Jackson Diehl

[Washington Post](#), April 17, 2016

Shortly after the fall of Iraq’s second-largest city, Mosul, to the Islamic State in June 2014, a delegation of senior officials from Iraqi Kurdistan visited Washington with a troubling question: From where, they asked, would the force come to retake the city? The Iraqi army was too shattered, and the Kurds were too weak, and outside powers such as Turkey and the United States were unwilling to commit ground forces.

A lot has happened in the nearly two years since then. Among other things, the Obama administration has retrained nearly 20,000 Iraqi troops, dispatched some 5,000 U.S. trainers, Marines and special operations forces to the area, and launched more than 11,000 combat air sorties against

Islamic State targets. Yet when another senior Kurdish delegation circulated through Washington last week, their question about Mosul was unchanged: Who is going to do this?

“We heard a plan is close to being drawn up” for retaking the city, said Qubad Talabani, deputy prime minister of the Kurdish Regional Government in Iraq, who recently met in Baghdad with Prime Minister Haider al-Abadi and the senior U.S. commander in the theater, Lt. Gen. Sean MacFarland. “But we got a sense there are gaping holes in that plan.”

U.S. officials have lately been talking up what they say has been the growing momentum of the war against the Islamic State. They say President Obama, who has repeatedly called it his top priority, has asked for an “acceleration” of the campaign.

To listen to the Kurds, however, is to appreciate the towering obstacles that still must be overcome before the two most important cities held by the jihadists, Mosul in Iraq and Raqqa in Syria, can be retaken. Missing is not just adequate numbers of forces, but also funding, political leadership and that most elusive of goods in the Middle East: a workable vision of what happens the day after the bad guys are dispatched.

It doesn’t help that Iraq is suffering through an economic and fiscal crisis caused by the drop in oil prices and yet another political emergency in Baghdad, where a besieged Abadi has been trying without success to introduce a new cabinet. Those upheavals have left Kurdistan, an autonomous region, broke: Its fighters, the peshmerga, have not been paid in three months. Talabani was in Washington in part to appeal for U.S. financial aid, without which the Kurdish forces probably could not be mobilized for a Mosul offensive. The Kurds asked for \$200 million a month; the Pentagon suggested \$50 million.

No White House decision on funding the Kurds has been made. Even if the money is forthcoming, the question remains: Who will conduct the street-by-street combat Mosul will require? The terrorists have built defensive berms across the city, seeded mines and IEDs and, the Kurds say, loaded mustard gas into artillery shells. An assaulting force might confront the chemical attacks that U.S. troops expected but never faced in 2003.

Iraqi army forces quickly faltered last month when they tried to begin clearing operations near the city of Makhmour, about 70 miles south of Mosul. That’s when 200 U.S. Marines were secretly sent to the area to establish a “fire base” with artillery. Even with that support, the Iraqis have managed to take only a handful of villages. “We all know the Iraqi army is not ready yet,” Falah Bakir, Kurdistan’s chief of foreign relations, told a group of Post journalists.

The Pentagon is now talking about establishing more fire bases on the way to Mosul, and sources say hundreds

more special operations forces and other troops may be deployed as the campaign unfolds. Commanders hope that thousands of Sunni tribesmen being trained as security forces can be used to secure the liberated city. But that still raises the question of whether Iraqi Shiite militias backed by Iran will be allowed to join the assault, as they are pressing to do. If so, they may plunge into sectarian bloodletting with the Sunni population.

Such complexities probably explain why Abadi and MacFarland have yet to show a completed campaign plan to the Kurds. Even more remote is a strategy for postwar governance in Mosul and other Sunni-populated areas that would supplant the Islamic State with something the local population would support. Talabani reckons a Sunni jurisdiction inside a federal Iraq might be an answer, but there's no sign that the Shiite-dominated government in Baghdad, its allies in Iran or even the Sunnis themselves would agree to it.

All this points to a stark bottom line: There will be no liberation of Mosul in 2016. The Islamic State will outlive the U.S. administration whose lapses in Syria and Iraq helped to create it. It will be the ugliest piece of Barack Obama's legacy.

After 13 Years, CIA Honors Green Beret Killed On Secret Afghanistan Mission

By Thomas Gibbons-Neff

[Washington Post](#), April 17, 2016

When Nathan Ross Chapman became the first military casualty to die by enemy fire during the war in Afghanistan, the only American flag available for his casket was a patch torn off the uniform of an airman loading his coffin for the long trip home. He was buried on Jan. 11, 2002, a week after his death, with full military honors in Tahoma National Cemetery, Wash.

It took another 13 years for the CIA to recognize on its Memorial Wall that Chapman, an Army Green Beret, was also one of its own — the sergeant first class had been officially detailed to the agency in the weeks after the 9/11 attacks and died acting as a CIA paramilitary team's communications specialist.

Chapman's death was a watershed event for a country that didn't know it was headed into a seemingly endless war, where the news of those lost would turn into a kind of white noise for many Americans. The first of its kind in Afghanistan, his death drew national attention, including a televised funeral.

Much of Chapman's story and that of the secret agency team he was assigned to has never been told, and the agency continues to say nothing about him.

At a ceremony at CIA headquarters on May 18, 2015, the agency unveiled an engraved marble star to mark his

death in the line of service, but like many others in the wall's accompanying Book of Honor, his name was left absent. The addition of that star for service in 2002 prompted The Post to examine the background to the honor, and why it had taken so long to be conferred.

In the years after Chapman died, the agency honored at least one other service member, a Marine officer killed in Iraq in 2007 while detailed to an agency paramilitary unit. The Marine was later memorialized with a star, yet it took more than a decade for Chapman to receive his place on the famed wall.

"We didn't even know anything was going on relative to that star; we didn't expect it and we didn't know anything about it," Chapman's father, Will, said during a recent interview in his home in Texas. He said the recognition from the CIA was part of his son's final chapter, and he was grateful for it. It also recognizes the pivotal role that Special Operations forces played with the CIA in the early days of the Afghan war.

Following the memorial ceremony in 2015, CIA Director John Brennan, along with his deputies, privately met with the Chapmans on the agency's seventh floor. He apologized for the long wait but gave no explanation for why it took more than 13 years for Chapman to get his place on the wall, the father said.

"He just said it should have been done a long time ago."

The CIA declined to comment.

Chapman, 31, left behind a wife, Renae, and two children, Brandon and Amanda, who, at the time, were 1 and 2 years old. Renae Chapman was unavailable to comment for this story.

A veteran who jumped into Panama as a Ranger and who served in Iraq and Haiti, Chapman was also a qualified combat scuba diver and sniper. Among his peers he was known as a consummate professional and as the life of the party with a penchant for quoting Arnold Schwarzenegger movies.

Chapman had transferred back to Fort Lewis, Wash., from Okinawa just before the Sept. 11, 2001, attacks.

"America's going to war over this," he told his father in the weeks that followed. "And they're not going without me."

"And then he was gone," the elder Chapman recalled.

An unconventional team of elites

Built like a linebacker with a square jaw, narrow eyes and a sly smile, Chapman went to war as a member of what the CIA called Team Hotel — a six-man unit composed of three Special Forces soldiers, two CIA paramilitary officers and a CIA contractor. Chapman and two other Green Berets were selected from more than 1,300 soldiers in 1st Special Forces Group. For their mission in Afghanistan, the CIA needed communications specialists and medics, and almost immediately following the 9/11 attacks it tapped 1st Group to

help fill that requirement, said Lt. Gen. David Fridovich, who was, at the time, the group's commander and a colonel.

Chapman's assignment to Hotel reflected the agency's rapidly expanding relationship with the U.S. military, according to Henry Crumpton, the leader of the CIA's Counterterrorism Center task force that led the war in Afghanistan. It was a relationship born out of necessity in order to field an effective unconventional force in a new and entirely unconventional war.

After purchasing thousands of dollars in outdoor supplies from area sporting goods stores and requesting the weapons and equipment the team would need in Afghanistan, the six men spent the remainder of October bouncing between the CIA's Camp Perry — better known as The Farm — in Williamsburg, Va., and the agency's headquarters

Chapman was responsible for assembling the team's communication equipment. At the time, the process of interfacing satellite radios and computers was a new discipline, but it was something Chapman had already mastered. He was known throughout 1st Special Forces group as the best in his field, earning the reputation during repeated deployments to places like Thailand and Malaysia with special forces teams.

Aside from setting up the radios, Chapman was also instructed on a computer program called ArcView — a piece of software that allowed CIA and military units to see what was happening on the battlefield in real time.

"He never took himself too seriously, even with all the crap we were throwing at him," said Ken Stiles, the CIA targeting officer for all of the agency's operations in Afghanistan.

In the run-up to Hotel's departure, other CIA and Special Forces teams had already been scattered throughout Afghanistan. Team Jawbreaker, the first element to go in, had linked up with parts of the Northern Alliance fighting the Taliban, along with teams Bravo and Charlie. Team Echo had made contact with future Afghan president Hamid Karzai. In December, teams Juliet and Romeo would go into Tora Bora, hoping to corner Osama bin Laden in the craggy mountain passes near the Pakistan border.

But before Hotel would join its sister elements in Afghanistan, Chapman and the rest of the team would first fly to Jacobabad, Pakistan. The team soon began trying to work a deal with the Pakistani military to get to their side of the border south of the Afghan city of Jalalabad in an attempt to box in and find bin Laden, according to Scott Satterlee, a special forces medic detailed to Hotel with Chapman.

With the Pakistani military demanding more training and equipment than the small team was able to provide and offering little knowledge of the lawless border region where Hotel was trying to go, the deal fell through. As things unraveled in Pakistan, U.S. and Afghan forces seized Kabul

and, just days after Thanksgiving, Team Hotel left Pakistan for Afghanistan's capital.

Hotel would stay in Kabul for roughly a month, spending Christmas there. A detachment of operators from Joint Special Operations Command, or JSOC, would bring the team to 11 members for an upcoming mission in Khost, a rugged town on Afghanistan's eastern border.

Christmas was the last time Chapman called home, his father recalled. He didn't tell them where he was, just that he was safe. He passed the phone around to his mother Lynn, and to Keith Chapman, his older brother who was recently married. His grandmother and grandfather also managed to get on the line.

"I said to him at the end of the conversation, I'm sorry you're not able to be with your family," his father said.

"I know, Dad," he replied. "But I'm with my second family, and they're a great bunch of guys."

Behind enemy lines

Roughly a week later, Hotel loaded onto one of the CIA's Russian-built Mi-17 helicopters and flew the 90 miles to Khost. According to Satterlee, the agency had to pay its way into the town, offering large sums of money to one of the tribes in exchange for admission and some protection.

Hotel would go in and "plant the flag" for the CIA and deny al-Qaeda a base of operations, according to a CIA officer present during the team's operations who spoke on the condition of anonymity to discuss a covert operation. They were the first Americans there since the war began.

The team set up, along with some of their newly acquired Afghan escorts, a rudimentary base of operations in an old Russian schoolhouse in the middle of town during the final days of the year. The night before Chapman's death, a small four-man element from Hotel slipped into the darkness to conduct reconnaissance on an abandoned Soviet airfield a few miles away, returning after taking small-arms fire.

The airfield would later be named after Chapman and was the site of a suicide bombing that killed seven CIA employees in 2009.

The next morning, cold and cloudless, Hotel's team leader along with a senior CIA officer who had been sent to the area held a meeting with some of the tribal leaders at a nearby abandoned government building. The meeting started poorly, according to the CIA officer. The tribe's representatives erupted into heated argument, but after tea and a pledge by the CIA to help rebuild the town, the meeting closed on somewhat good terms, said the officer.

That afternoon, Hotel loaded into four white Toyota Hilux pickup trucks along with a handful of Afghan escorts and headed to what they thought was an al-Qaeda safe house located in town. The agency had intercepted communications coming from the building.

"Us being there wasn't accomplishing anything, besides maybe getting us into more trouble," Satterlee said.

The team got back in their trucks and headed down one of the only paved roads in Khost. As they came into town, the road turned into a wash. The first three trucks went down and out and headed back toward the schoolhouse. As the fourth truck dipped into the culvert, now roughly a hundred yards away from the next vehicle in the convoy, three men opened up with Kalashnikovs, each dumping their entire magazines into the last truck from roughly 30 feet away.

In that truck's bed was Chapman, a CIA paramilitary officer and the team's lone CIA contractor. An Afghan was driving. Two rounds slammed into the paramilitary officer's chest, tearing through his extra ammunition magazines and his soft body armor. The bullet that killed Chapman shattered his pelvis and severed his femoral artery. It was unclear who returned fire, said Satterlee, but when they inventoried Chapman's gear later that day, the magazine in his M4 carbine was empty with its bolt locked to the rear — evidence that he had expended every round he could before collapsing from blood loss.

Chapman and the paramilitary officer slumped down, and the Afghan driver gunned it, making it back to the schoolhouse in just over a minute and half. By the time Satterlee and the rest of the team got to the back of the truck, it was awash in Chapman's blood, and he was unconscious.

With the agency's lumbering Mi-17 transport helicopter flying from Kabul — a roughly 45-minute flight from Khost — the team worked furiously to keep Chapman alive. Satterlee did the best he could by stuffing the wound with gauze while another team member knelt on Chapman's navel. But five minutes before the Russian helicopter touched down in a wheat field next to the school, Chapman stopped breathing.

The paramilitary officer, although severely injured with multiple sucking chest wounds, would survive.

Satterlee helped slide Chapman into his sleeping bag and loaded him into the back of the helicopter. It was 5 p.m. Jan. 4, 2002.

It is unclear exactly who shot Chapman and why. According to Satterlee, the gunmen were part of one of the tribes trying to extort more money from the Americans for protection, while the CIA officer interviewed for this article said they were possibly linked to the Haqqanis — a powerful faction that had already sworn to fight the United States and would continue to fight U.S. troops for years to come.

"He always knew how to find his way into the action," his father said. "That's why he went in the military, to do this stuff. ... But he knew the risk involved."

The Army awarded Chapman a Bronze Star with a V for valor, and the CIA would posthumously give him an intelligence star, according to his father. The U.S. Special Forces Association in Thailand renamed itself after Chapman, and a mural of the slain Green Beret adorns the wall of their headquarters.

"The mystique went away, and reality showed up when Nate died," said his former teammate Sgt. 1st Class Jason Koehler. "It took the Superman T-shirt from everyone of us who thought we were invincible."

Report Finds \$800M Embassy Buildings Could Electrocute Personnel

By Carten Cordell

[USA Today](#), April 17, 2016

An unsettling new State Department report warns of potentially fatal electrical currents inside two well-populated buildings at the U.S. embassy complex in Afghanistan.

An investigation by the agency's inspector general reveals significant problems with the power systems in an office building and a staff residence. Combined, the buildings can accommodate about 1,200 people. The facility is located in Kabul, Afghanistan's capital.

Electricians examining the buildings — costing nearly \$800 million — found that the office registered almost seven amps above the level that an electrical shock can kill someone. Amperage in the apartment building was almost three times the level in the office building.

The State Department organization responsible for the embassy complex, the Bureau of Overseas Buildings Operations, says it has begun to fix the problems but downplayed the report's characterization of how significant the safety threat is, with officials saying "the readings in residential and public spaces were consistent with readings taken prior to building occupancy." Harmful electrical currents are limited to "locked and restricted mechanical and electrical rooms," officials said.

Investigators have countered, saying deadly electrical current could be present anywhere in the system until its source is located. They also scolded the bureau for doing a poor job of posting warning signs that clearly explain the danger and how to avoid it.

The embassy is staffed by hundreds of diplomats and support personnel. In addition, about two dozen Marine Corps security guards are on site, responsible for access control, safeguarding classified material and emergency response. In hot spots such as Kabul, the Marines devote added effort to perimeter security and personnel protection. They don't work or reside in either of the buildings addressed in the report, according to Maj. Clark Carpenter, Marine Corps spokesman.

However, many Marines and other U.S. service members are well acquainted with the 14-acre compound, which laid dormant for 12 years before it reopened in 2002 after the Taliban's fall. The first infantry units to arrive there reported that bullet holes and broken windows had exposed the embassy to years of harsh weather. A half-smoked cigar in the ambassador's office was testimony to the building's swift abandonment.

The spaces affected by faulty electrical are entirely new. The office space, which opened in July, is built for 900 people. The apartment, which opened in February, can house 300.

Investigators blamed the problems on “improperly installed electrical wiring, equipment, and faulty electrical appliances,” the report says. Testing was conducted by Task Force Protect Our Warfighters and Electrical Resources, or POWER, a team from the U.S. Army Corps of Engineers created after 14 personnel were electrocuted in 2008.

A 10-amp current can kill a person, according to the U.S. Centers for Disease Control and Prevention. Task Force POWER found currents measuring 16.7 amps and 27 amps in the office building and apartment building, respectively.

Civilian Casualties In Afghan War Are Unabated In 2016

By Mujib Mashal

[New York Times](#), April 17, 2016

KABUL, Afghanistan — With nearly 2,000 civilians killed or wounded and more than 80,000 people displaced this year already, the Afghan conflict continues to affect lives in record numbers, the United Nations said on Sunday.

The report came as fighting raged across several provinces. For a third day, government forces repelled Taliban attacks across several districts of Kunduz and were trying to prevent the insurgents from taking the provincial capital, as they did in the fall.

The United Nations mission in Afghanistan documented 600 civilian deaths and 1,343 wounded in the first three months of 2016, which by most accounts is expected to be a bloody year as the Taliban rejected the latest efforts to bring them to peace talks. While the death toll fell 13 percent from the same period last year, the number of wounded increased 11 percent, the report said, with a high rise among children.

“In the first quarter of 2016, almost one-third of civilian casualties were children,” said Danielle Bell, the United Nations human rights director in Afghanistan. “If the fighting persists near schools, playgrounds, homes and clinics, and parties continue to use explosive weapons in those areas — particularly mortars and I.E.D. tactics — these appalling numbers of children killed and maimed will continue.”

The report blamed the insurgents for 60 percent of the casualties, and forces on the government side for 19 percent.

Though the Taliban were still at fault more often, the report noted that deaths caused by pro-government forces were up sharply from last year — roughly 70 percent higher over the same period. The deaths caused by government forces, put at 127 over the first three months of this year, were mostly caused by explosive weapons, including mortars, rockets and grenades, the report said.

The United Nations also expressed concern at the increase of civilian casualties in airstrikes by the Afghan government and the United States-led NATO coalition.

The spread of fighting also continues to displace people at record levels, with 81,445 individuals forced from their homes in the first three months of the year, according to figures from the Office of the United Nations High Commissioner for Refugees.

The agency recorded internal displacement caused by violence across 23 of Afghanistan’s 34 provinces in the first quarter of 2016. The northeastern province of Baghlan, where Taliban attacks have increased, was at the top of the chart, with 25,000 people displaced. A combined total of more than 20,000 people were displaced in the southern provinces of Oruzgan and Helmand.

In Kunduz, where over 6,000 people have been displaced this year, officials on Sunday reported continued fighting across at least four districts surrounding the provincial capital, Kunduz City. Six dead bodies and 109 people who were wounded, almost all of them civilians, had been taken to Kunduz hospitals in the past two days, said Sayed Mukhtar, the province’s director of health.

After initial panic on Friday that the insurgents were at the city gates again, the threat now seemed contained, officials said.

Gen. Qasim Jangalbagh, the province’s police chief, said the city’s eastern gate had not seen any attacks since the insurgent commander there and six fighters were killed Saturday night.

Najim Rahim contributed reporting from Kunduz, Afghanistan.

Afghanistan Declares Soldiers Dead, Then Alive And In Debt For Funerals

By Mujib Mashal

[New York Times](#), April 17, 2016

The first time Noor ul-Haq died, his Afghan Army outpost was completely cut off by the Taliban on a bleak southern battleground. Hundreds of insurgent fighters swept in, and all that was left for the government to do was ship the corpses home.

