Olympia Indivisible
Research Topics for 090417

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Items 1-7, inclusive, are consistent with the Democratic Party Platform 2016.

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15  9. DACA and Immigration

Items 10, 11 and 12 should be considered for research at a future date.

16  10. Budget Amendment introduced by FL Rep. Ron DeSantis (R-Fla.), pushing an amendment to severely curtail special counsel Robert Mueller’ investigation into the Trump campaign’ ties to Russia.
16  11. What are our MoCs doing to stand up to white supremacy?

In all calls to action referring to staff reports does not mean there actually are any. There may be, and if so and they will provide it to you, please provide a copy to Olympia.Indivisible@gmail.com, and put the bill number and title in the subject line. Thank you!

Additional Information Is Provided:

17  13. Budget, Debt Ceiling:
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31  25. Law Enforcement Militarization
1. HealthCare for All: H.R.676 Medicare for All Act

Background:

The reason we spend more and get less than the rest of the world is because we have a patchwork system of for-profit payers. Private insurers necessarily waste health dollars on things that have nothing to do with care: overhead, underwriting, billing, sales and marketing departments as well as huge profits and exorbitant executive pay. Doctors and hospitals must maintain costly administrative staffs to deal with the bureaucracy. As a result, administration consumes one-third (31 percent) of Americans’ health dollars, most of which is waste. [http://www.pnhp.org/facts/single-payer-resources](http://www.pnhp.org/facts/single-payer-resources)

What the bill would do: [http://www.medicareforall.org/pages/HR676](http://www.medicareforall.org/pages/HR676)

U.S. H.R.676 is the proposed U.S. legislation to establish improved Medicare for All, universal health care, in the United States. It will establish lifelong health care: "cradle to grave", "womb to tomb". The coverage will be complete; some people like to call that “comprehensive.”

SEC. 102. BENEFITS In General: The health care benefits under this Act cover all medically necessary services, including at least the following: (The following list represents all medically-necessary care from pre-natal through the end of life.)

- Primary care and prevention.
- Approved dietary and nutritional therapies.  
  (This is an addition to the proposed health care benefits compared to H.R. 676 as proposed in the previous session of Congress.)
- Inpatient care. (such as in hospitals)
- Outpatient care. (such as in hospital outpatient areas medical facilities not associated with a hospital, such a physical therapy center)
- Emergency care.
- Prescription drugs.
- Durable medical equipment.
- Long term care.
- Palliative care.
- Mental health services.
- The full scope of dental services, including periodontics, oral surgery and endodontics, but not including cosmetic dentistry. (The words “periodontics, oral surgery, and endodontics” were added to clarify that these benefits are included as part of dental services compared to H.R. 676 as proposed in the previous session of Congress.)
- Substance abuse treatment services.
- Chiropractic services, not including electrical stimulation.
- Basic vision care and vision correction (other than laser vision correction for cosmetic purposes).
- Hearing services, including coverage of hearing aids.
- Podiatric care.

Coverage of additional services will be determined during debate in the U.S. House and U.S. Senate. Examples: holistic medicine, herbal medicine and specifics of other topics about which you are concerned. When you communicate with our MoCs, keep in mind you can immediately contribute to the debate by asking them how to implement non-profit financing of health care. As an example, if you want holistic medicine to be considered, please tell them that. Except as otherwise specifically provided, this
Act shall take effect on the first day of the first year that begins more than 1 year after the date of the enactment of this Act, and shall apply to items and services furnished on or after such date. [Example: if the United States had established this law by 9/9/2009 would have meant that the United States would have had health care for all since 1/1/2011. Correspondingly, establishing this law by the fall of 2020 would mean that the United States would have universal health care on 1/1/2022.]


This link is to the more detailed report. [Solutions Over Politics: Stabilizing and Improving the Individual Market](https://newdemocratcoalition-himes.house.gov/sites/newdemocratcoalition-himes.house.gov/files/Solutions%20Over%20Politics%3A%20Stabilizing%20and%20Improving%20the%20Individual%20Market.pdf)

- The letter outlines bipartisan solutions to stabilize the market that New Dems helped lead less than two weeks ago, including:
  - Reauthorizing and making permanent federal reinsurance programs.
  - Funding the Cost-Sharing Reduction Subsidies (CSR).
  - Getting more people covered, and ensuring participation.
  - Ensuring quality affordable options exist.

**Talking Points:**

- *Every other free-market country* in the world automatically provides health care for its people with a largely or exclusively non-profit method of financing the health care. Even the two free-market countries that are considered to be "low income", Mexico and Turkey, have been implementing universal health care.

- The best non-profit method has 1 fund and 1 plan and 1 payer ("single-payer") because it is the simplest and most efficient. The specific funding details need to be established, such as the method(s) proposed in H.R. 676.

- What matters is not so much how we pay for it, since the costs will be dramatically lower, but what we will pay for:
  - We will no longer be paying for a system that wastes $400 billion in excessive administrative costs.
  - Much more of our health care dollars will be spent on health care.
  - More of the doctors and nurses time will be spent on caring for people.
  - The result will be more time spent on prevention and wellness and the U.S. dramatically raising its life expectancy, which is 31st according to the World Health Organization and 42nd according to the CIA Factbook, which monitors all the countries of the world.

- A critical objective is to have a public agency managing our national health insurance that is reportable to the people, not the day-to-day influence U.S. politicians and 50 sets of state politicians.

- Provisions for monetary loss to healthcare institutions and job retraining are made in the bill but we need further exploration on how they will work.

As I understand it, **Rep. Heck** has concerns with the portion of the law that speaks to conversion to public or non-profit by for-profit/private healthcare providers/facilities. The bill provides for that to occur in more than one year between passage and enactment. Provisions are made to compensate for loss of profits due to conversion and more. He’s also expressed concern about non-profit/public hospitals/nursing facilities being unable to operate under the funding formula of Medicare.
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Action:

Call, write, email or fax:

1. **Senator Murray** and thank her for working with Sen. Alexander to bring the subject of healthcare to the regular order process in the US Senate. Thank her for scheduling meaningful public hearings on this issue. And thank her for using her unique ability to work across the aisle on issues that truly matter to all Americans.

2. Coverage of additional services will be determined during debate in the U.S. House and U.S. Senate. (Examples: holistic medicine, herbal medicine and specifics of other topics about which you may be concerned.)
   - Provide them with information on other