His wife and their 10 children buried the body, piling rocks into a mound over the grave in a cemetery rapidly filling with other war dead here in Behsud District, in eastern Afghanistan. Like others, they were handed a \$2,300 government payout — roughly a year’s salary for a soldier — to pay for the burial and see them through for a short while.

No one knows whom they put in that grave, but it was not Mr. Haq. He and another member of his unit, Imamuddin Ibrahimkhel, were among a very few soldiers who were taken prisoner by the Taliban last August and eventually freed by the Afghan Special Forces.

Their families went through the trauma of the death notification, the sadness of burying bodies too damaged to be identifiable, then the sudden high of hearing their men had somehow lived.

Then came another blow: The government wanted the compensation money back. The men were told that they could always take another stint in the army to help, they said.

"They put us through doomsday," Mr. Ibrahimkhel said. "My heart is crying because of what is going on here — what we went through, where we served, and all they care about is the funeral money."

The families of Mr. Haq, a 39-year-old enlistee on a three-year contract, and Mr. Ibrahimkhel, a 31-year-old with three children, are among the thousands who have been caught up in the dire turn the Afghan war took last year. The men's survival was first reported by the Afghan channel 1TV.

In Helmand Province alone, where both men were stationed, at least 3,000 members of the Afghan Army and National Police have been killed in the past 11 months, Afghan officials say — nearly the total American toll through the entire war.

Mr. Haq's eldest son, Zia ul-Haq, 23, was working as a day laborer in Jalalabad in eastern Afghanistan last summer when he got the call saying his father had been killed. Accompanied by two older relatives, Zia rode a bus to Kabul, the capital, and picked up the body from a military hospital.

On the coffin were the official details of Mr. Haq's life: Noor ul-Haq, son of Said Amir Jan. Artillery Company, Second Battalion, Third Regiment, 215th Maiwand Corps.

Date of martyrdom: Aug. 28, 2015.

The elder relatives opened the drab green bag within to check the body, which they said had been badly damaged with little of the head remaining — in too bad shape even to be washed and dressed in a white shroud, as is the tradition here. They would not let Zia see, afraid that the young man might collapse.

The body was loaded onto a van paid for by the government, and a crowd of mourners was waiting as it arrived at the family's three-room adobe home in Behsud District of Nangarhar Province. The body was laid down for just a few minutes at the packed women's quarter. The coffin reeked, and it was swiftly transferred to the cemetery. More than 300 mourners offered the final prayer, and the man was laid to rest.

"We were afraid that we would lose our mother also," Zia said. "It took her six or seven days to start eating again."

The family of the other soldier, Mr. Ibrahimkhel, was not so lucky. A day after the body arrived in the family's home district of Charbolak, in northern Balkh Province, Mr. Ibrahimkhel's mother died of a heart attack. Three of her four sons had served in the army, all largely in Helmand Province, and now, the family thought, she would join one of them in the family cemetery.

In the days after the funeral for Mr. Haq, his son Zia returned to Kabul to pick up the government compensation payment in cash — 162,000 afghanis, the equivalent of \$2,300. One-third of the money was parceled out in small bills, 10 bundles of them. Some of the larger bills were so worn out that the bank refused to deposit them. The bank also refused the small bills, saying it had too much petty cash already.

The first twist came one morning three months after the burial. Zia received a phone call from a man with a southern accent, asking if he was Noor ul-Haq's son. At first, Zia thought it was a prank. But the man had real information: Noor ul-Haq was not dead, he said, but in a Taliban prison in the Now Zad District of Helmand.

"My mother was baking bread in the oven, and I said, 'Dad is found!' " he recalled. "Everyone all of a sudden started crying again, from happiness."

When Zia shared the development with male relatives and told them that he wanted to go to Now Zad to find his father, they were not convinced. Someone is trying to fool you to get the death payment, they told him. Or what if it is a Taliban trap?

But he had to find out. Both he and his younger brother Abdul had been haunted by dreams in which their father visited them, still alive.

Zia's 15-day journey to find his father took him deep into Taliban territory, in the opium poppy belt in the south. He had to wait outside a Taliban court in a mosque in Now Zad, as land disputes and robberies were settled by a portly insurgent leader, before he could get his visit approved.

After pleading, Zia was allowed to briefly visit his father at the old school building the Taliban had turned into a prison. Noor ul-Haq was stooped, and barely able to walk. But hundreds of miles away from his grave in the Behsud cemetery, there he was, breathing, talking to his son.

The Taliban would not let him go, and Zia went home alone.

After the soldiers' base was overrun, in the Musa Qala District of Helmand, Mr. Haq and his comrade Mr. Ibrahimkhel were among 10 soldiers who were taken captive by the Taliban, Mr. Ibrahimkhel said in a phone interview.

The new captives joined other prisoners from the security forces, 87 in all, Mr. Ibrahimkhel said. Every month, they would be moved to a different prison, sometimes in a different district, out of fear of a government raid.

After four months in captivity, when the world believed them dead, Mr. Ibrahimkhel gave a phone number to a visitor who had come to see a civilian prisoner. The visitor wrote the number on his leg, under the cuff of his pants, and later used it to call Mr. Ibrahimkhel's family to let it know that he was alive. One of Mr. Ibrahimkhel's brothers made a trip and finally found the prison in Now Zad.

"They didn't let us meet up close — just from 20 meters, to show that I was held by them and alive," Mr. Ibrahimkhel said.

When the Afghan Special Forces raided the prison in Now Zad in December, Zia held out hope that his father had been freed. He made calls, but the news was not good: His father was not among the rescued. He was told that Mr. Haq may have been shot dead by the Taliban before the raid.

Noor ul-Haq was lost to his family again. But this time his relatives did not have to wait as long for the twist.

A month later, another Afghan Special Forces raid in an adjacent district freed Mr. Haq, Mr. Ibrahimkhel and about 60 others. The two men would later learn the details of the ordeal their families had been put through.

The army demanded that the two men return the death money. Both were insulted, and crushed.

Army officials say no one is to blame, really. The embattled outposts are remote, and sometimes it takes months before bodies can finally be shipped back, badly damaged and decomposed. It can be impossible to sort out who died, who deserted and who might have been taken alive.

Gen. Dawlat Waziri, a spokesman for the Afghan Ministry of Defense, described the cases of Mr. Haq and Mr. Ibrahimkhel as the "misery of the ongoing war." He insisted that Mr. Haq and Mr. Ibrahimkhel would meet the minister of defense soon so the minister could praise their bravery and provide assistance.

"They don't have to pay anything," General Waziri said.

But now both men are back in Helmand Province, trying to recover the back salary that was seized to repay the death compensation. In phone interviews, both said they saw no signs that their debt had been erased.

"It's been 17 months that I have not gone home," Mr. Ibrahimkhel said. "My youngest child was 7 or 8 months old when I left. Now he probably won't recognize me."

Mr. Haq's family had already spent most of the compensation payment on a painful cycle of wakes and celebrations.

"Guests were coming and coming — at first, when we heard that he was killed and the body arrived," Zia said. "Then, again, when we heard he was alive, people came to celebrate. Then, when we heard that he may have died again, people came again. And when he finally arrived, such big crowds came that I didn't even know most of them."

Every time, they all had to be fed.

On his third day home, Mr. Haq walked to the cemetery with the help of one of his sons. The strip was crowded with graves of soldiers and policemen, many of whom had died in Helmand, the Afghan flag hoisted on their graves. He crouched by the headstone of what was supposed to be his own grave, offering a prayer for the unknown man buried there.

But two months later, Mr. Haq was back in Helmand, trying to get his remaining salary released and, perhaps, to sign up for another three years in the army.

Trying to explain his father's new absence, Mr. Haq's 4-year-old son, Helal, put it this way: "My father went to bring rice."

Russians Buzz U.S. Reconnaissance Plane Over Baltic Sea

By Jim Michaels

[USA Today](#), April 17, 2016

A Russian jet flew dangerously close to a U.S. reconnaissance plane operating in the Baltic Sea last week, the latest in a string of dangerous encounters with Russian forces in the region, according to the Pentagon.

The Russian aircraft, an SU-27 fighter, operated in an "unsafe and unprofessional" manner when it approached the RC-135 reconnaissance plane, the U.S. military said in a statement Saturday.

Thursday's incident came two days after a U.S. warship operating in the same region was buzzed by Russian aircraft numerous times.

"There have been repeated incidents over the last year where Russian military aircraft have come close enough to other air and sea traffic to raise serious safety concerns, and we are very concerned with any such behavior," the Pentagon statement said.

On Tuesday, Russian aircraft flew aggressively toward the USS Donald Cook, a destroyer operating in the Baltic Sea. The destroyer suspended flight operations on its deck because of the Russian aircraft.

The Russian Defense Ministry last week denied operating unsafely around the USS Cook and said its pilots "fully observed all safety measures."

U.S. officials have said the aggressive tactics risk inadvertently triggering an escalation of hostilities between the two countries.

"The unsafe and unprofessional actions of a single pilot have the potential to unnecessarily escalate tensions between countries," the Pentagon said.

Russia's Military Rejects U.S. Criticism Of New Baltic Encounter

[Reuters](#), April 17, 2016

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

An Old Alliance Faces New Pressures As Obama Heads To Saudi Arabia

By Michael D. Shear

[New York Times](#), April 17, 2016

WASHINGTON — Over the last seven decades, photographs of American presidents side by side with the kings of Saudi Arabia have provided visual evidence of an enduring, strategic alliance between the United States and the oil-rich kingdom in the Middle East.

On Wednesday, President Obama will add one more photo to the scrapbook when he arrives in Riyadh, the Saudi capital, for a private meeting with King Salman, Saudi Arabia's 80-year-old monarch.

But the expected image of the two leaders will fail to convey the depth of the strain on the relationship between Saudi Arabia and the United States. During Mr. Obama's tenure, there has been distrust and disagreement over how to contain Iran, the fight against the Islamic State, the future of Syria and clashes in Yemen. Blunt comments about the Saudis by Mr. Obama in a recent interview have deepened the ill will.

"The relationship is troubled. It's rocky," said Frederic Wehrey, a senior associate in the Middle East Program at the Carnegie Endowment for International Peace. But, he added, "it's not headed for an impending collapse."

That is because the two nations still need each other. The United States provides military and intelligence support to the kingdom for its regional security, and is expected to announce additional support this week. Saudi Arabia helps fight terror groups like Al Qaeda and remains the second-largest provider of oil imports to the United States, selling about one million barrels per day.

Now, with Mr. Obama in the twilight of his presidency, Saudi leaders are looking past him, to the winner of November's presidential election.

"For them, the Obama ship sailed a long time ago," said Danielle Pletka, the senior vice president for foreign and defense policy studies at the American Enterprise Institute, a conservative think tank. "They, like the rest of us, don't have a clue what's coming next."

In the 70 years since President Franklin D. Roosevelt initiated the alliance at the end of World War II, the Saudis have primarily looked to the United States to help ensure its security in an often unstable region. They want the United States to have their back, especially in a potential conflict with Iran, their longstanding regional rival.

That has meant, for the most part, military equipment: The United States has helped Saudi Arabia, a Sunni-dominated state, to obtain weapons to deter Iran, a mostly Shiite country. More recently, the Saudis have sought intelligence assistance and training, and the United States has given the Saudis targeting and logistical support for their war in Yemen.

This week, the United States is expected to announce that it will bolster ballistic missile defenses in the region and provide new support for Saudi efforts to counter cyberattacks from Iran and elsewhere.

Saudi Arabia has "become more and more dependent on the U.S. military for any really serious contingency," said Anthony H. Cordesman, who holds the Arleigh A. Burke Chair in Strategy at the Center for Strategic and International Studies.

The United States has looked to Saudi Arabia as a source of stability in the Middle East, an ally whose oil reserves have only recently begun to diminish in importance for American interests.

"American presidents want to have a decent relationship with the country that exports more oil than any other in the rest of the world," said F.Gregory Gause III, a professor at the Bush School of Government and Public Service at Texas A&M University.

Saudi Arabia has worked with the United States in a campaign against Al Qaeda — and more recently against the Islamic State, a group seen as a regional danger and a direct threat to American security. The United States has sought the kingdom's help in efforts to end the Syrian civil war.

The Obama administration also wants changes inside Saudi Arabia, where religious minorities and women often face marginalization. Officials said Mr. Obama would raise the issue of human rights, but few expect the subject to overshadow security concerns.

White House officials say the alliance remains strong. Even so, Rob Malley, a Middle East adviser to the president, conceded last week that "our views and those of some of our partners in the region, and Saudi Arabia in particular, have not always been perfectly aligned."

From the Saudi perspective, confidence in United States support was undermined in 2011 by what they perceived as Mr. Obama's failure to support Hosni Mubarak, the ousted president of Egypt, during the Arab Spring. It was further rattled when Mr. Obama drew a "red line" against the Syrian government's use of chemical weapons, then stopped short of taking military action to enforce it. Mr. Obama has said he is proud of his last-minute restraint, but the 2013 episode made the Saudis question the commitment of the United States to defending its allies in the region.

In the years since, those questions have turned to deep concern, notably as Mr. Obama engaged with Iran — once a diplomatic pariah — in an effort to reach a deal to end the country's nuclear weapons program. American officials have hailed the agreement, completed last year, calling it successful in keeping Iran from becoming a nuclear power.

Inside Saudi Arabia, though, the thaw between the Americans and the Iranians is seen as a dangerous shift in the region's balance of power. The Saudis fear conventional and terrorist attacks from Iran, and they worry that the United States is backing away from the defense commitment it has maintained for decades.

"For Saudi Arabia, this is always existential," Mr. Cordesman said. "For us, it's another regional problem."

Another simmering problem is the longstanding suspicion among some in the United States that the Saudi government or some of its officials participated in the plotting for the Sept. 11, 2001, attacks. In recent days, Saudi officials warned American lawmakers that they might sell off hundreds of billions of dollars' worth of American assets if Congress passes a bill that would allow the Saudi government to be held responsible in United States courts for any role it may have had in the attacks.

Still, a senior State Department official said the relationship is better now, the day before Mr. Obama's trip, than it was two years ago, after the Syria "red line" incident. Efforts to mend relations by Secretary of State John Kerry and John O. Brennan, the C.I.A. director, have led to Saudi help in brokering a cease-fire in Syria and cooperation from the United States in the Saudis' fight against Iranian-backed forces in Yemen.

If the relationship is getting better, it is doing so despite blunt and revealing comments that Mr. Obama made about Saudi Arabia during a series of interviews for a recent magazine article.

Mr. Obama told Jeffrey Goldberg, a correspondent for The Atlantic, that Saudi Arabia would have to find a way to coexist with Iran by learning to "share the neighborhood and institute some sort of cold peace." He referred to the Saudis and other American allies in Europe as "free riders" who accept security help from the United States without sharing the burden. The article related a conversation between Mr. Obama and Malcolm Turnbull, the prime minister of Australia.

"Aren't the Saudis your friends?" Mr. Turnbull asked, according to Mr. Goldberg. "It's complicated," the president responded.

White House officials play down the impact of Mr. Obama's comments, noting that the administration has long pressed its allies to do their part. But people familiar with the Saudi reaction to the president's comments say it was intense, and seen as a confirmation of the Saudis' suspicions about Mr. Obama's lack of commitment to their interests.

"I imagine it will just infuse the meeting with a coldness that didn't need to be there," Ms. Pletka said.

If the Saudis are ready to turn the page on the Obama presidency, they are also anxious about what comes next, especially if Donald J. Trump or Senator Ted Cruz of Texas becomes the next president.

Mr. Trump has railed against Saudi Arabia, telling The New York Times last month that he might halt all purchases of oil unless the Saudis show more effort in the fight against the Islamic State. "If Saudi Arabia was without the cloak of American protection," Mr. Trump has said, "I don't think it would be around."

Mr. Cruz said during a presidential debate in February that the United States should "hold our friends to account, that friends do not fund jihadists that are seeking to murder

us. And when it comes to Saudi Arabia, we need to have real scrutiny and real pressure."

From the Saudi perspective, Hillary Rodham Clinton might represent a return to the kind of foreign policy they remember when her husband was president. But nothing is certain in this political season, and Senator Bernie Sanders of Vermont, the other candidate for the Democratic nomination, is an unknown to the Saudis.

"Like everybody, they have no idea what to think about Trump," Professor Gause said. "Who knows what to make of Senator Cruz on this? The Saudis don't know him," he added. "I think they would be perfectly comfortable with Hillary."

President Obama Should Speak Up For An Imprisoned Blogger In Saudi Arabia

[Washington Post](#), April 17, 2016

PRESIDENT OBAMA will have plenty of sticky issues to deal with on his visit this week to Saudi Arabia for a meeting with members of the Gulf Cooperation Council. Turmoil in Syria, the fight against the Islamic State, the Iran nuclear deal, regional politics — all of these are important. But there's another, equally important piece of business Mr. Obama should put on the agenda: He should urge Saudi King Salman to free imprisoned blogger Raif Badawi.

Mr. Badawi, 32, has been jailed since 2012 after he appealed online for a more liberal and secular society, a call that infuriated the kingdom's conservative clerics and religious establishment. His sentence was set at 10 years in prison and 1,000 lashes. After he was flogged 50 times, the remainder have been held in abeyance, but the sentence stands and was upheld by the Saudi supreme court in June, and the whipping could be resumed at any time.

What was it that Mr. Badawi said? Shortly before his 2012 arrest, he wrote about the nature of liberalism. "For me," he said, "liberalism simply means, live and let live." But the clerics, he said, "controlling and claiming exclusive monopoly of the truth," have discredited it. "They have succeeded in planting hostility to liberalism in the minds of the public and turning people against it, lest the carpet be pulled out from under their feet. But their hold over people's minds and society shall vanish like dust carried off in the wind." Mr. Badawi was honored with the 2015 Sakharov Prize for Freedom of Thought from the European Parliament.

Ensaf Haidar, Mr. Badawi's wife, who accepted the prize for him in December, was in Washington recently and told us, "Raif is not a criminal, not a terrorist. He is a peaceful man who expressed his opinion" and believes it was his natural right to do so. Ms. Haidar, who now lives in Canada with their three young children, pressed State Department and White House officials for an appeal by the president on her husband's behalf. She told us she hopes that King Salman, who took office in January 2015, after Mr. Badawi

was incarcerated, might be persuaded to release him, and she suggested his influential son, Mohammed bin Salman, is open-minded and could be an important factor in winning freedom for Mr. Badawi.

Mr. Obama ought to tell the unvarnished truth to the monarch: Bloggers may be sharp-tongued, but it is barbaric to subject them to flogging and jail.

Obama Heads To Europe, Its Stability And His Priorities In Question

By Mark Landler

[New York Times](#), April 17, 2016

WASHINGTON — For much of his time in the White House, President Obama has labored to pull the United States out of the Middle East so he could pivot to more promising horizons in Asia. Now, as he winds down his presidency, it is Europe, another place where Americans have deep ties and a long history, that is exerting an unwelcome pull.

As Mr. Obama prepares for a six-day trip this week that will include stops in Britain and Germany, his administration is worried about a cascade of events that is destabilizing, and could even potentially unravel, the European Union. Britain and Germany are both reeling from political tempests and fear of a new wave of immigrants, raising the risk that the British might vote to leave the union in a referendum in June.

White House officials said last week that Mr. Obama would deliver a message of solidarity when he visited Prime Minister David Cameron in Britain and Chancellor Angela Merkel in Germany. Yet the president's own well-publicized statements and foreign-policy priorities could complicate his efforts to be a trans-Atlantic cheerleader.

Some critics in Europe viewed Mr. Obama's "Asia pivot" as a realignment of priorities away from the Continent. And the president struck a nerve when he suggested, in a recent interview in *The Atlantic*, that Britain and France had been "free riders" in NATO's air campaign in Libya, leaving the United States to bear most of the military burden.

"Obama has been a good friend to Europe in many ways," said R. Nicholas Burns, a former United States ambassador to NATO who is now a professor at Harvard. "But there's no question that the language of the pivot gave the impression that he was not focused as viscerally on Europe."

Mr. Burns said the president's treatment of Europe — from his support of the European Union during its debt crisis to his compromises over the climate-change agreement — was better than his critics suggested. Mr. Obama, he said, was handicapped by the impossibly high expectations Europeans had for him when he was a presidential candidate in 2008.

With this week's trip, and a NATO summit meeting scheduled to be held in Warsaw in July, the president has a chance to leave office with a strong display of support for Europe. "The U.S. and Europe need to draw a bright line around Poland and the Baltic States and tell Putin that he won't be allowed to destabilize them," Mr. Burns said, referring to the Russian president, Vladimir V. Putin.

Administration officials note that Mr. Obama has already taken a step in that direction, requesting \$3.4 billion in additional military spending in 2017 to deploy heavy weapons, armored vehicles and other equipment to NATO countries in Central and Eastern Europe, in part to deter Russia from further aggression in the region.

These officials dispute the argument that the trans-Atlantic alliance has not been a priority for Mr. Obama. They say he has held more than 70 conversations with European leaders since the beginning of 2015. This will be his fifth visit each to Britain and Germany as president.

Mr. Cameron and Ms. Merkel are among Mr. Obama's closer friends in the rarefied club of foreign leaders. But both are in perilous situations, facing perhaps the most difficult days of their time in office — all of which add to the diplomatic challenge facing the president.

Mr. Cameron has staked his government on winning the referendum vote on whether to stay in the European Union. But the campaign to avert a so-called Brexit took a hit after disclosures that Mr. Cameron — its chief spokesman — profited from offshore investments set up by his father.

White House officials suggested that Mr. Obama would express his hope that British voters would decide to stay in the European Union, but that he would do so diplomatically. "If he's asked his view as a friend, he will offer it, but he'll make very clear that this is a matter that the British people themselves will decide when they head to the polls in June," said Benjamin J. Rhodes, the deputy national security adviser.

Mr. Obama's aides were quick to backtrack on his criticism of Mr. Cameron on the Libya operation, after those comments drew an angry response from British politicians and in British newspapers.

Ms. Merkel is facing a different kind of pressure after she agreed to allow a legal case to proceed against a popular comedian who had crudely satirized the president of Turkey, Recep Tayyip Erdogan. The chancellor's decision has been widely condemned; analysts said it reflected her desperation not to offend Turkey, with which Europe has a fragile deal to stem the flood of migrants from the Middle East and North Africa.

Still, Mr. Obama believes Ms. Merkel "demonstrated bold leadership in responding to the refugee crisis, and the president wants to provide political support to her for doing so," said Charles Kupchan, senior director for European affairs at the National Security Council. The White House has

not commented on the case against the comic, while the State Department noted that Ms. Merkel had indicated her government planned to amend the 1871 law under which he may be tried.

The president's itinerary includes stops that will showcase the sunnier side of the trans-Atlantic relationship. On Friday, he will have lunch with Queen Elizabeth II at Windsor Castle to celebrate her 90th birthday, which is Thursday. On Sunday, in Germany, he will tour the Hannover Messe, the world's largest industrial technology trade fair, where he will promote his ambitious European trade deal, the Trans-Atlantic Trade and Investment Partnership.

Strains within the trans-Atlantic alliance are neither new nor unique to the Obama administration. Complaints about Mr. Obama are mild compared with the anger Europeans expressed after Donald H. Rumsfeld, then serving as George W. Bush's defense secretary, referred to Germany and France as "old Europe" when they refused to support the Iraq war.

"We never get it right with the Europeans," said John C. Kornblum, a former American ambassador to Germany. "We're either getting too involved in their affairs and sermonizing them, or we're doing a shift to Asia and abandoning them."

Obama To Pursue More Cooperation From Saudis, Britons Despite Offensive Remarks

By Dave Boyer

[Washington Times](#), April 17, 2016

President Obama will leave the U.S. on Tuesday on what could be dubbed an apology tour of allies he has offended, starting with a visit to Saudi Arabia, whose leaders are fuming at the president's criticism of Gulf states as "free riders" and are pressuring the administration to kill a bill in Congress that would allow 9/11 victims to sue foreign governments.

The president will meet Saudi King Salman on Wednesday and attend a summit Thursday with other leaders of the Gulf Cooperation Council to discuss the fight against the Islamic State group, a plan for containing Iran, efforts to stabilize Syria and the Saudi-led conflict in Yemen.

From Saudi Arabia, Mr. Obama will travel to London, where Britons are smarting over the president's perceived interference in their upcoming referendum on whether to remain as part of the European Union.

Mr. Obama also ruffled feathers in Britain by saying Prime Minister David Cameron became "distracted" after the allies launched airstrikes that led to the overthrow of Libyan ruler Moammar Gadhafi in 2011, creating a power vacuum that allowed extremists to gain a foothold there.

But as Mr. Obama tries to push the Saudis to contribute more in the battle against Islamist extremists, the trip is also

renewing attention about the Saudis' role in the 9/11 attacks and Mr. Obama's uneasy relationship with the kingdom's rulers.

Various reports surfaced ahead of Mr. Obama's trip that Saudi Foreign Minister Adel al-Jubeir has warned the U.S. that Riyadh will sell off billions of dollars in American assets if Congress approves the legislation allowing victims of terrorism to sue foreign governments. The measure is sponsored by Sens. Charles E. Schumer, New York Democrat, and John Cornyn, Texas Republican.

Lawmakers say the administration is pressuring Congress to block the bill by warning of economic consequences. Secretary of State John F. Kerry has said the measure would "create a terrible precedent."

Former Sen. Bob Graham, Florida Democrat and a co-chairman of the 9/11 congressional inquiry, said Saturday that he is "outraged but not surprised" by the Saudi government's warning.

"The Saudis have known what they did in 9/11, and they knew that we knew what they did, at least at the highest levels of the U.S. government," Mr. Graham said on CNN.

Families of 9/11 victims have been calling on the administration to release 28 classified pages of the 9/11 commission's report, which is said to implicate the Saudis in the attacks. Fifteen of the 19 suicide hijackers were Saudi nationals. Families of victims and survivors in the 9/11 attacks did sue the Saudi government, but a judge threw out the lawsuit last year, ruling that the kingdom had sovereign immunity.

A White House aide said the president's agenda in Riyadh also will include talks on the "stability of the global economy" — meaning the price of oil. A sharp drop in oil prices this year has hurt producers from Moscow to the shale-oil industry in the U.S. and contributed to turmoil in financial markets.

Mr. Obama's characterization of Gulf allies as "free riders" in an interview last month angered Saudi officials. A prominent Saudi said Mr. Obama may be "petulant" about the kingdom's opposition to the Muslim Brotherhood in Egypt, or possibly unhappy at the late Saudi King Abdullah's chastising him for backing down on his infamous "red line" pledge to intervene in Syria if the regime used chemical weapons.

Some analysts on the Middle East say the episode was emblematic of Mr. Obama's poor relationship with the Saudi rulers.

"The end of the Obama administration can't come quickly enough for some of these leaders," said Perry Cammack, a Middle East analyst at the Carnegie Endowment for International Peace. "In their mind, the real question is what comes with the next administration. It's clear that the president's kind of cerebral, dispassionate approach to the Gulf isn't really well-suited to some of the Gulf leaders."

White House aides tried to downplay the president's remark ahead of the trip, saying the U.S.-Saudi relationship has always had "complexities."

"The region itself has gone through the most tumultuous period probably in decades," said Rob Malley, a senior adviser to the president on the Middle East. "That has meant that our views and those of some of our partners in the region, and Saudi Arabia in particular, have not always been perfectly aligned. The differences are not going to disappear, but our work together is not going to disappear, either."

Mr. Malley said the Saudi summit also will feature agreements "to increase our cooperation on counterterrorism, streamlining the transfer of critical defense capabilities to our GCC partners, bolstering GCC ballistic defense systems and defending against the cyberthreat."

The GCC alliance, in addition to Saudi Arabia, consists of Kuwait, the United Arab Emirates, Qatar, Bahrain and Oman.

Defense Secretary Ashton Carter said Saturday that the U.S. hopes the Gulf nations will support Iraq politically as it tries to establish a more successful multisectarian government. He told reporters at the al-Dhafra air base in the United Arab Emirates that he will talk with his commanders in the coming days to identify additional ways the U.S. can intensify the fight against Islamic State militants in Iraq and Syria, including more airstrikes, cyberattacks and American troops on the ground.

The Obama administration has sold about \$95 billion in arms to Riyadh, and observers don't expect that part of the relationship with the U.S. to change fundamentally. Mr. Obama has been pushing the Saudis to contribute more to the fight against the Islamic State in Syria, also known as ISIL and ISIS.

"The only way to truly deal with global challenges is if everybody does their part," said White House Deputy National Security Adviser Ben Rhodes. "The nature of the threat from ISIL is not restricted to the targeting of one nation. We see ISIL posing a threat to the entire world, certainly posing a threat to both the GCC countries and to our European allies."

The State Department issued a travel warning last week saying there were credible threats against American citizens and other Westerners from the Islamic State, al Qaeda and other terrorists groups during the president's visit to Saudi Arabia.

The report suggested that terrorists could be targeting locations where Westerners congregate, including housing compounds, hotels, restaurants, shopping areas and international schools.

The security situation in Saudi Arabia appears to be deteriorating. The State Department cited reports indicating that Saudi authorities thwarted extremists' plans to attack a festival in Riyadh in February, and noted that there have been

"multiple attacks on mosques" and other gathering places of the Shiite Muslim minority.

In May 2015, the Islamic State claimed credit for a suicide bomb attack in Saudi Arabia that killed at least 20 people. If true, it would be the militants' first attack inside the kingdom.

Iran will loom over the summit. Mr. Obama wants Saudi Arabia to take a more forceful role in confronting its longtime adversary, while the Saudis strongly opposed the president's nuclear deal with Tehran that lifted economic sanctions.

With the sanctions lifted, tensions are rising between Iran and Saudi Arabia over oil production. The Saudis say they will not participate in a freeze on oil production to stabilize prices unless other countries go along. But Iran has said it won't agree to a production cut as it works to reap fresh revenue from post-sanction oil sales.

Considering the multiple challenges and Mr. Obama's weak rapport with the Saudis, Mr. Cammack said, "I think the immediate interest is just making sure the photo-op looks very good."

"I don't expect on either side that the word 'free-rider' will come up," he said.

• This article is based in part on wire service reports.

London Mayor Accuses President Obama Of Hypocrisy

[CBS News](#), April 17, 2016

LONDON-- London Mayor Boris Johnson has accused U.S. President Barack Obama of hypocrisy for supporting those who want Britain to stay in the European Union.

Speaking just days before the American leader travels to London, Johnson told the BBC there is no way the United States would share sovereignty the way EU membership requires.

"I don't know what he is going to say but, if that is the American argument then it is nakedly hypocritical. The Americans would never dream of it," he told the BBC.

Mr. Obama has voiced support through aides for the United Kingdom remaining in the EU. But the White House has suggested that during his visit the president will stress that it is up to the British people to decide their future in a June 23 referendum.

Johnson says that while Mr. Obama has the "perfect right to make any intervention he likes," it is "nakedly hypocritical" to lend his weight to the campaign to stay in the EU.

The topic of Britain's EU membership, which has been dubbed "Brexit," is a touchy one overseas, with polls showing a relatively even divide on it.

There's also no clarity on what exactly would happen if Britain were to decide to leave the EU because no established economy has ever done so before. Only

Greenland left an earlier, more limited version of the bloc in 1985.

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Discord Grows Among The Parties Over Greek Debt Talks

By Landon Thomas Jr.

[New York Times](#), April 17, 2016

WASHINGTON — Executives of the International Monetary Fund mutter darkly about Greeks tapping their phones in Athens. Greek government officials accuse the fund of torpedoing their economy via tough austerity measures.

And both the Greeks and the fund moan about the refusal of Germany to consider any form of debt relief for Greece.

Signs of the growing tensions over Greece and its debt were evident at meetings of the I.M.F. in Washington last week. But nothing exemplifies the growing discord more than a simple chart on a draft memorandum drawn up by the fund that has been making the rounds at meetings here.

The chart depicts just how wide the gap is between Europe and the I.M.F. in terms of assessing Greece's ability to pay down its growing debt burden — currently close to 180 percent of its gross domestic product — in the coming decades.

And it highlights the danger that, just as it was last summer, Greece may be pushed to the edge of bankruptcy as a result of an inability, if not an unwillingness, of the fund, Europe and Greece to reach a compromise.

Ever skeptical of Greece's capacity to keep a lid on spending and to increase taxes over the years, the fund's economists project that the debt will approach 300 percent of G.D.P. by 2060 — an outcome depicted vividly on the chart as a line sloping sharply upward.

The stance of Europe, which is on the hook for a much larger chunk of the debt than the I.M.F., is represented by a line trending defiantly downward.

In the view of finance ministers in the euro area, Greece will meet the demands of the toughest austerity program ever imposed upon a nation and will generate enough cash to bring the debt below 100 percent of G.D.P.

The implication of the chart and the accompanying memorandum — neither of which has been made public — is that the I.M.F., as things stand, will not be able to support the next bailout agreement that Greece and Europe reach.

Late last week, the managing director of the I.M.F., Christine Lagarde, said publicly what many senior fund officials have said quietly for months: Europe's assumption that Greece, in the decades ahead, can annually achieve a

budget surplus (minus interest payments) of 3.5 percent of G.D.P. and pay down its debt is "highly unrealistic" and would require a "heroic" sacrifice from an austerity-battered populace.

That assessment is hardly a surprise. Since the spring of 2010, the time of the first Greek bailout, I.M.F. economists have been saying that Greece would never be able to pay back such a tremendous amount of debt.

Three economists, Pierre-Olivier Gourinchas, Thomas Philippon and Dimitri Vayanos, examined the history of Greece's debt boom and bust in a new paper.

They contend that in terms of money borrowed and economic output lost, the Greek crisis has far exceeded even the classic emerging market busts in Latin America and Asia — many of which were resolved via various forms of debt restructuring.

As a result, they conclude, the very thought that Greece can pay its way out of this mess without having its debt reduced in some way is fantasy.

"There is no exit for Greece without debt relief," Mr. Gourinchas said.

Part of the problem is that the fund's role now is highly unorthodox. While the fund is owed \$12 billion, it is not promising to lend any new money this year, which, at least in the view of the Greeks, reduces its credibility. Isn't it hypocritical of the fund, some Greek officials say in private, to push us so hard when it is not willing to lend new money? At least the Europeans are promising to put more money on the table, they point out.

Fund officials have responded: How can we be your enemy if we are the ones pressuring Europe to give you a break on your debt?

Matters have not been improved by the recent leak of a private exchange between the fund's lead negotiator, Delia Velculescu, and the head of the fund's European department in Washington, Poul Thomsen.

In the phone transcript, published by WikiLeaks, it was suggested that the only way to get an agreement would be to push Greece once again to the precipice of default.

"I brought this up with my Greek colleagues," said Jeroen Dijsselbloem, the finance minister from the Netherlands, who is leading Europe in the talks with Greece. "It's an issue of trust — how can the I.M.F. do its work if they have to worry all the time about having their phones tapped?"

As to the matter of Greece's debt, Mr. Dijsselbloem remained adamant: It is not being discussed.

While it remains most unlikely that the I.M.F. would walk away from the talks, that such a step is even being suggested underscores how uncertain the negotiations have become.

That is because Germany has frequently said that it requires the I.M.F. to be an active participant in the process. So if the fund does not bless an agreement, Germany will be very unlikely to embrace it.

Despite all the tensions, negotiations are continuing. Greece, unlike in past years, sent its full team of negotiators to Washington last Thursday to resume talks that had been temporarily suspended.

They include the finance minister, Euclid Tsakalotos; the debt expert Stelios Papadopoulos; the economy minister, Giorgos Stathakis; and the Greek government's longstanding financial adviser, Glenn Kim, an independent investment banker who previously worked for Moelis and Lehman Brothers.

The crux of the talks has long been Greece's bloated pension program, which still pays out about 10 percent of G.D.P. annually. Fund officials have always said that without significant pension cuts, they could not approve any new deal.

Greece has argued that, in depression-like economic conditions, Greeks cannot afford pension cuts, especially when pensioners are now the only breadwinners in many families.

Under the labor minister, Georgios Katrougalos, the Greek government is now pushing a plan that would freeze current payouts and cut future ones and that would increase contributions from employers.

Whether that will be enough to win over the I.M.F. and, ultimately, Europe regarding the debt question remains to be seen.

"No amount of pension reforms will make Greece's debt sustainable without debt relief," Mr. Thomsen, the fund's European head and overseer of the Greek talks, wrote in a recent blog post. "And no amount of debt relief will make Greece's pension system sustainable without pension reforms."

Israel Will Never Give Golan Heights To Syria, Netanyahu Vows

By Isabel Kershner

[New York Times](#), April 17, 2016

JERUSALEM — Prime Minister Benjamin Netanyahu of Israel led a cabinet meeting in the Israeli-controlled portion of the Golan Heights on Sunday, calling on the world to recognize Israeli sovereignty over the conquered territory and vowing that Israel would never give it back to Syria.

Mr. Netanyahu made his remarks at what his office described as a "festive" meeting of the cabinet in one of the Jewish settlements on the strategic plateau that Israel captured in the 1967 Middle East war. Israel later effectively annexed the Golan Heights in a move that was never internationally recognized.

Officially, the occasion for holding the first formal cabinet meeting in the territory was to mark a year since the formation of Mr. Netanyahu's current right-leaning government. Yet the timing, according to experts, was more

likely dictated by Israeli concerns arising from the recently resumed talks in Geneva over Syria's future — or hopes that the talks might present an opportunity for Israel.

"The Golan Heights have been an integral part of the land of Israel since ancient times; the dozens of ancient synagogues in the area around us attest to that," Mr. Netanyahu said at the start of the meeting. "And the Golan is an integral part of the state of Israel in the new era."

Mr. Netanyahu said he had spoken with Secretary of State John Kerry on Saturday night and told him that Israel would not oppose a diplomatic settlement in Syria, on the condition that it not come at the expense of his country's security.

"I told him that I doubt that Syria will ever return to what it was," Mr. Netanyahu said, referring to the five-year civil war there. He added that any settlement should involve the removal of the forces of Iran, the Lebanese Hezbollah organization and the Islamic State from Syrian soil.

Mr. Netanyahu referred to the years between 1948 and 1967, when Syria held the territory and when much of northern Israel was subjected to sporadic shelling, as a "Syrian occupation."

"The time has come for the international community to recognize reality, especially two basic facts," he added. "One, whatever is beyond the border, the boundary itself will not change. Two, after 50 years, the time has come for the international community to finally recognize that the Golan Heights will remain under Israel's sovereignty permanently."

The Golan Heights became part of Syria when the French mandate in the region ended in the 1940s, and the Israeli-held portion is viewed internationally as occupied Syrian territory. About 22,000 Syrian Druse residents live in the portion controlled by Israel. They have been offered Israeli citizenship, but most have not applied for it. More than 20,000 Jewish residents now live in about 30 settlements.

Although Israeli leaders, including Mr. Netanyahu, have, in the past, held direct or indirect negotiations with Syria over a peace deal involving a withdrawal from the Golan Heights, the civil war in Syria and the presence of jihadist forces along the frontier have given many Israelis pause and given Mr. Netanyahu arguments to justify holding the territory. Some politicians have been promoting new development plans there.

"There is a feeling that things are coming to a close one way or another regarding Syria," said Prof. Eyal Zisser of Tel Aviv University. "Netanyahu wants to use the moment to have Israel's interests taken into account, including recognition of the Israeli presence in the Golan Heights."

Professor Zisser added that while there was little chance that the world powers would recognize Israeli sovereignty in the area, Mr. Netanyahu might also be raising the issue out of domestic considerations.

Israel's Channel 10 TV station reported last week that Mr. Netanyahu was concerned about indications that plans for a negotiated arrangement in Syria, with backing from the United States, Russia and other world powers, might include language specifying that the entire area of the Golan Heights was Syrian.

Mr. Netanyahu raised the question of American recognition of Israeli sovereignty with President Obama in Washington in November, but the administration said that the United States' position remained unchanged, the Haaretz newspaper reported.

A spokesman for Mr. Netanyahu had no comment on those reports.

Zvi Hauser, Mr. Netanyahu's former cabinet secretary, called last year for an "American pledge" to ensure Israeli rule in the Golan Heights as partial "compensation" for the international nuclear agreement with Iran, which Israel rejected.

Itamar Rabinovich, a former Israeli ambassador to Washington and former chief negotiator with Syria in the 1990s, said he thought Mr. Netanyahu was making a mistake by holding a high-profile cabinet meeting in the Golan Heights and by raising the issue of Israeli sovereignty.

"In recent years Israel has gained a great diplomatic advantage in that the claim that the source of all troubles in the Middle East is the Israeli-Arab conflict has been disproved by developments, such as the developments in Syria, Iraq and Libya that have no connection to Israel," Mr. Rabinovich told Israel Radio, adding, "I'm not necessarily coming out against the stand but against this demonstrative act that returns us to the heart of the argument."

The cabinet meeting came a week after Mr. Netanyahu made another unusual declaration acknowledging that Israel had carried out "dozens" of strikes across the Syrian frontier in recent years to prevent Hezbollah from obtaining advanced weapons. While Israel has generally hewed to a policy of nonintervention in the internal fighting in Syria, it has acted to prevent weapons shipments from Syria to Lebanon but has rarely admitted responsibility for the strikes, in part to avoid pushing the other side to retaliate.

Netanyahu Vows That Israel Will Never Give Up Golan Heights

By William Booth

[Washington Post](#), April 17, 2016

JERUSALEM — Prime Minister Benjamin Netanyahu traveled to the occupied Golan Heights on Sunday to declare that Israel will retain full control of the mountainous plateau forever and never return the strategic highlands to neighboring Syria.

As talks on the future of Syria are underway in Geneva, Netanyahu convened a symbolic meeting of his cabinet on a

mountaintop in the Golan Heights, which Israel seized from Syria during the 1967 Six-Day War.

In a lead-up to the Geneva talks, representatives of Syrian President Bashar al-Assad signaled that they wanted the discussions to include a possible return of the region.

Netanyahu was having none of it.

"The time has come after 40 years for the international community to finally recognize that the Golan Heights will remain forever under Israeli sovereignty," he said.

Whatever the outcome of the peace talks, he added, "the border will not change."

Israel essentially annexed the Golan Heights in 1981 when it extended Israeli civil law — versus military rule — to the territory.

The international community, including the United States, has never recognized Israel's annexation of the Golan and views the plateau as Syrian territory occupied by Israel.

Netanyahu said he spoke with U.S. Secretary of State John F. Kerry on Saturday and asserted that the Golan Heights, as far as Israel is concerned, was not a bargaining chip in the Syria talks.

Netanyahu said he told Kerry that Israel did not oppose the Syrian peace effort, "on the condition that it does not come at the cost of Israeli security."

The prime minister said he wanted to see Iran-backed Hezbollah fighters, who are allied with the Assad regime, and Islamic State militants, who are fighting government forces, out of Syria.

"I decided to hold this meeting on the Golan Heights to send a clear message," Netanyahu said as he convened his cabinet meeting, the first held in the region. "The Golan Heights will always stay in Israeli hands. Israel will never leave the Golan Heights."

The Golan Heights is a bucolic, sparsely populated region known for fine wines, goat cheeses and Israeli cowboys. The area contains Israel's lone ski resort, on the slopes of Mount Hermon. The area is also filled with abandoned land mines left behind by the Syrian army.

Many of the Druze people who lived in the area fled to Syria behind the retreating Syrian army, but a significant number stayed and continue to live in their villages in the highlands.

The civil war in Syria is visible to the naked eye from the Israeli side. Occasionally, mortar rounds and artillery shells land near Israeli farm towns.

An international force of peacekeepers, overseen by the United Nations, is deployed in a demilitarized zone between Syria and Israel.

Over the years, Israel has discussed returning the Golan Heights to Syria, but Israeli leaders now say there is no way they will return the land — given the chaos in Syria and the proliferation of Islamist militant groups in the country.

"For the 19 years that the Golan was under Syrian occupation, it served as a place for bunkers, barbed wires, mines and aggression — it was used for war," Netanyahu said. "In the 49 years that the Golan is under Israeli control, it was used for agriculture, tourism, economic initiatives, building — it was used for peace."

Netanyahu Says Israel Will Never Withdraw From Golan Heights

[Associated Press](#), April 17, 2016

JERUSALEM (AP) — Israeli Prime Minister Benjamin Netanyahu said Sunday his country will never withdraw from the Golan Heights and the strategic plateau bordering Syria will forever stay in Israeli hands.

In a ceremonial Cabinet meeting in the Golan marking the one-year anniversary of his current government's formation, Netanyahu said he doubts Syria will ever return to what it was before the devastating civil war that has gripped it for more than five years. He said he would not oppose diplomatic efforts to stabilize Syria as long as they didn't come at the expense of Israel's security. Netanyahu added that, regardless, the border would not change and it was time for the world to finally recognize Israel's sovereignty over the Golan.

"I chose to have this festive Cabinet meeting on the Golan Heights to send a clear message: The Golan Heights will forever remain in Israeli hands," he said. "It's time, after 50 years, that the international community finally recognizes that the Golan will forever remain under Israeli sovereignty."

The remarks drew quick condemnation from Syria, which lays claim to the territory under international law.

Syria's Foreign Ministry lodged complaints with the U.N. Secretary General and Security Council over the Cabinet meeting, calling it "reckless" and "provocative." It called on the international community to push Israel out of what it called the, "occupied Syrian Golan."

Israel captured the Golan from Syria in the 1967 Mideast war and annexed it in 1981. An Israeli withdrawal was long seen as a key to any Israel-Syria peace agreement. But as Syria began to disintegrate, the odds of Israel giving up the Golan — never a popular prospect among Israelis — have dimmed.

Since the aftermath of the 1973 Mideast war, the Golan has been the quietest of Israel's front lines, a place of hiking trails, bird-watching and winery tours. Constantly looming in the background was the prospect of the Golan eventually returning to Syria as part of a peace accord. A plateau that looms over northern Israel, the Golan is considered by Israelis to be vital to their security and, unlike the West Bank, has carried far less political baggage.

Israel has largely stayed on the sidelines of the Syrian civil war and refrained from directly intervening. However,

Netanyahu last week confirmed for the first time that Israel, as long suspected, had in fact struck a number of advanced weapon shipments from Syria to Hezbollah fighters in Lebanon.

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Analysis: Israel's Crisis With The US Won't End When Obama Leaves

[Jerusalem Post \(ISR\)](#), April 17, 2016

Ahead of Passover, in which we mark the Exodus from Egypt and boast of our thriving political independence, it is interesting to take note of the degree to which Israelis are in denial of the fact that this independence is limited. Israel is an independent and sovereign nation, a true wonder in which Jews do everything for themselves — but our diplomatic and security dependence on the United States was and remains the keystone of our relations to the world.

The knowledgeable ignorance of most Israelis in regard to the important and dramatic ties with the US enables us to view in a lightly amused air the elections in America: to be angry at Obama, to mock American naivete and to ignore the ever-growing gap between us and them.

Before diving into this relationship, it must be noted that the numbers don't lie: they show stability and even a rise in the US public's support for Israel, especially versus the Palestinians, to a tune of approximately 70 percent approval. Our main problem is that among liberal Democrats — who represent the elites — there has been a decline in support.

So we can snort in contempt at the trend and tell ourselves that we're better off focusing on the Bible belt of the white majority who love Jesus and Jews, and not on the annoying professors at Berkeley and the sanctimonious politicians in Washington. But we must also think how we can stop this slide, and take into account its consequences. Because the elites, both there and here, manage relations and bureaucracy, and the feeling is that Israel has become a sort of annoyance.

Take for example the main diplomatic issue facing the prime minister — negotiations on an American military aid package for the next ten years. It's stuck. Defense Minister Moshe Ya'alon and his staff speak of needs, but Benjamin Netanyahu did not travel to the US because there is a problem. The problem is political. Netanyahu set an unreachable goal.

In closed conversations he spoke of a dramatic increase in aid. Today, the aid stands at about \$3.6 billion a

year. That means that if the US is prepared to give us 34 billion dollars in the next decade – that would maintain the current situation, more or less. Netanyahu spoke about being able to get \$50 billion. Since then he has hinted or suggested that that he was misunderstood, but that was the impression he gave. It was a strategic error, because now any smaller amount will be considered a failure.

Netanyahu loves to win, so he is waiting for the negotiations to turn in his favor. He says he wants to reach the deal with Barack Obama, but it's not certain that this is true. The prime minister is especially concerned with a possible diplomatic move by Obama in the final months of his tenure, from November to January. By then it will already be clear who the next president will be and Obama will still be in the White House, with no political price to pay for his actions. Various scenarios have been rumored, including a UN resolution, defining the parameters of an agreement with the Palestinians, or perhaps a presidential speech.

The Trump Camp

What scares Netanyahu is the connection between the money and the political brazenness of Obama. The more generous the Obama administration is with military aid, the harder it can allow itself to kick the prime minister's political butt. Who can speak out against a president who gave \$45 billion for Israel's security? Thus, Netanyahu's negotiations are accompanied by a justified diplomatic fear. There are even those who claim that Netanyahu does not want to close the deal with Obama because he doesn't want to give him the legitimacy of supporting Israel after the nuclear deal with Iran. They say he wants a situation in which Israel can delegitimize Obama's every diplomatic move, so it is perceived as personal, not professional, and unacceptable.

Netanyahu has not forgotten that the biggest slap in the face Republican darling Ronald Reagan gave Israel – America's recognition of the PLO – was carried out during the last two months of his tenure. Obama can be just as creative. He can declare that, regardless of diplomatic negotiations, the settlements must be dismantled. He can talk about a division of land or say that a Jewish state is mere whimsy.

Beyond this: Obama will continue to be a very influential figure in the coming years. He's young, energetic and constitutes the American liberal camp's shiny new symbol. He will influence the Democratic party's elections and the elections to Congress and Senate, and there will not be a candidate that doesn't want his blessing and help. If Hillary Clinton ends up in the White House, he can be very active, as a special envoy, or just as a consultant or confidant behind the scenes – if that's what he wants. Therefore, the personal animosity and the ideological differences will not expire at the end of the year.

Maybe that's the reason that most Israelis want to see something different in the White House, and like many Americans have been charmed by Donald Trump.

Trump's anti-Obama approach may explain the fact that the Republican candidate closest in his positions to Netanyahu and the Israeli Right, Ted Cruz, is not perceived here as the best candidate for Israel. Far from it: as part of a Ruderman Foundation survey dealing with Israeli attitudes regarding the US presidential elections, the respondents were asked who they thought was the most pro-Israel candidate. Trump received 33% and Clinton received 31%, while Cruz and Bernie Sanders received only six percent and five percent respectively.

Trump is the most anti-Obama candidate, but it's not certain that he is the most pro-Israel candidate. He claims to be a tough negotiator and that he'll get a Middle East peace deal within six months. Imagine Trump meeting Netanyahu a year from now, and telling him pleasantly – “Bibi, take \$60 billion for the next decade, but get out of the Palestinian territories within two months. Good?” What would the prime minister do? Because Trump could also say, if he doesn't accept, there's no aid.

As a rule, American presidents don't tend to throw money around lightly during the first year of their tenure. An elected president must fulfill election promises. On top of this, there is a general feeling of anger, not only among Democrats, that Israel acts ungratefully toward the United States. That it doesn't know how to say thank you, that it isn't gracious. Ask Condoleezza Rice and George Bush, or American Jews. The Ruderman Foundation survey found that 84% of Israelis expect American Jews to lend their support to Israel, but only 53% believe that we should consider them in matters of legislation in Israel. Here the gap widens. This is the real danger.

Forty percent of Israelis agree with the claim that Netanyahu has damaged relations with America. This exposes Netanyahu in his safest place. If in the run-up to the next elections in Israel US leaders succeed in getting across the message that they have failed to deliver thus far – that Netanyahu is problematic for Israel's most important relationship – it could change the picture. This is why Netanyahu is being doubly careful not to interfere in the US election. He's in the crosshairs, and he has no intention of helping the hunters get to him any easier.

The author is the diplomatic correspondent for Channel 2.

Tourism Is The New Front In Israeli Settlers' Battle For Legitimacy

By Anne-Marie O'Connor

[Washington Post](#), April 17, 2016

HAVAT GILAD, West Bank — The bulletproof tour bus, filled with retirees, groaned up the narrow dirt road to meet some of Israel's most notorious Jewish settlers, renegade young firebrands known as the “hilltop youth.”

"The stereotype is of monsters, high school dropouts, Arab killers, thieves of Arab land and uprooters of Arab olive trees," the host, Rabbi Meir Goldmintz, told his visitors. "The truth is they are the greatest kids, they love this land and want to make their lives here."

As vacation season approaches, Israeli settlers are opening a bold new front in their battle for legitimacy: tourism.

The zealous hospitality comes as Europe demands special labels identifying products from settlements they consider illegal footholds of the Israeli occupation of the West Bank. The United States disparages the growth of the settlements and blames them in part for the failure of the "two-state solution," which envisions Israel living side by side with a Palestinian state.

The settlers are fighting back — by rolling out the welcome mat.

They are offering a sampling of "the good life," with fine cabernets and artisanal cheese on the hilltops of the rugged, rural Bible land populated by the gun-toting children of Abraham (armed, they say, to protect themselves from Palestinian attackers).

They are welcoming biblical tourists — evangelical Christians and Jews who want to vacation at ancient sites that appear in the Old Testament and Torah — and "geopolitical tourists," travelers who want to see the reality behind the headlines.

There are about 400,000 settlers living in the West Bank, in what Israelis call Judea and Samaria, the biblical names. About 15 percent hail from the United States.

Some settlers live in placid -suburban-style gated developments filled with residents fleeing Israel's high cost of living for more affordable West Bank villas. Other settlements are built exclusively for ultra-Orthodox Jews. Some settlers are ideological, claiming a right to live on the land they say God promised them.

The international community considers the Jewish settlements in the West Bank illegal, though Israel disputes this. The United States labels them "illegitimate" and "obstacles to peace."

In this campaign, wine tastings are a new weapon against a two-state solution. Holiday chalets are new facts on the ground.

"The 1970s and '80s were the settlement era, when we had to build as much as we could, otherwise they would give it back to the Arabs. We had to block the Palestinians," said Karmi Eldad, the co-author of "Yesha Is Fun," a guidebook about vacationing in the West Bank, known to settlers as "Yesha."

"Now we're in the tourist era," Eldad said, when raising the profile of the settlements is part of the struggle to "keep this land, securing our forefather's land, that we conquered with our blood."

So on offer: visits to ancient springs (that Palestinians say they relied on) and the Shiloh archaeology park (where settlers say the Ark of the Covenant was kept).

"Drinking wine is a good thing. People begin to be friends," said Vered Ben Saadon, pouring a fruit merlot in her family's Tura Winery at the Rechelim settlement.

There are also zip lines, New Age massages, craft-beer breweries, spiritual retreats and petting zoos — often at sites protected by Israeli soldiers.

"We were a bit nervous, but we thought it was more important to be brave," said Judy Russell, 72, an Australian, at Shiloh last week.

Palestinian leaders are incensed.

"They block every chance to have a sovereign Palestinian state while promoting the growth of Israeli settlements," said Xavier Abu Eid, a Palestine Liberation Organization adviser.

Abu Eid complained that historic Jericho, Burqin and Nablus in the Palestinian-controlled -areas of the West Bank get relatively few tourists. Once-popular Bethlehem has the West Bank's highest unemployment, he said, "while illegal Israeli settlements are developing a whole new industry under the full support of the Israeli government."

In addition to vineyards and mountain biking, some guides offer more provocative trips. One series of tours, titled "Hilltop Youth: Who Are You?," invited visitors to "get to know the outposts" beyond such negative associations as "violence, messianic ideology, rebellion."

On a recent trip, seniors crowded into the yeshiva at Havat Gilad, which has been dismantled several times by Israeli authorities who have accused its settlers of attacking Israeli police and shooting at Palestinians and destroying their olive trees. In January 2015, Israeli soldiers shot and killed a Palestinian they said was about to throw a firebomb on a road leading to the settlement.

"Despite the hillbilly appearance, the Gilad farmers love guests," the "Yesha" guidebook said. But the long-haired "hilltop youth" declined to engage. When a tourist approached with a camera, one young man put his head down on the table.

"They're shy," a guest said.

The hilltops want to be the new normal.

Because how illegal can they be if they get Israeli electricity, water, roads and army protection?

"We have to be normal," said Noam Cohen, who runs a music club at Neve Erez, a back-to-the-land hilltop settlement in the Judean wilderness east of Jerusalem that was once dismantled by Israeli authorities who said it was built on land privately owned by Palestinians.

"No one can say it's not yours — open the Bible," Cohen said on a peaceful afternoon, the sound of the wind punctuated by target practice from a nearby army base.

"When people come here, they experience a different side of us: nature, music, olives, lemons," he said.

But not Palestinians?

"It just won't fit," Cohen said.

The shift to openness and tourism is credited to Dani Dayan, the former chairman of the settler Yesha Council. Brazil recently rejected Dayan as Israel's ambassador. He is now Israeli consul general in New York.

"We understood that if we want people to agree with us, we have to open the doors," said Yesha spokeswoman Miri Maoz-Ovadia.

Maoz-Ovadia said there has been huge growth in settlement tourism in the past five years. The 1.5 million annual visitors to the West Bank now encounter 15 new multilingual settlement visitors centers, 20 boutique wineries and some 200 bed-and-breakfasts — in spite of Palestinian pressure on Web hosts such as Airbnb to stop the offerings.

"We need to broaden our audience internationally," said Gedaliah Blum, who runs a marketing website from the Eli settlement.

"China has no anti-Semitism, there are no hang-ups," he said. "They're interested in wines."

After a surge in support from settlers aided Prime Minister Benjamin Netanyahu's 2015 victory, some see no reason to be discreet.

"To be a settler means to vote against the two-state solution. You don't want to be turned out of your home," Eldad, the guidebook author, said as she baked granola at the Tekoa settlement south of Bethlehem, the clang of construction in the air.

Eldad said she hopes tourism will dispel inaccurate media reports in which "the story is always 'Look how the settlers assaulted the poor Arabs.'"

"The situation is not hilltop youth burning a house in Duma," Eldad said, referring to the young Jewish extremists who are the alleged perpetrators of a firebombing in the West Bank village of Duma that killed a Palestinian mother and father and their 18-month-old baby, and severely burned their 5-year-old boy.

"This rarely happens," Eldad said.

"At that same hilltop," where the arsonists came from, "there is a herd of goats that has unbelievable cheese," she said.

Yemen's Warring Sides Signal Optimism For Kuwait Peace Talks

By Mohammed Ghobari

[Reuters](#), April 17, 2016

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

Officials Fear Accused Navy Spy Edward Lin Told China About U.S. Reconnaissance Aircraft

By Rowan Scarborough

[Washington Times](#), April 17, 2016

A Navy officer has spent eight months in the brig as a captive of U.S. counterintelligence agents, but to hear officials tell the spy tale, they know few details about what he provided to China's communist regime or Taiwan's government.

To be sure, Lt. Cmdr. Edward Chieh-Liang Lin knows a lot about the Navy's spying on China. He was a naval flight officer for long-distance patrol aircraft that suck up communications as well as track and take reconnaissance photographs and video of Beijing's aggressive military operations in the South China Sea and elsewhere.

"Someone like Cmdr. Lin would have detailed knowledge of not only the technical capabilities of the aircraft, but how the aircraft is employed to accomplish its mission and what the U.S. knows about the signatures of submarines and ships used by other countries," said Dakota Wood, a former Marine Corps officer and war planner who is now at The Heritage Foundation.

"If such information was passed to such a country like China, it would enable them to alter their methods and equipment in ways to defeat U.S. surveillance techniques and capabilities, thus making their own operations more effective and gaining an advantage in time of war," Mr. Wood said.

Cmdr. Lin, a Taiwan-born naturalized U.S. citizen, quickly rose from enlisted sailor to commissioned officer three years after enlisting. By 2004, he was assigned to patrol aircraft at Fleet Air Reconnaissance Squadron 1 at Whidbey Island, Washington, working aboard EP-3E Aries II aircraft. Its electronics specialize in reaching deep inside a targeted country to intercept what is called signals intelligence — in other words, enemy chatter. The planes also jam air defense radars and can attack submarines.

At the time of his arrest, as he tried to board a flight for mainland China, Cmdr. Lin was assigned to the Special Projects Patrol Squadron at Kaneohe, Hawaii. The unit flies P-3 Orion and the new P-8 Poseidon aircraft. They differ from the EP-3 family in that they specialize in reconnaissance, such as tracking China's militaristic island building and the movements of its fleet above and below the water's surface.

The "special projects" moniker is recognition that the squadron is tasked with delivering intelligence to Washington, all the way up to President Obama. The planes also feed imagery to U.S. Pacific Command, whose main task in the administration's "pivot" to Asia is to keep China from dominating the Asian theater.

But exactly what Cmdr. Lin told his Taiwanese middleman is unclear, according to one U.S. official, who

answered "no" when asked whether the officer is providing details to FBI and Navy investigators. The source said authorities are certain that Cmdr. Lin conveyed information classified as "secret" by way of verbal briefings as opposed to downloaded documents.

"He gave the information to someone in Taiwan," the official said. "Did it make it anywhere? That's what we're in the process of trying to figure out. That's what we're going to have to prove if it goes to trial."

Cmdr. Lin went through a pretrial hearing in Norfolk, Virginia, on April. 8, eight months after he was first secretly incarcerated in the Naval Consolidated Brig in Chesapeake, Virginia.

His fate now rests with a recommendation from a military hearing officer to Adm. Phil Davidson, a career surface ship officer and commander of U.S. Fleet Forces, who will make the final decision.

Secret capabilities

As a 10-year flight officer, Cmdr. Lin knows specifically what the U.S. targets in China and how. He also knows the planes' technology suite, both its capabilities and its limits.

Said Mr. Wood: "Simply put, you don't want a competitor to know what you know about him, and you don't want him to know details about your own capabilities."

A U.S. official told The Washington Times that the military's big worry is that Cmdr. Lin, in a series of debriefings, described what exactly the P-3 and EP-3E can do. How far inside a country can its sensors reach? What communication nodes can it penetrate?

"That [P-3] aircraft has a sophisticated reconnaissance and photographic equipment, and they provide information that goes to the national level to help make decisions and then thereafter to help with operations," the U.S. official said. "Certainly, the missions are sensitive, and he understands the capability of the aircraft and could possibly have shared those with someone else."

Naval Air Systems Command in Patuxent River, Maryland, describes the EP-3E Aries II: "The EP-3 aircraft in the Navy's inventory provide fleet and theater commanders worldwide with near real-time tactical SIGINT [intercepts] and full motion video intelligence. With sensitive receivers and high-gain dish antennas, the EP-3E exploits a wide range of electronic emissions from deep within targeted territory. The crew fuses the collected intelligence along with off-board data and disseminates the collaborated information for direct threat warning, indications and warnings, information dominance, battle space situational awareness, suppression of enemy air defenses, destruction of enemy air-defense, anti-air warfare and anti-submarine warfare applications."

The EP-3 is so intrusive that China's communist government would be motivated to find out all it can about how it hunts submarines and eavesdrops. In April 2001, Beijing's annoyance resulted in a collision between a J-8

intercepting jet fighter and an EP-3E about 100 miles from a Chinese military base. The J-8 crashed into the sea. The Navy crew members managed to steer and land their damaged plane on Hainan Island.

Before Cmdr. Lin's alleged spying, it is the last known time that Chinese officials had some type of access to EP-3E crew members, who had worked furiously to destroy their equipment before being forced off the plane at gunpoint.

"Any of our potential competitors don't like it, whether it's the Chinese or whether it's the Russians," said the U.S. official. "It fills a need and capability for us."

A number of charges

The Heritage Foundation's Mr. Wood said that, as China's military and economic powers grow, Beijing views the South China Sea as its launching point to sea lanes in the Indian Ocean, Persian Gulf and Mediterranean Sea.

The U.S. sees its role as ensuring those international lanes remain open to free commerce.

"China has been aggressive in expanding its naval activities in that area, and P-3s have made it possible for the U.S. to monitor what the Chinese have been doing," said Mr. Wood, a former planner at U.S. Central Command.

The Navy filed a list of charges against Cmdr. Lin. He faces four charges of committing espionage by communicating secret "information relating to national defense to a representative of a foreign government." That representative is said to be a Taiwanese official.

He also stands accused of three charges of providing false statements by lying about his whereabouts while on leave "rather than the actual foreign destination."

The officer faces five charges of communicating defense information to "a person not entitled to receive said information." That person is said to be Taiwanese. Taiwan's government last week denied any knowledge of Cmdr. Lin.

The official charging document does not say exactly what information was compromised. The Navy released no details on the April 8 hearing because the information discussed is classified.

The Navy initially did not release Cmdr. Lin's identity, which was first reported by U.S. Naval Institute News.

Newsweek reported that Cmdr. Lin collected a wide range of endorsers on his LinkedIn page, including people in U.S. intelligence and residents of China and Taiwan.

Cmdr. Lin, 39, immigrated to the U.S. as a teenager. He enlisted in 1999, says a copy of his personnel chronology obtained by The Times.

He underwent nuclear power training in Charleston, South Carolina, then in 2002 enrolled in Officer Candidate School. He gained a commission and then attended naval aviation school. He was instructed at several schools on flight operations before joining the squadron at Whidbey Island in 2004. He worked in the Pentagon on the staff of a Navy

assistant secretary before joining the special projects squadron in Hawaii in February 2014.

Then-Lt. Lin gained some notoriety when he spoke in 2008 at a naturalization ceremony while assigned to the Pacific Fleet in Honolulu.

"I always dreamt about coming to America, the 'promised land,'" he said, according to an official Navy story on his speech. "I grew up believing that all the roads in America lead to Disneyland."

The Candidates Ignore Rising Military Dangers **Obama is weakening U.S. defenses and credibility,** **but there's little debate about the growing risk of war.**

By Mark Helprin

[Wall Street Journal](#), April 17, 2016

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

NATIONAL NEWS

Immigrants, The Poor And Minorities Gain Sharply Under Health Act

By Sabrina Tavernise And Robert Gebeloff

[New York Times](#), April 17, 2016

The first full year of the Affordable Care Act brought historic increases in coverage for low-wage workers and others who have long been left out of the health care system, a New York Times analysis has found. Immigrants of all backgrounds — including more than a million legal residents who are not citizens — had the sharpest rise in coverage rates.

Hispanics, a coveted group of voters this election year, accounted for nearly a third of the increase in adults with insurance. That was the single largest share of any racial or ethnic group, far greater than their 17 percent share of the population. Low-wage workers, who did not have enough clout in the labor market to demand insurance, saw sharp increases. Coverage rates jumped for cooks, dishwashers, waiters, as well as for hairdressers and cashiers. Minorities, who disproportionately worked in low-wage jobs, had large gains.

The health care law was one of the most bitterly contested pieces of legislation in the country's history. It remains controversial because of its costs to both taxpayers and insurance customers. The high premiums and high deductibles of many plans still make coverage a crushing financial burden for some families.

And the law is not close to achieving the goal of universal coverage, in part because 19 states have declined to expand their Medicaid programs for the poor, an option the Supreme Court granted them in a landmark 2012 case. Nevertheless, the Times's analysis shows that by the end of

that first full year, 2014, so many low-income people gained coverage that it halted the decades-long expansion of the gap between the haves and the have-nots in the American health insurance system, a striking change at a time when disparities between rich and poor are growing in many areas.

"The law has clearly reduced broad measures of inequality," said David Cutler, an economics professor at Harvard, who served in the Clinton administration and advised the 2008 Obama campaign on health issues. "These are people who blend into the background of the economy. They are cleaning your hotel room, making your sandwich. The law has helped this population enormously."

Until now, the impact of the law has been measured mostly in broad numbers of newly insured people — about 20 million by the administration's most recent account. But the Times's analysis of census data from 2014, the first year the heart of the law was in full effect, provides a finely detailed look at who the newly insured actually are — by race, education, occupation, immigration status, and family structure.

The analysis shows how the law lifted some of the most vulnerable citizens. Part-time workers gained insurance at a higher rate than full-time workers, and people with high school degrees gained it at double the rate of college graduates. Adults living in households headed by relatives, such as siblings or cousins — often a marker of economic distress — gained insurance at double the rate of those in traditional households.

The law's passage, without a single Republican vote, capped decades of efforts to enact a broader health insurance system. Medicaid and Medicare passed in the 1960s, but did little to help workers who did not receive insurance through their jobs. Presidents Nixon, Carter and Clinton all tried and failed to win approval for expanded coverage, and the number of uninsured Americans grew to nearly a fifth of adults under the age of 65 by 2010, the year the Affordable Care Act passed.

The findings from the census data could inform the national dialogue, especially in this election year. Hispanics are a powerful voting force and the law is viewed favorably in Hispanic neighborhoods. But whether the sharp increase in coverage rates for Hispanics will translate into votes for Democrats who supported the law, or whether some Republicans might temper their vows to repeal it, is not clear. And the fact that so many who benefited under the law were not citizens (or voters) — 1.2 million out of the total 8.7 million who got health insurance in 2014 — could set off a new round of debate in a year when immigration has become a deeply polarizing issue.

About 60 percent of those noncitizens were Hispanic, mostly natives of Mexico and Central America who had been living in the United States for decades. Another third were Asian, mostly newer arrivals living in states like California,

New York and Texas. Illegal immigrants are not eligible for insurance under the law, but legal immigrants who have been in the country for more than five years are.

The vast majority of the country's 11 million illegal immigrants, about 70 percent of whom are Hispanic, still lack coverage, said Mark Hugo Lopez, director of Hispanic research at the Pew Research Center.

Though the law has withstood two Supreme Court rulings that would have undermined its central elements, it continues to face challenges.

It requires most Americans to have health insurance and gives subsidies to those who cannot afford it. Even so, many still cannot afford policies. While it expanded Medicaid to cover more of the country's poor, the Supreme Court allowed states to opt out and 19 have, leaving millions of people still uncovered.

But in low-income neighborhoods like this one in South Los Angeles, a historically poor patch of the city dotted with palm trees, small ranch houses and home to a growing Hispanic population, the law is having a big effect.

"From the vantage point of the poor and working poor, Obamacare has been profound," said Jim Mangia, president of the St. John's Well Child and Family Center, a federally funded health clinic in South Los Angeles that has enrolled 18,000 new patients under the law, nearly all of them Hispanic or black and the vast majority in Medicaid. The clinic reported a 44 percent increase in cervical cancer screenings, a 25 percent increase in tobacco cessation therapy, and a 22 percent increase in the share of patients with controlled hypertension since 2014, the result, he said, of more patients having insurance.

One new patient, Angela Cruz, 60, is a typical example of a winner under the law. A legal immigrant who is not a citizen, she came to this country from El Salvador in 1990. She had never had health insurance in her 25 years of working in the United States, most recently as a nanny. She stitched together medical care through emergency rooms, free clinics and home remedies. When she needed to pay for medicine for a painful bout of kidney stones, she stopped buying meat.

Then she got coverage under the health law's expansion of Medicaid in California.

Now, she said, "I don't have the stress of wondering — can I pay this — when sometimes I didn't have anything to pay it with."

Hispanics remain the least insured Americans, with only 67 percent having coverage in 2014, in part because so many illegal immigrants are uninsured.

Gains for blacks were muted because they disproportionately live in states that chose not to expand Medicaid. About 60 percent of poor blacks live in states that did not expand Medicaid. While the share of poor blacks covered by Medicaid did rise by two percentage points in

those states, the rate rose by six points in states that expanded the program.

In all, minorities gained more than whites, making up two-thirds of the increase in insured adults across the country, and 70 percent of the increase in private insurance. Minority men who work as groundskeepers and janitors saw substantial gains, rising to 59 percent insured, up from 51 percent in 2013. Hispanic male construction workers rose to 43 percent insured, from 36 percent in 2013.

One such worker, Sergio Ortega, 51, a legal immigrant from Mexico who had never been insured before getting covered by Medicaid in 2014, said making a doctor's appointment seemed unthinkable without insurance, so he often simply ignored his health problems.

Several years ago, he started feeling tired, a condition that eventually drove him to quit his job demolishing buildings and start selling fruit from a street cart. By the time he sought treatment through his new coverage and discovered he had diabetes, his lower leg had to be amputated.

"I realized it was getting really bad because my foot started turning purple," said Mr. Ortega, who is a patient at St. John's.

Perhaps the biggest unmet promise of the law is that many it was supposed to help still cannot afford insurance. Alberto Torres, 50, a driver for a garment company in Los Angeles who could not afford insurance before the law, had signed up for a plan in 2014 for \$41 a month. But this year his monthly premium jumped to \$106 — too much, he said, for his meager salary.

"I'm feeling not so good," he said recently, waiting in line for help to look for a less expensive plan.

High deductibles are another big obstacle. "If you are living paycheck to paycheck and have nothing in the bank, insurance with a \$3,000 deductible might feel like no insurance at all," said Larry Levitt, a senior vice president of the Kaiser Family Foundation.

Having insurance does not necessarily mean better health, but experts hope it could start to ease some of the worst disparities that have kept the United States close to the bottom of health rankings of rich countries.

Mr. Ortega has been fitted for a prosthetic leg. He is still learning how to use it.

"Now I don't worry," he said. "It's a security, a comfort that I feel."

Local Zika Outbreaks In United States "Likely": US Official

By Diane Bartz

[Reuters](#), April 17, 2016

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

Expect A US Zika Outbreak This Summer, Says Top Health Official

By Jessica Firger

[Newsweek](#), April 17, 2016

As Zika continues to spread throughout Central and South America, the Caribbean and Pacific Islands, the question on many people's minds is if—and when—the U.S. might also experience an outbreak.

On Sunday, Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Disease, said Americans should prepare for local transmission of the mosquito-borne virus. Fauci and other public health officials from the National Institutes of Health (NIH) suspect dozens of people will be infected. So far, local and state health authorities have only reported travel-related cases of Zika. While the virus spreading on American soil is a scary idea to many, Fauci doesn't believe the outbreak will become widespread.

Fauci's warning comes just a few days after the U.S. Centers for Disease Control and Prevention (CDC) confirmed Zika can cause microcephaly and other birth defects in infants born to women affected by the virus in her first trimester of pregnancy. In Brazil, where the outbreak first began, more than 4,000 infants have been born with serious birth defects. It's also suspected that Zika may cause stillbirths and miscarriages, and some adults have developed Guillain-Barré syndrome and acute disseminated encephalomyelitis, both autoimmune conditions that target the central nervous system.

Fauci's comments also come less than a week after he and Dr. Anne Schuchat, principal deputy director for CDC, held a press conference urging Congress to pass legislation that would set aside approximately \$1.9 billion in emergency funding to combat Zika.

"Everything we look at with this virus seems to be a bit scarier than we initially thought," Schuchat said.

The CDC has issued travel advisories on more than 40 countries and territories where local transmission has been reported; most warn pregnant women and women wishing to conceive to avoid visiting.

Other public health experts have forecasted the virus would migrate to the U.S. at some point as the weather heats up in parts of the country and mosquito season begins. A report, published in PLOS Currents Outbreaks on March 16 by the University Corporation of Atmospheric Research (UCAR), suggested factors such as heat, humidity and heavy rains in the summertime will provide an ideal climate for the *Aedes aegypti* mosquitoes to thrive in the States.

They concluded that cities in southern Florida and Texas are at especially high risk for local transmission of the virus. Additionally, the virus is likely to be seen on the East Coast—as far up as New York—and cities in the southern region. Cities along the eastern seaboard, such as New York

City, Philadelphia and Washington, D.C., will likely be affected, though the threat is much smaller there, the report said.

Fauci: Funding From Congress Crucial To Fight Zika Virus

By Jessie Hellmann

[The Hill](#), April 17, 2016

Dr. Anthony Fauci from the National Institutes of Health on Sunday predicted locally transmitted cases of the Zika virus in the U.S. this summer and urged Congress to authorize more funding to fight it.

"We're very likely — though you can't say definitively — we'll see what we call locally transmitted cases as we get into the robust mosquito season into this summer," Fauci said on CBS's "Face the Nation."

There are already 350 people in the U.S. who've contracted the virus through travel, he said, becoming infected in South America and the Caribbean.

"The critical issue is that, in the past, we have successfully prevented it from becoming sustained and disseminated, and that's what we have to be prepared to do when we do get those locally transmitted cases in the United States," he said.

He said additional funding from Congress would not only be necessary, but crucial to effectively fight the spread of the virus.

"That's the reason why we asked for it, because right now, we're using money from other accounts to do that," he said. "We are going to have to get the money to be able to do the full job that we planned to do."

President Obama recently authorized the transfer of \$510 million in Ebola funds to fight the Zika virus.

"From a public health and a research standpoint, we do really need that resource in order to be able to get the job done," he said.

As Zika Virus Continues To Get Federal Attention, How Does It Affect Florida?

[WUSF-FM Tampa \(FL\)](#), April 17, 2016

The news is constantly changing about the Zika virus. Federal funding and prevention efforts have been a huge part of the discussion this week. And, with Florida leading the nation with close to 90 cases of the mosquito-borne disease, the state's congressional leaders say it's even more crucial that something is done.

Listen to the story!

About two months ago, President Barack Obama asked Congress to set aside \$1.9 billion to help combat the Zika virus. 600 million of unspent Ebola funds will also be used to fight Zika, which he calls a temporary solution. And, recently,

top Congressional Republicans say they're willing to provide more once it's determined what is specifically needed.

But, Dr. Anne Schuchat, the CDC's Deputy Director, says most of what they've learned so far is not reassuring.

"We have learned that the virus is linked to a broader set of complications in pregnancy, not just microcephaly, but also prematurity, but also eye problems and other conditions," she said, at a recent press conference.

And, she says the key is to be ready.

"Everything we look at with this virus seems to be a bit scarier than we initially thought and so, while we absolutely hope, we don't see widespread local transmission in the continental U.S., we need the states to be ready for that," she added.

Through research, U.S. health officials say there's no longer any doubt the Zika virus causes severe birth defects. Despite a surge of Brazilian babies born with a rare birth defect during an outbreak there, experts had been waiting on more definitive results.

Florida State University researchers had partnered with John Hopkins University to identify such a link. FSU Biology professor Hengli Tang led the team.

"It's very exciting, very exciting," he said, featured in an FSU video. "It's one of those things that makes you want to get to the lab as early as we can. I have students who didn't sleep, trying to go through these things. It's really exciting because you are literally the first people in the world to know this."

And, FSU was recently recognized for its efforts by North Florida Democratic Congresswoman Gwen Graham on the House floor. She also urged Congress to fully fund similar research and prevention efforts.

"I rise to recognize Florida State University for the important research they're conducting into the deadly Zika virus," she said, at the time. "As you know, Zika has wreaked havoc across South America and it poses a great threat to my country, especially to my home state of Florida. And, as Summer approaches, the situation will likely worsen. We can't wait any longer."

Florida Republican Senator Marco Rubio agrees, especially he says with the Summer Olympics right around the corner.

"We have a lot of travelers,". We are literally and figuratively the gateway to Latin America and to many of these countries. As we prepare for the Olympics, for example, this Summer, the number of people coming in and out of our airports and seaports is going to incrementally increase. And, as you've seen, most of the Zika cases have been those that we have here in Florida have been those that have transmitted elsewhere and have been imported into the United States. And, so, we want to ensure that the Government is doing what it needs to do."

There's already close to 90 Zika cases in Florida—which leads the nation in the number of cases. Miami-Dade leads the 16 counties currently reporting Zika cases with 36.

And, Rubio, who's from that area, says he agrees with Obama's \$1.9 billion request, but he wants to ensure that money is only used to combat the mosquito-borne disease.

"As we've seen often times in the past, like when after Hurricane Sandy, you all of a sudden find that areas around the country that had nothing to do with Hurricane Sandy were receiving part of that money because they had a politically powerful Senator or Congressman that were able to get their hands on some of that money," he added. "If we're going to spend \$1.9 billion addressing the issue of Zika, it should be spent on addressing the issue of Zika."

He also stressed the importance of people taking their own steps to combat the Zika virus, like using mosquito repellent. And, Florida's Democratic Senator Bill Nelson has made similar remarks.

"If you are pregnant, don't go anywhere exposing the skin to a mosquito bite particularly in those regions with that variety of mosquito that carries the Zika virus," said Nelson, on the Senate floor.

He also had a hand in legislation that's now on its way to President Obama.

"And, what that bill does is give a financial incentive to the drug companies by adding Zika as a virus to the list of tropical diseases where the drug companies have a financial incentive to go on and to find a cure or a vaccine," he added.

But, while a White House spokesman called the bill a positive step, Josh Earnest says the focus should really be on Obama's funding request.

"In some ways it's akin to passing out umbrellas in the advance of a potential hurricane, so an umbrella might come in handy, but it's going to be insufficient to ensure that communities all across the country are protected from a potentially significant impact," he said. "That's what we're focused on. The bill that Congress passed doesn't include any funding."

Meanwhile, U.S. Health officials say they're continuing their research into vaccines. They're expecting to have their first candidate for the Phase I trial in September.

For more news updates, follow Sascha Cordner on Twitter: @SaschaCordner.

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Health Official: Zika Not Worry Now For Pregnant Women In US

[Associated Press](#), April 17, 2016

WASHINGTON (AP) – A top public health official says there's been no local transmission of the Zika virus in the

United States, so any talk about women in the country delaying pregnancy “is not even an issue for discussion at this point.”

Dr. Anthony Fauci of the National Institutes of Health also says it’s “very likely” the U.S. could see “local transmitted cases as we get into the robust mosquito season” this summer.

He says if there’s a “local outbreak,” it’s up to health officials to work to contain it.

For now, he says, women in the U.S. who are getting pregnant “should not be worried about anything regarding pregnancy” – but steer clear of countries where there are outbreaks.

Fauci appeared on CBS’ “Face the Nation” and “Fox News Sunday.”

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Caution Called For To Prevent Sexual Transmission Of Zika Virus

By Manoj Jain

[Memphis \(TN\) Commercial Appeal](#), April 17, 2016

Some years ago, when a biologist studying mosquito-borne viral illnesses returned from abroad to his home in Colorado, he became ill with fever, rash, joint pain and body ache. Soon his wife, too, became ill with similar symptoms. The children remained healthy.

The couple tested negative for malaria and other tropical diseases, and within a week their symptoms resolved. Only when their blood was tested for Zika did they learn they both were positive for the virus.

Yet only the biologist had traveled overseas and likely acquired the infection through a mosquito bite. Researchers wondered how his wife got the Zika infection. Upon questioning, the couple confirmed that they had sexual intercourse a few days after his travel, and scientists believe this was one of the first confirmed cases of Zika virus being spread through sexual transmission.

This story highlights a major shift in the thinking about the Zika virus. While we are well aware of the transmission of Zika through mosquitoes, we now need to know that Zika can be transmitted through sexual contact from men to their partners. In short, Zika virus is a sexually transmitted disease.

Last week, the Centers for Disease Control and Prevention (CDC) confirmed what had been feared — that the Zika virus is a cause of microcephaly and other severe fetal brain disorders. This has put many young couples living

in Zika-affected areas, such as Puerto Rico and Brazil, as well as those traveling to these areas, in a quandary about planning a pregnancy.

The question I am most often asked by young couples who fear the complications of microcephaly (small heads and brains) in their newborns is, “How long should one wait before having unprotected sex with a partner who is returning from a Zika-affected area?”

The CDC recommends that if a man lives in a Zika-affected area or is traveling from this area and has possible symptoms of the virus such as fever and rash, then he should abstain from sexual contact for at least 6 months or use a condom. Why? Because while the symptoms of fever and rash resolve in a week, the Zika virus is present in the semen for months from men who have had a symptomatic Zika infection.

What if the male partner did not have any symptoms? Studies show that four out of five people with a Zika infection do not show any symptoms of the virus. At present it is unknown whether asymptomatic men can transmit the virus to their sexual partners. So the CDC recommends that if a man lives in or has traveled in a Zika-affected area and does not show any symptoms of infection, he should still abstain from sex or use condoms for two months after returning from travel in order to prevent any risk of transmission.

Women in these areas need to be extra vigilant about using insect repellent. According to the CDC, women may safely use Deet, a strong repellent, during pregnancy, saying that the risk of Zika is far worse than that posed by repellents.

All this highlights another major point: We still know little about the Zika virus and its complications, and the CDC’s recommendations are evolving every few months.

We do know that the virus is spreading to more and more areas. Presently, there are 43 countries and territories, mostly in South American and Central America. Experts say it is inevitable that the virus will spread to the Southern United States, perhaps as soon as this summer. Already, it is found in northern Mexico and Puerto Rico.

One of the greatest public health challenges will be to halt the further spread. For this the CDC requires more funding, which Congress has not released. President Barack Obama had requested \$1.8 billion in February. Part of that is coming from money leftover from the Ebola virus scare.

The balance — roughly \$1.3 billion — is a small price compared to that of treating the complications of the Zika virus. If successful, we will have alleviated fear and anxiety among millions of young couples in the Southern United States who wish to have a healthy baby.

Dr. Manoj Jain is an infectious disease physician in Memphis.

ZIKApocalypse Now?

By Laura Peters

[USA Today](#), April 14, 2016

CDC director Thomas Frieden said in a USA Today report published on Wednesday, "Never before in history has there been a situation where a bite from a mosquito could result in a devastating malformation" in a fetus.

Of the hundreds of Zika cases already discovered in the United States including seven in the state of Virginia, none in the contiguous states has been caused by a local mosquito bite. But is it only a matter of time?

Although humankind's numerous battles against nature have existed since the dawn of history, the war on mosquitoes was declared in Virginia less than 70 years ago.

It's 1947. In the post-war boom just beginning, the Virginia Mosquito Control Association is formed to "advance the cause of responsible mosquito control" and protect the advancing American suburbs and its residents from nature's tiny flying wrath.

That same year and almost 7,500 miles away from Virginia, scientists in Uganda testing monkeys for yellow fever discover a new micro-organism. It's named after the forest in which it's discovered—Zika.

"The health department here is certainly focused on Zika as we start getting into the mosquito season"

Jonathan Falk, district epidemiologist for the Central Shenandoah Health District of the Virginia Department of Health (VDH)

Ironically, although the forest was full of the family of mosquitoes that can carry the virus, the Aedes mosquitoes in Zika were not known to bite humans. It wasn't until 1952 that the first Zika infection in a person was diagnosed, and since then the spread of the virus has been a low-profile trip across multiple continents.

Until recently.

With locally-transmitted cases of the virus in Mexico and Brazil being tied to devastating birth defects, many Americans are asking if an outbreak could reach pandemic proportions in the United States.

HOW IT COULD HAPPEN

Of the four dozen types of mosquitoes that live in Virginia, two of them – Aedes aegypti (the yellow fever mosquito) and Aedes albopictus (the Asian tiger mosquito) – can carry and transmit the Zika virus.

And they do bite people.

In fact, the domestic version of aegypti and albopictus prefer the company of people so much that they are rarely found more than 100 yards away from human habitation.

This is both their weakness and what makes them so dangerous.

Take this scenario ...

Imagine a Memorial Day backyard barbecue in a neighborhood near you. A few families get together. Children run around the freshly mowed backyard as the adults chat about their summer plans.

Some are preparing for trips; one parent has just come back from some volunteer work with their church in Honduras. The obligatory jokes are made about his tan, and he responds with a quick comment about his friend's over-watered potted plants on the patio.

As they walk around the patio discussing where the plants eventually will be put in the yard, a smaller-than-average mosquito with tiger stripes lands on the visitor's tanned neck and bites him. It takes with it a hardly noticeable amount of blood – and with it a helping of Zika virus particles, themselves less than a 1/100 the size of a red blood cell.

The guest, who shows no symptoms of any virus or disease, is like 80 percent of people infected with Zika. He does not even know he has contracted it, and a week later the virus will be entirely out of his bloodstream, like it never happened.

"Infections can be prevented by avoiding mosquito bites."

Virginia Department of Health

The party is deemed a great success and the new week begins.

The mosquito who landed on the guest's neck was born in the stagnant water of the runoff basin of a potted plant. It is an adult female Aedes albopictus, or Asian tiger mosquito, and in the few weeks it lives, it bites two of the children of the host family, and one of their friends. They are all infected with the virus. Over the course of the next few weeks two of them will show no symptoms.

One of them develops conjunctivitis or pink-eye. As a precaution the child is sent home, where he recovers with rest.

Pink-eye is common among elementary school children. The doctor's main concern is isolating the child so he does not infect other children. Because she knows the patient's family and knows nobody in the family has traveled outside the country, she does not think the conjunctivitis could be due to Zika.

The other children who show no symptoms are bitten by mosquitoes in their own yards in the following days, and those mosquitoes become carriers of Zika.

After the virus penetrates the salivary glands of one of those mosquitoes, it lands on the arm of a friend of the child's mother and bites her. The woman kills the mosquito with a sharp slap, seemingly before it draws any blood. But the mosquito has already sawed its proboscis under the skin of the woman, injecting its infected saliva.

The woman jokes to her friend as she leaves that her reflexes aren't as quick as they used to be now that she's pregnant.

This is how it starts.

LOTS OF WARNING, LITTLE ACTION

There is no vaccination against Zika.

There is no simple or widely available test to positively diagnose Zika — a blood sample from the first week of infection must be sent to a lab for molecular testing to get a definitive diagnosis. There is no treatment for patients once they acquire Zika.

Most infected with the virus show no symptoms.

One in five may develop a rash, joint pain, conjunctivitis or fever. Doctors recommend rest and plenty of fluids. Generally after seven days the virus is gone from the patient's system.

More serious and long-lasting effects have been tied to Zika.

On April 13 the Centers for Disease Control and Prevention (CDC) announced that it now considered Zika to be definitely linked to cases of birth defects including microcephaly, where babies suffer from incomplete brain development and are born with abnormally small heads. Other defects in vision and hearing could be linked to the virus.

Zika, a virus transmitted through mosquito bites, is affecting multiple countries in Latin America, and is expected to spread to the U.S.

Zika is also tied to a Guillain-Barré syndrome, which can result in paralysis as the body's immune system attacks its own nerve cells, leaving patients unable to walk. In some cases patients must be put on respiratory ventilators, and while most patients make a full or partial recovery, one in five will lose the ability to walk for six months or more.

CDC director Thomas Frieden said in a USA Today report published on Wednesday, "Never before in history has there been a situation where a bite from a mosquito could result in a devastating malformation" in a fetus.

As of March 24, the Virginia Department of Health (VDH) has identified seven cases of Zika virus disease in Virginia residents — two in Northwest Region, two in Northern Region, one in Eastern Region, one in Central Region and one in Southwest Region, according to its website.

With mosquito season starting in May, local mosquitoes have the potential to become infected with the virus by biting an infected person who has returned from areas with Zika activity, the VDH said.

More than 200,000 Americans may attend the Olympic games this summer in Rio de Janeiro, raising the possibility of just such an event occurring throughout the United States, without the infected person ever knowing their role in transmitting the disease to others in their home town.

Yet while the CDC recommends local government at the county level following their guidelines for what they call an Integrated Vector Management strategy —which includes proactive treatment of mosquito larvae and aggressive treatment of adult mosquitoes — there is no such strategy

being followed in practically any county in Virginia, according to CDC.

Some forces are being mobilized at the state agency-level.

How is the Zika virus spread?

The Zika virus is spread through the bite of an infected *Aedes aegypti* mosquito. These mosquitoes bite mostly in the daytime and on the arms and legs. It thrives in the hot weather and is found through much of the world including the southern United States.

It's related to other mosquito-borne illnesses including Dengue and Chikungunya

Where has Zika been found?

Zika was first identified in Uganda in 1947.

Before the outbreak at the end of 2015, most cases have occurred in Africa, Southeast Asia and the Pacific Islands. International travel likely spread the disease further. As of Feb. 3, the Centers for Disease Control and Prevention had recorded cases in Africa, Southeast Asia, South America, Central America, the Caribbean and Mexico. In the United States, there are about 50 confirmed cases in at least 13 states and the District of Columbia.

Zika virus will continue to spread and it will be difficult to determine how the virus will spread over time, according to the CDC.

What are the symptoms?

The most common symptoms of Zika are fever, rash, joint and conjunctivitis or red eyes. Symptoms usually last for up to a week. People typically do not need hospitalization and rarely die from complications of the virus.

Who experiences symptoms?

Many people may not realize they have been infected. Only about 1 in 5 people infected with Zika will get sick.

Can it be spread person-to-person?

It cannot be spread through breast milk, coughing, sneezing or kissing. However, women infected during pregnancy can pass the virus to the baby.

There have been reports of the virus spreading through blood transfusion and sex as well, though only from males to females.

How does Zika impact pregnant women?

There have been reports in Brazil of microcephaly, a condition where babies are born with smaller heads and incomplete brain development, and other poor pregnancy outcomes in babies of mothers who were infected with Zika virus while pregnant.

However, there have been no specific studies or research on the link.

Can you prevent the Zika virus?

There is no vaccine to prevent the Zika virus and no specific treatment. However, medicines such as Tylenol reduce fever and pain, and rest and drinking plenty of fluids can help alleviate symptoms.

Use standard mosquito prevention if you are traveling to the affected areas. Cover skin by wearing long-sleeved shirts and long pants. Use insect repellents that contain DEET and insecticide-treated nets.

Are there special precautions for pregnant women?

Pregnant women in any trimester should consider postponing travel to the areas where Zika virus transmission is ongoing.

Pregnant women or women trying to become pregnant who do travel to one of these areas should talk to their doctor or other healthcare provider first and strictly follow steps to avoid mosquito bites during the trip.

Brazil, Colombia, El Salvador and Jamaica have urged women to postpone pregnancy.

Are there any travel bans?

The Centers for Disease Control and Prevention has an ever-expanding advisory urging U.S. women who are pregnant from traveling to those 24 countries and territories in the Caribbean and Central and South America that have local transmission.

Will the virus spread rapidly in the U.S.?

The World Health Organization's director-general had warned that the disease's spread is "explosive," but experts are divided about what lies ahead for the United States.

Top officials from the National Institute of Allergy and Infectious Diseases say it is unlikely there will be a major outbreak of Zika in the U.S.

THE TASK FORCE

In late February, Gov. Terry McAuliffe announced the formation of the Virginia Zika Task Force.

Led by the Virginia Department of Health, the group will be responsible for coordinating with Virginia localities on mosquito surveillance and control programs prior to the start of mosquito season on May 1, a release said.

"Prevention and mitigation are our best strategies for keeping Virginians healthy," said McAuliffe in the release. "The Virginia Department of Health's mission to prevent the spread of infectious diseases makes it well-suited to lead this multi-agency task force. The collaboration of agencies statewide will be invaluable as we prepare for the coming mosquito season."

Whether that invaluable collaboration translates into action this spring and summer is as unclear as the stagnant water that may be breeding our worst nightmares in our own backyards.

"Zika Task Force is more of a collaboration of state agencies," said Jonathan Falk, district epidemiologist for the Central Shenandoah Health District of the Virginia Department of Health. "As the task force continues to refine its plans that information will get passed down to a local level. A lot of our response is driven by VDH at the state level."

"The health department here is certainly focused on Zika as we start getting into the mosquito season," Falk said.

"It's something that's on our radar and we're concerned about it."

According to Falk, the local health department is mostly concerned about local transmissions from those who have come back from Zika territories and then mosquitoes feeding on them.

"We've been working with health care systems and OBGYN providers to test pregnant woman who have had a travel history to Zika places," Falk said all of the tests statewide so far have been negative for local transmission.

There is a high concern Virginia and the Valley will be seeing the Zika virus transmitted locally, Falk said.

But how to protect oneself and one's family against this threat?

"Infections can be prevented by avoiding mosquito bites," the VDH said.

It is understandable that this expert advice is not comforting.

Other VDH advice includes wearing long-sleeved shirts, long pants and socks, and wearing permethrin-treated clothing "especially during the daytime when mosquitoes are active."

Before you start soaking your favorite clothes in insect repellent, there are other steps that can be taken. And you can start by simply looking out your window.

GETTING THEM WHERE THEY (AND WE) LIVE

Let's go back to the Memorial Day barbecue and imagine a slightly different scene.

Our homeowner couple, well aware of the onset of mosquito season, has been vigilant. They know a little bit about the mosquitoes that could endanger the health of their community.

"These two mosquito species are different from most other mosquito species in Virginia because they fly and bite during daylight hours and will enter homes through any open door or window and bite indoors," the VDH website notes. "These two species are also different from other species because they lay their eggs exclusively in containers of water and they do not lay their eggs in ground bodies of water such as puddles, flooded ditches, ponds or streams."

As April's flowering color transitions into May's greening and the trees' new leaves create a collage of shade and sunlight in the backyard, the couple constantly work to eliminate standing water from all containers in the yard — bird baths, flower pots, buckets, even plastic containers in their recycling bin. Those are the settings where the Asian tiger and yellow fever mosquitoes prefer to breed.

They empty and refill the bird bath regularly so not even clear water is left standing long enough for mosquito larvae to develop. They accidentally knock over the neighbor's unchecked water dish left out for the feral cats in the neighborhood, and refill it with clean clear water. They borrow

that same neighbor's ladder to check for clogged gutters on their roof that could harbor stagnant water.

This does not clear the backyard entirely of mosquitoes, but there are far fewer in the vicinity of the patio on Memorial Day weekend.

"Generally speaking, there is a plan in place for everything, including infectious diseases."

Lisa Schwenk, August Health spokeswoman

Finally, at the party they offer guests a choice of EPA-registered insect repellent. A few of their friends are not in favor of smearing their arms and necks and faces with a product containing DEET, so they have a few alternatives available that are also EPA-registered.

In all the preparation, the couple have forgotten to adequately water their potted plants. So their guest is still able to leave them with a joke about their gardening skills. It's what he does not leave at the household that is far more important — a mosquito with the Zika virus in its system.

Up until now, local Brown Exterminating Company Area Manager Bryan Knox says he's hearing little concern over the virus.

"But the season is young," he said. "When we treat mosquitoes, we start by inspecting the property for potential harborage such as low lying wet areas or stagnant water. These issues must be addressed in order to be effective."

He said with exterminating for customers, the first step is to identify the breeding ground.

"Once breeding grounds are identified a treatment plan is developed," he said. "This typically includes treating shrubberies, tall grasses, bushes and the lower portion of trees as mosquitoes rest in these areas during mid-day as they are shady and cool."

Handling an outbreak

If there were an outbreak in the Staunton, Augusta County or Waynesboro areas, hospital plans are already in place for managing the incoming patients, according to Lisa Schwenk, Augusta Health spokeswoman.

"Generally speaking, there is a plan in place for everything, including infectious diseases," she said. "We have an inter-disciplinary team from all around the hospital who are part of the Emergency Preparedness Team. Our plan, is however, part of a larger regional plan, which would be part of a state plan, which is part of a federal plan. Basically, everyone pays their own costs, unless it becomes something you can submit for state or federal funds for."

It's not always up to the hospital to come to the rescue, Schwenk said.

"If the outbreak were impacting the region we would be planning our own internal handling of patients in our facility, but Central Shenandoah Health District/Virginia Department of Health would be coordinating the medical response across facilities," she said. "Other emergency management agencies might also be involved."

CONTROL AND PREVENT

The VDH said people need to be aware of control and prevention measures like:

- Thorough inspection of residential and commercial properties to find and eliminate, dump or treat the containers of water that these mosquito species lay their eggs in.

- Effective treatment of a neighborhood often requires a property to property effort.

- Spraying of aerosol fogs into the foliage of shrubs, hedges, ivy and other vegetation or structures where these mosquitoes sit.

- Spraying of residual insecticide barriers on the foliage of shrubs, hedges, ivy and other low vegetation or walls on properties where these mosquitoes are abundant.

- Maintaining screens on all home/building windows and doors to prevent the entry of these mosquitoes into the home.

The CDC suggests having your own kit, which would include

- a bed net,
- insect repellent,
- permethrin spray,
- standing water treatment tabs,
- a thermometer and
- condoms.

The CDC notes that the Zika virus can be transmitted sexually from men to women, and that the virus may be passed on sexually months after it has been eliminated from the affected person's bloodstream.

Pregnant? EPA-registered repellents are safe for pregnant women when used as directed. Pregnant women may also want to consider an insecticide-treated mosquito net for daytime naps, when the Aedes mosquitoes are most active.

Follow Laura Peters @peterslaura and @peterpants. You can reach her at lpeters@newsleader.com or 213-9125.

Democratic AGs, Climate Change Groups Colluded On Prosecuting Dissenters, Emails Show

By Valerie Richardson

[Washington Times](#), April 17, 2016

In the hours before they took the stage for their March 29 press conference, Democratic attorneys general received a secret briefing from two top environmentalists on pursuing climate change dissenters.

Peter Frumhoff of the Union of Concerned Scientists and the Climate Accountability Institute's Matt Pawa spent 45 minutes each providing talking points behind the scenes on "the imperative of taking action now" and "climate change litigation," according to a cache of emails released over the weekend by the free market Energy & Environmental Legal Institute.

For climate change groups, the New York press event was the culmination of four years of planning and advocacy in support of an explosive proposition: using the legal system to link fossil fuel firms and others challenging the catastrophic global warming consensus to fraud and even racketeering, the emails and other documents show.

The effort paid off. At the press conference, which included former Vice President Al Gore, a coalition of 16 Democratic attorneys general and one independent — Virgin Islands Attorney General Claude E. Walker — announced that they would use the power of state government to explore legal avenues to challenge climate change dissent.

Four of the attorneys general have reportedly launched investigations into Exxon Mobil Corp., and Mr. Walker has issued a subpoena for 10 years worth of climate change documents and communications from the Competitive Enterprise Institute, a free market think tank.

Mr. Walker also issued a subpoena last month to Exxon Mobil, citing the territory's laws against racketeering. The company filed a motion Wednesday to block the subpoena in Texas state court.

David Schnare, legal counsel for E&E, called on the coalition, operating under the name AGs United for Clean Power, to reveal its relationship with the climate change movement.

"We call on these AGs to immediately halt their investigation and lay out for the public the full extent of this collusion, producing all records or information provided them in briefings or other work with the outside activists, including those they are trying to keep secret through a Common Interest Agreement," Mr. Schnare said in a Friday statement.

He highlighted a March 30 email from Mr. Pawa telling two members of New York Attorney General Eric Schneiderman's staff about a call from a Wall Street Journal reporter about his attendance at the press conference.

Mr. Pawa asked, "What should I say if she asks if I attended? No comment?"

Lemuel Srolovic, environmental protection bureau chief for the New York attorney general, advised Mr. Pawa to say nothing about his participation.

"My ask is if you speak to the reporter, to not confirm that you attended or otherwise discuss the event," Mr. Srolovic says in the email.

Mr. Pawa said in a Sunday email to The Washington Times that it is "inaccurate in attributing to me the idea that lawsuits should be used to achieve political outcomes."

"I have always been consistent in my position that lawsuits should be brought to remedy legal wrongs," Mr. Pawa said in an email.

The New York attorney general's office told Reuters that it routinely seeks input from outside organizations but pursues cases based only on the merits.

The push for legal action against climate change dissent dates back to June 2012 when climate groups held a workshop, Establishing Accountability for Climate Change Damages: Lessons from Tobacco Control, at the Scripps Institution of Oceanography in La Jolla, California.

Last year, a coalition of environmentalists and lawmakers led by Sen. Sheldon Whitehouse, Rhode Island Democrat, petitioned the Justice Department to file a racketeering lawsuit against "corporations and other organizations that have knowingly deceived the American people about the risks of climate change."

The collection of emails sheds new light on the close working relationship between the climate change movement and Democratic lawmakers.

The emails were obtained under the Vermont Public Records Law. Vermont Attorney General William Sorrell's office helped Mr. Schneiderman's staff organize the event.

In a March 30 email, Vermont Assistant Attorney General Scott Kline recommended changing the name of the Exxon/Fossil Fuel Company Investigations working group by removing the word "investigations."

"Not all of the states have yet opened a formal investigation and there is some sensitivity here (and I suspect in some other states) to saying or indicating we have," Mr. Kline said in an email to Mr. Srolovic.

He also recommended removing the word "progressive" from the "Climate Coalition of Attorneys General Pledge," which originally stated, "We pledge to work together to fully enforce the State and federal laws that require progressive action on climate change and that prohibit false and misleading statements to the public, consumers and investors regarding climate change."

Elsewhere, Mr. Kline objects to an effort by Mr. Schneiderman's office to enter into a common interest agreement that would enable the coalition's communications, including those with outside groups, to be protected by the privilege and thus exempt from public disclosure laws.

"Our thought has been that anyone providing anything in writing at the conference should assume that it may get produced because of some state's public records laws," Mr. Kline says in a March 28 email. "Matt and Peter should stick to what is in the public domain or be prepared to have those materials become public."

Mr. Schnare said the emails "show Schneiderman's office suggested their outside-activist green allies deceive the press; meanwhile, AGs in his coalition have subpoenaed at least one policy group's correspondence with the media." His reference was to the Competitive Enterprise Institute.

Joining Mr. Schneiderman, Mr. Sorrell and Mr. Walker at the press conference were Attorneys General George Jepsen of Connecticut, Brian E. Frosh of Maryland, Maura Healey of Massachusetts and Mark Herring of Virginia.

"As we all know, global warming, if not reversed, will be catastrophic for our planet," said Mr. Sorrell. "We, the states, have a role to play in this endeavor and intend to do our part."

Several Republican attorneys general have called the coalition's effort an attack on free speech.

"This scientific and political debate is healthy, and it should be encouraged," said a March 30 joint statement by Attorneys General Scott Pruitt of Oklahoma and Luther Strange of Alabama.

"It should not be silenced with threats of criminal prosecution by those who believe that their position is the only correct one and that all dissenting voices must therefore be intimidated and coerced into silence," they said. "It is inappropriate for State Attorneys General to use the power of their office to attempt to silence core political speech on one of the major policy debates of our time."

Both have joined a lawsuit filed by 26 attorneys general challenging the EPA's Clean Power Plan, which requires strict emissions reductions in the name of combating climate change.

Paul Ryan Caught In Middle Of Budget War Over Flint, Puerto Rico, Zika Crises

By Tom Howell

[Washington Times](#), April 17, 2016

From the Zika virus to the contaminated water crisis in Flint to trying to rescue Puerto Rico from its debt crisis, Congress is once again faced with a series of thorny questions over just how much taxpayers will be asked to shell out.

Democrats insist that more money is the answer and say Capitol Hill should approve emergency financing to avert the crises. But conservatives say plenty of money is already available and all sides need to spend it better to combat inevitable problems.

Less than four months into the year, fiscal fights have stalled a bipartisan energy bill in the Senate, forced the White House to shift funds away from the Ebola fight and left Puerto Rico struggling to stay afloat in a sea of red ink.

Trapped in the middle is House Speaker Paul D. Ryan, Wisconsin Republican, who is trying to wrangle his own caucus while holding the line on Democrats' requests for billions of dollars in supplemental funding.

The fights over spending forced him to miss the April 15 deadline set in law for approving a new budget, as he tried to quell a conservative rebellion over the funding levels agreed to last year.

"We're still having conversations with our members, and we do want to pass a budget resolution," Mr. Ryan insisted Thursday — though he acknowledged that the impetus for getting that accomplished has diminished.

But Rep. Dave Brat, Virginia Republican, said Congress can't begin to entertain Democrats' supplemental spending requests for Zika or Flint until lawmakers settle on a top spending number.

"Supplemental means 'on top of.' On top of what?" Mr. Brat said.

Democrats say the situation is already urgent — particularly in the case of Zika, which has been directly linked to birth defects.

"The Republicans' appalling fecklessness in the face of a frightening public health emergency is beyond dangerous," House Minority Leader Nancy Pelosi, California Democrat, said Thursday. "It could have devastating consequences for thousands of America's children and families."

Conservative activists say any new funding must be offset by cuts elsewhere.

"The federal government is already spending too much money," said Dan Holler, spokesman for Heritage Action, a conservative group. "If pressing needs arise, lawmakers should reprioritize current spending to meet those needs. So far, so good."

Mr. Ryan has pushed off those fights, saying lawmakers can't deal with them later this year as the spending committees write the dozen bills to fund basic government operations for 2017.

It is not unusual for Congress to face sudden or unanticipated costs. Mr. Ryan's predecessor, John A. Boehner, faced withering criticism in January 2013 from Democrats and Northeast Republicans for not fast-tracking \$60 billion in relief for Superstorm Sandy.

Congress has tried to budget for disasters since then but still struggles, said Marc Goldwein, senior vice president at the Committee for a Responsible Federal Budget.

"Just because we don't know when they will happen or what they will look like doesn't mean we don't know they will happen," he said. "We should do more to prepare on the front end, and if not at least be willing to pay for them over time."

This year's fight centers on multiple crises, forcing Republican leaders to justify their response to each one.

Mr. Obama has asked Congress for \$1.9 billion to combat the Zika virus, and Democrats tried to attach the money to a veterans spending bill last week. Republicans shot it down.

Mr. Obama's request "covers practically anything that a bureaucrat wants it to cover. We need detailed information," said Appropriations Committee Chairman Harold Rogers, Kentucky Republican.

White House press secretary Josh Earnest said the administration has provided those details and that Republicans will clamor for forgiveness when Zika dominates the headlines this summer.

"I don't know what Republicans are going to say that they did to prepare for it," he said.

A fight over \$300 million in aid to Flint, Michigan, helped derail an energy bill this year. Democrats insisted on sending federal money to Flint to help clean up after lead leached into the city's water supply, endangering children's health.

Sens. Debbie Stabenow and Gary Peters, Michigan Democrats, lifted their hold on the energy bill Thursday, allowing it to proceed without the Flint package.

Democrats also tried to add \$600 million in drug-fighting money to a bill aimed at stopping the opioids epidemic. They won support of a handful of Senate Republicans but were derailed by the others, who said enough money already is available.

Mr. Ryan's task of managing got harder last week when his party's right flank balked at a Republican-authored bill to keep Puerto Rico from drowning in its bond debt.

Opponents of the bill said it rewrote lending rules, even though "progressive socialist" policies led to the island's predicament, meaning taxpayers would likely be forced to bail out Puerto Rico down the road.

Mr. Ryan rejected that view Thursday, saying the bill imposes an oversight board to avoid an expensive rescue mission later on.

"There will be no taxpayer bailout," he said at his weekly press conference.

Jack Lew Nears Decision To Keep Hamilton On Front Of \$10 Bill, Put A Woman On The \$20

[CNN Money](#), April 16, 2016

Lew announced last summer that he was considering redesigning the \$10 bill to include the portrait of a woman. The decision to make the historic change at the expense of Hamilton drew angry rebukes from fans of the former Treasury Secretary. The pro-Hamilton movement gained steam after the smash success of the hip-hop Broadway musical about his life this year.

Those pressures led Lew to determine that Hamilton should remain on the front of the bill. Instead, a mural-style depiction of the women's suffrage movement – including images of leaders such as Susan B. Anthony – will be featured on the back of the bill.

A Treasury spokesman declined to comment on the pending changes. But Lew hinted that a decision could come this week.

"When we started this conversation not quite a year ago, it wasn't clear to me that millions of Americans were going to weigh in with their ideas," he told CNBC. "We're not just talking about one bill. We're talking about the \$5, the \$10, and the \$20. We're not just talking about one picture on one bill. We're talking about using the front and the back of the bill to tell an exciting set of stories."

Related: 'Hamilton' creator lobbies Treasury on the \$10 bill redesign

Along those lines, Lew also plans to announce this week that Andrew Jackson – a less beloved former president whose face graces the front of the \$20 bill – will be removed in favor of a female representing the struggle for racial equality, according to the government source.

That decision would place a female on one of the most widely circulated bills in the world. But the historic change placing a female on the front of the \$20 note won't come for more than a decade, the source said, since the process for changing the design of that note is still in the early stages.

"The soonest that a new \$20 note will be issued is 2030," the source said, citing a lengthy process convened by the Advanced Counterfeit Deterrence steering committee, which includes representatives from the U.S. Secret Service, the Treasury, and the Federal Reserve.

That process isn't likely to be sped up by the Federal Reserve, which issues the currency, given the work that goes into designing secure technology to thwart counterfeiters.

"The blue security ribbon on the \$100 note took over 15 years to develop," the source said. "This level of technology is why our counterfeiting remains at less than .01% of currency in circulation. We should not expedite the issuance of any currency for political purposes."

Future Treasury Secretaries – of which there will be several – could reverse or alter the decision regarding the \$20, making Lew's announcement far less of a clear-cut victory for the movement pushing to place a woman on American currency.

Related: Where is that \$10 bill with a woman on it?

The \$5 bill will retain Abraham Lincoln on the front, with plans to change the back to include a mural of prominent activities that have taken place at the Lincoln Memorial in Washington.

The idea of including women in a mural on the back of a bill has been called into question.

"It will take a microscope to see who those individuals are, and we'll be left with another decade or more of woefully inadequate representation of women and their worth," wrote the group Women on 20s in an open letter to Lew, published by Time.

"Nobody looks at the back of the bill, and that's not likely to change," the group wrote. "A vignette without a woman's portrait on the front of the bill (even if she must share with Hamilton) will be seen as a token gesture and an affront to Americans of all ages who are expecting you to reveal your choice of a singular woman based on their input. As a friend of ours put it, relegating women to the back of the bill is akin to sending them to the back of the bus. The Rosa Parks analogies are inevitable."

CNNMoney (New York)

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Girl Who Asked Obama To Put Women On Banknotes Opposes Delay

[Bloomberg Politics](#), April 17, 2016

When a 9-year-old girl named Sofia wrote to President Barack Obama in 2014 to ask him why U.S. money didn't feature women's faces, her innocent question and penciled list of worthy candidates helped galvanize the administration's commitment to making it happen as soon as possible.

Now, Sofia, who turns 11 this week, is adding her voice to an outcry from women's groups about an apparent change of heart by Treasury Secretary Jacob J. Lew that may delay for years the placement of a woman's image on the front of U.S. bills.

The Massachusetts girl and her mother are still weighing how best to make their case – whether in private or through a more public effort to sway Lew before it's too late. "It would be a huge step backward after all this," said the mother, Kim B., who requested their last name be withheld to protect her daughter's privacy.

Sofia said the most important thing to her is to get a woman on the front of U.S. currency expeditiously. She said in an interview that the two years she's waited so far already seems like a long time.

'Kind of Promised'

"I feel like they kind of promised us it would be on the front in 2020," Sofia said in an interview. "I want a woman to be on the front of the \$20. I think that would great. Except I think that would take way too much time."

Sofia wrote the letter as a third grader after a classroom assignment where students researched famous people and gave visual presentations on them. She said she noticed many of the students who researched men used pictures of money featuring those men for their presentations, but that none of the women subjects had images of them on money. The project was the light-bulb moment for her to go home and try to do something about the disparity.

After Sofia's letter to the president, and a national campaign to put a historically significant woman on the \$20 to replace former President Andrew Jackson, the Treasury last June instead announced it would put a woman on the face of a new \$10 bill, possibly as one of two images or in rotation with Alexander Hamilton, who founded the U.S. financial system and whose portrait now decorates the bill. Counter-Campaign

The reason was timing: The \$10s were the first bills in line to be updated, while it could be several years and perhaps as long as a decade before the new \$20s would be ready under a schedule set by the government, it was explained at the time. The new \$10s were to be unveiled in 2020 and put in circulation soon after.

In the intervening months, however, the hit Broadway musical "Hamilton" has fueled a counter-campaign, whose

proponents include the show's creator and star Lin-Manuel Miranda, to keep Hamilton as the sole face on the front of the \$10.

Lew has for several weeks hinted, without saying explicitly, that the U.S. could keep Hamilton as the only face of the \$10, while weaving pictures of women into the backs of \$10s and \$5s and eventually putting out \$20s that carry a woman's face. This scenario would allow Lew to say the U.S. is giving women more exposure by putting women on three denominations rather than one.

The Treasury had no immediate comment on its latest deliberations. Wrong Message

Kim B. said she and her daughter don't see it that way. Neither does "Women on 20s," the group that led that initial nationwide campaign. These women say rescinding plans for the \$10 will delay the debut of a woman on the front of any U.S. paper currency for a decade or longer, as they understand the production schedule, and if that were the case it would send the wrong message to girls and women.

The group says Lew could make things right by putting a woman's face on at least some of the new \$10s, and then making another woman the sole image on the \$20s that would come out years later.

A separate group called the Girls' Lounge started a White House petition on April 13 to compel Treasury to keep its commitment to put a woman on the front of the \$10 and created a Twitter hashtag – #NotGoingBack – to raise attention. Sofia and her mom signed the petition, said Kim B.

"I do believe that it's the desire of the American people to see a woman on the portrait side of a bill," Kim B. said. "That is an awesome thing. But it's not an awesome thing when Sofia is 25 years old" before it happens. "We're missing an entire generation where we send a positive message of 'we value girls in this country.'"

Sofia thought she had been part of a successful campaign, and that the announcement meant the decision was final. Her mother said that a few weeks ago, she sat her daughter down and explained what was happening; since then, the pair have bonded over watching and reading Lew's statements on the subject and the news coverage.

Susan Ades Stone, executive director of Women on 20s, said what she fears is that Lew would send an unintended message if he reneges on plans to put a woman on the \$10. It would show girls, she said, that, "Men make these choices. Men push women aside when push comes to shove. Men still tell us who we should be honoring and how."

Republicans Worry About The Senate, Too

By Albert R. Hunt

[Bloomberg View](#), April 17, 2016

There is a second critical contest in the 2016 U.S. elections: the battle for control of the Senate.

Republicans, pessimistic about their presidential prospects, feel an urgency to hold onto the Senate. They have a 54-to-46 advantage in the chamber now, but more than twice as many of their seats are at stake in this cycle. (Democrats would have to score a net gain of 30 seats to win the majority in the House, almost impossible short of a landslide in the presidential race.)

Both parties acknowledge that the Senate contest is a toss-up that will be affected by the presidential election. But there are two other, perhaps more important, factors: the outcome of a number of remaining primaries and whether congressional Republicans, especially House Speaker Paul Ryan, can fashion an agenda that, if necessary, strikes a distance from the debates of the presidential race.

Strategists on both sides suggest that there are two Republican-held seats that lean Democratic, along with several toss-ups. There is only one Democratic-held seat, that of the party's Senate leader, Harry Reid of Nevada, who is retiring, that seems competitive now. But three or four other Republican-held seats might be vulnerable if the presidential race is a landslide for Democrats.

Democrats, however, say that a couple primaries will be critical: In Pennsylvania, party leaders believe that if Katie McGinty, an environmentalist, can win next week's close race, she has a chance of unseating Senator Pat Toomey, the incumbent Republican, in November. Later, if Representative Patrick Murphy, a Florida Democrat, is able to defeat a left-wing challenger who faces ethics charges, he would be the favorite to take the seat vacated by Senator Marco Rubio.

On the Republican side, the issue is the extent of the damage that a few right-wing challengers could inflict on mainstream candidates. An example: The party has felt confident about Nevada since it settled on Joe Heck, a popular congressman, as its candidate. This month, however, Sharron Angle, a prominent Tea Party activist, jumped into the race. Angle won a multicandidate primary in 2010, but lost to Reid after asserting that Sharia law was spreading and making other dubious claims. She's not likely to win this time but could damage Heck.

Democrats believe that Senate Majority leader Mitch McConnell's refusal to allow a hearing on President Barack Obama's Supreme Court nominee, Merrick Garland, will hurt Republican incumbents in states such as New Hampshire, Pennsylvania and Ohio. "They try to stress their independence," notes J.B. Poersch, a top Democratic political strategist. "But they're carrying McConnell's baggage."

Republicans counter that these races are local contests and that their stronger incumbents will prevail in Ohio and elsewhere. McConnell thinks the best strategy is to avoid any controversy. Ironically, one of the Republicans' models is a Democrat, North Dakota's Heidi Heitkamp, who was elected

to the Senate in 2012 despite Obama's losing her state by almost 20 points.

Ryan, who again took himself out of consideration for a presidential run last week, has a different take, however. He thinks that it's important for congressional Republicans to frame a message – and policy prescriptions – that could separate them from an unpopular presidential candidate.

That approach has appeal, but problems, too. For one, the speaker, a Jack Kemp protege, is out of sync with the angry Republican rank and file this year on issues such as immigration and trade.

Also, separation isn't easy. Former Virginia Representative Tom Davis, a leading Republican strategist who used to oversee the House campaign committee, knows what it's like to be saddled with a liability. In 1994, he won election to a Washington suburban district when Oliver North, a right-wing former Marine who had been embroiled in the Iran-contra scandal, was blowing a race for the Senate.

But Davis worries that it'll be tougher this time, particularly if Donald Trump leads the ticket: "He just has offended too many people not to affect other races."

Embattled NC Governor Calls Gay Rights Group 'More Powerful Than The NRA'

[Huffington Post](#), April 17, 2016

Under attack for signing the controversial anti-LGBT law known as HB2, North Carolina Gov. Pat McCrory (R) said Sunday that a gay rights advocacy group is more powerful than the National Rifle Association.

"The Human Rights Council. My gosh, they're more powerful than the NRA," McCrory told Chuck Todd on NBC's "Meet the Press," alluding to the nation's premier gun lobby. "And they have millions of dollars, which makes me want to overturn [Citizens] United, because I don't know who their donors are, either. But they are putting on a lot of pressure, instead of having good dialogue."

Despite the group's power, McCrory didn't have its name right; it appears he was alluding to the Human Rights Campaign, which lobbies on civil rights for the LGBT community. The group has been a leading critic of the new law.

McCrory has been battered politically for approving HB2, better known as the Charlotte bathroom bill. The law requires that transgender people use public restrooms that correspond with the gender on their birth certificate, which LGBT groups say enshrines discrimination. The bill also prevents local governments from passing their own laws that might apply to bathrooms in private businesses.

HB2 was passed to forestall an anti-discrimination measure passed in the city of Charlotte that would have guaranteed transgender people the right to use restrooms according to the gender with which they identify – a right

assured in many other cities. (The state bill went beyond just the restroom issue, preventing local jurisdictions from enacting their own minimum wages, too.)

The backlash to the law has been withering

. Some corporations have scrapped plans to bring new offices to the state so long as the law is in effect. Other local governments have cut off official travel to North Carolina. Even Bruce Springsteen canceled a scheduled show.

McCrory has said he wants to rework parts of the bill, but he stood by the restroom stipulations that have stirred so much controversy. He also said the bill would not be repealed.

"I don't think the government should be telling the private sector what their restroom and shower law should be, to allow a man into a woman's restroom or shower facility at a YMCA, for example," McCrory said Sunday. He added that, in his opinion, Charlotte "overstepped."

In a response to McCrory's interview, the Human Rights Campaign said the governor "invoked an outdated and retrograde argument" to discriminate against LGBT people.

"Pat McCrory can't have it both ways and say he doesn't want the government to tell the private sector what to do while he also sticks his head in the sand and ignores more than 160 businesses who have clearly said they want H.B. 2 repealed," Chad Griffin, HRC's president, said.

McCrory said he was trying to balance questions of equality with privacy, "including even privacy in the most private of area of life, which is a restroom, locker room or shower facility."

To that, Todd asked if transgender people should not expect the same kind of privacy.

"Do you want someone who identifies as a woman, born on their birth certificate as a man, [who] may look like a woman, going into a men's bathroom?" Todd asked. "Is that fair to them?"

McCrory didn't answer that one.

Money Pouring In To Congressional Campaigns

By Kathleen Gray

[Detroit Free Press](#), April 17, 2016

Competitive races for the U.S. House of Representatives are shaping up as money pours into campaigns across Michigan.

There are 14 seats up for grabs, with two races in which incumbents have decided not to run for re-election, and a newcomer will win the seat. The primary is Aug. 2 and the general election is Nov. 8.

In one of the most competitive primary races of the 2016 season — the 10th congressional district election to replace U.S. Rep. Candice Miller, a Republican from Harrison Township who is leaving office at the end of the year and

running for Macomb County Public Works Commissioner — four Republicans are busy raising cash.

Retired businessman Paul Mitchell, a Republican who used \$3.5 million of his own money unsuccessfully trying to win a different congressional district in 2014, has moved from Saginaw to Macomb County and put \$1.6 million into the 2016 race. He has \$1.4 million in cash available for the upcoming race, according to recently released first-quarter campaign finance reports filed with the Federal Election Commission.

Also vying for the seat are state Sen. Phil Pavlov, R-Saint Clair, who has raised \$247,596 and has \$135,482 in available cash; state Rep. Anthony Forlini, R-Harrison Township, who has raised \$28,540 and has \$27,343 in available cash, and Alan Sanborn, a former state senator and representative from Shelby Township who has raised \$48,608 and has \$19,241 available. No Democrats have filed yet for the seat.

Other tough races are shaping up in southeast Michigan, where in the 8th congressional district, U.S. Rep. Mike Bishop, a

Republican from Rochester Hills, is facing off against actress Melissa Gilbert of Brighton. Neither campaign finance reports was downloaded on the Federal Election Commission website by Sunday afternoon, but the campaigns said in news releases Friday that they both had good fund-raising quarters.

Bishop has raised \$968,014 this election cycle and has \$721,692 in available cash. His campaign finance report is populated with some of Michigan's biggest business and political names contributing the maximum amount of \$2,700, including Anthony Soave, Danialle and Peter Karmanos, Lansing developer Ron Boji, Ambassador Bridge owner Matthew Moroun, Court of Appeals Judge Henry Saad and former state Republican Party chairmen Robert Schostak and Ron Weiser, according to campaign finance reports.

Gilbert said she outraised Bishop in the first quarter, which ended March 31, with \$318,901 for the quarter and \$722,084 so far this election cycle. Her report is full of famous names from the acting world, including Jennifer Garner, Michael Douglas, Matthew Perry, Seth MacFarlane, her husband, Timothy Busfield, and Jeffrey Katzenberg, according to campaign finance reports.

In the 7th congressional district, state Rep. Gretchen Driskell, D-Saline, is coming close to even with incumbent U.S. Rep. Tim Walberg, a Republican from Tipton, in fund-raising. She has raised \$1,149,454, including \$60,000 she kicked in herself, and has \$815,814 in available cash this election cycle. Walberg has raised \$1,259,607 and has \$1,237,845 available for the upcoming race this election cycle. Republican Doug North of Jackson has also filed to run for the seat but campaign finance reports weren't available for him.

In the other open seat in Michigan — the 1st congressional district that will be left vacant since U.S. Rep. Dan Benishek, a Republican from Crystal Falls, decided against running for re-election — Democrat Lon Johnson, the former chairman of the state party, has a big fund-raising lead on all of his competitors, with \$283,310 raised in the first quarter and \$608,642 in cash for the upcoming race for the seat that covers the entire Upper Peninsula and a good chunk of the northern Lower Peninsula. His Democratic rival, Kalkaska County Sheriff Jerry Cannon, has raised \$43,304 and has \$7,176 in available cash this election cycle.

On the Republican side, campaign finance reports for the 1st congressional seat weren't available yet on Sunday, but the campaigns said that former state Sen. Jason Allen of Traverse City has raised \$172,881 and had \$151,000 in available cash this election cycle while state Sen. Tom Casperson of Escanaba has raised \$168,908 this election cycle and has \$192,991 in available cash. Also running is Republican Jack Bergman of Watersmeet, but the FEC doesn't have campaign finance reports available for him yet.

Below is a list of other U.S. House races out of Michigan. Candidates are listed but campaign finance records for each were not all available on Sunday:

2nd congressional district: U.S. Rep. Bill Huizenga, a Republican from Zeeland, has raised \$702,265 and has \$467,524 in available cash this election cycle. Democrat Dennis Murphy of Grandville also has filed for the seat.

3rd congressional district: U.S. Rep. Justin Amash, a Republican from Cascade Township, has raised \$533,088 and has \$381,605 in available cash. Democrat Douglas Mark Smith Jr. of Belmont has filed to run for the seat.

4th congressional district: U.S. Rep. John Moolenaar, a Republican from Midland, has raised \$548,275 and has \$214,614 in available cash.

5th congressional district: U.S. Rep. Dan Kildee, a Democrat from Flint, has raised \$414,927 and has \$263,765 available. Republican Terry Whitney of Waterford has filed to run for the seat.

6th congressional district: U.S. Rep. Fred Upton, a Republican from St. Joseph, has raised \$1,973,235 and has \$1,278,074 available for the race; Western Michigan University professor Paul Clements, a Kalamazoo Democrat, has raised \$419,380 and has \$310,739 for the race.

11th congressional district: U.S. Rep. David Trott, a Republican from Birmingham, has raised \$820,063 and has \$529,170 available. Democrat Anil Kumar, a Farmington doctor who ran for the seat in 2014, has raised \$443,265, including \$630,613 he's given to the campaign over the last two election cycles, and has \$341,838 available. Republicans John Paul Valle of Commerce Township and Christopher Morse of Bloomfield Hills have also filed to run for the seat.

12th congressional district: U.S. Rep. Debbie Dingell, a Democrat from Dearborn, has raised \$607,773 and has

\$467,414 in available cash. Republican Jeff Jones of Taylor has filed to run for the seat.

13th congressional district: U.S. Rep. John Conyers, a Democrat from Detroit, has raised \$382,301 and has \$61,718 in available cash. Democrat Janice Winfrey, the Detroit city clerk, has raised \$52,594 and has \$19,739 in available cash. Republican Jeff Gorman of Garden City has also filed to run for the seat.

14th congressional district: U.S. Rep. Brenda Lawrence, a Democrat from Southfield, has raised \$453,716 and has \$186,814 in available cash. Democrat Vanessa Moss of Southfield has also filed to run for the seat.

More Than 900 'Democracy Spring' Protesters Arrested In D.C. – So Far

By Jayne O'Donnell

[USA Today](#), April 16, 2016

Police have calmly arrested hundreds of people in Washington, D.C. protesting the influence of money in politics during the last week, in what several participants described as a striking display of restrained law enforcement.

More arrests are expected Monday, the final day of protests when the focus of the non-violent protests turn to voting rights and timely consideration of the Merrick Garland's nomination to the Supreme Court. U.S. Capitol Police have arrested more than 900 protesters through Saturday.

Mass demonstrations by a group called "Democracy Spring" began last Monday. A related group, "Democracy Awakening," joined the efforts on Saturday and are holding often integrated sit ins and other demonstrations to protest laws it considers discriminatory, such as Voter ID laws.

"Here what you have is a very professional, carefully calibrated and wonderfully orchestrated means of dealing with law enforcement in Washington," said Cornell Brooks, national president and CEO of NAACP.

More often, "it's very different the way young activists who are black and brown are described" and treated, said Brooks, who led the Democracy Awakenings march on Sunday. "Sometimes they are roughed up and assumptions are made that can be very dangerous."

Those arrested were charged with violating a D.C. statute prohibiting "crowding, obstructing, or incommoding," which are misdemeanors, said police spokeswoman Eva Malecki. All of those arrested were Democracy Spring-related participants. Most were processed and then released on the scene.

On Sunday, Malecki said demonstrators remained "orderly and respectful," just as they had through the previous week.

Democracy Awakening urged their protesters to wear their "Sunday best" and to bring \$50 in cash in anticipation of the planned arrests Monday.

Actress Rosario Dawson said in a video posted on YouTube Friday that the organizers hope to surpass all previous Capitol protest records for number arrested, topping 1,000 by the time the week-long demonstration wraps up.

The Democracy Spring effort started in Philadelphia, where thousands began a 140-mile walk to the U.S. Capitol to “demand Congress take immediate action to end the corruption of big money in our politics and ensure free and fair elections in which every American has an equal voice.”

“This week, we’re taking back our democracy,” Dawson said. Money in politics has “distorted our politics and our issues.” Police arrested the actress Friday on Capitol Hill for crowding and obstruction. She was briefly detained and will be required to pay a \$50 fine like the others arrested, Malecki said.

Harvard Law School professor and former Democratic presidential candidate Larry Lessig was arrested Friday — for the first time ever. “I’m a law professor,” he said Saturday. “I don’t get arrested.”

But he made an exception for the issue that he based his short-lived campaign on: Campaign finance reform.

“I’m so incredibly excited with the kind of passion and the mix of people that were there,” said Lessig, noting it’s spread beyond the usual “law geeks and intellectuals” who rally around campaign finance reform.

There was even some bi-partisan support for the demonstrations outside a Capitol building that doesn’t see much of it inside lately. John Pudner, executive director of the group Take Back Our Republic, says many conservatives and small business owners also don’t feel represented by the big money influencing politics. He joined one day of the 140-mile walk from Philadelphia and another colleague of the group participated in the demonstrations.

“We want to see small donors become the focus,” said Pudner, who spent 20 years running campaigns, including the one that unseated former House Majority Leader Eric Cantor, R-Va., in 2014.

Many protesters held up signs protesting the Supreme Court’s 2010 ruling in the Citizens United case. The case opened the door for the rise of newer super PACs — political action committees that can raise unlimited amounts from virtually any source — and contributed to corporate influence in campaigns, critics say.

Still, it’s unlikely Democracy Spring can achieve the kind of attention it desires — it aims to change the course of the 2016 presidential election. But some say the campaign season itself is giving much-needed attention to money in politics. “We’re seeing it with the surprising support for Senator Sanders, who has made it a central part of his campaign, and when Trump says he can’t be bought. That resonates with people who realize the system is rigged against them,” said Wendell Potter, co-author of the new

book *Nation on the Take: How Big Money Corrupts Our Democracy and What We Can Do About It*.

Democracy Spring’s protests in Washington could obscure the fact that people across the country are starting to fight the effects of corporate interests in local elections, Potter said. His cites changes made in Tallahassee, Fla., Seattle and in South Carolina, where lobbyists are now banned from making campaign donations.

Democracy Spring protesters tend to be left-leaning, but Potter said groups including Take Back Our Republic, share the “common concern about what’s happened to our democracy.”

Connecticut Chooses To Cut Jobs Over Increased Taxes In Budget Crisis

By Kristin Hussey

[New York Times](#), April 17, 2016

Like some other states, Connecticut is facing a budget shortfall. And in part because of its shrinking finance sector and dependence on personal income taxes for revenue, state lawmakers, a majority of whom are Democrats, are finding themselves in a fiscal pickle.

Forced to rely heavily on its highest earners to fill the state’s coffers, and fearful of alienating more of the highest-earning residents after a tax increase last year, legislators are not entertaining additional taxes on the rich.

“We’d price ourselves out of the market,” said Gov. Dannel P. Malloy, a Democrat, if the state tried to make up for its \$922 million shortfall with a “millionaire’s tax.” The budget Mr. Malloy proposed on Tuesday covers the shortfall, incorporating cuts to expenses and jobs — as many as 2,500 state positions could be eliminated — but no tax increases.

Connecticut faces a new economic reality, Mr. Malloy said in an interview on Saturday. High-paying finance jobs, which helped the state’s budget, are not expected to return to pre-recession levels.

Last Monday, 165 state employees were laid off from social-service agencies, among the total 262 workers last week, with more layoffs expected this week. “We wouldn’t be doing this if we weren’t seeing a shortfall in revenue,” Mr. Malloy said.

One of those laid off was Gail DeMarco of East Lyme, a supervising psychologist of a college student and a high school freshman.

Ms. DeMarco said she was aware of the state’s fiscal crisis, but because Mr. Malloy had emphasized the importance of mental health services, she did not expect layoffs to include jobs like hers — therapists working with traumatized children and at-risk teens.

But last Monday, after arriving for work at the Connecticut Juvenile Training School, Ms. DeMarco, a union member, was let go from her \$91,600-a-year job.

She said she worries “about the kids who have already had significant trauma in their lives, and they are then re-traumatized by this sudden loss of people they have relationships with, who are advocating for them.”

Mr. Malloy said during a budget address in February that the state needed to cut employee expenses, especially in health care and retirement benefits. His budget proposal asks employees to pay a greater share of their health insurance premiums, a higher portion of their health care costs.

A consortium of 16 unions representing state workers launched a television advertising campaign in early February called “One Connecticut.”

It is designed to put a face on state workers, said Jennifer Schneider, a spokeswoman for the health care workers union that represents the largest group of state employees. The third commercial in a series was released last week, and features three clients of social-service agencies in Connecticut saying they stand with state workers.

“There are other ways to close these deficit holes instead of coming back to middle-class workers,” Ms. Schneider said. “If we lose 2,500 jobs in the state, that’s only going to harm our economy more.”

With deficits also expected in the coming years, Mr. Malloy and members of the state’s General Assembly increasingly find themselves on a tightrope.

States typically generate just over one-third of their revenues from personal income taxes, and another third from sales taxes, according to the National Conference of State Legislatures. Connecticut, by comparison, relies on personal income taxes for more than half of its revenue.

While the number of jobs in Connecticut has returned to pre-recession levels, lower-wage positions in finance have taken the place of high-paying jobs, according to a report by the Standard & Poor’s credit ratings agency. That shift translates to lower personal income tax revenues, in a state that relies so heavily on income taxes. “That makes or breaks Connecticut,” said Arturo Perez, a fiscal research analyst at the National Conference of State Legislatures.

In the long term, Connecticut faces a grim balance sheet. For decades, the state did not fully finance its pension plans, and Connecticut now carries more than \$26 billion in unfunded pension liabilities.

The fiscal challenges in Connecticut have spurred some of its wealthiest residents to leave, said one Republican lawmaker.

The lawmaker, L. Scott Frantz, a state senator from Greenwich, said, “The legislature can’t balance a budget to save its life, and with other shortfalls going forward it does not look pretty for the state of Connecticut unless we as a General Assembly get our act together.”

Mr. Frantz said he thinks Mr. Malloy has a deeper understanding of the state’s tax base today than he when he entered the governor’s office in 2011.

“He knows that he can’t afford to lose one more taxpayer,” Mr. Frantz said. “If he wants a halfway decent legacy, he’s going to have to make sure this fiscal house is dramatically improved.”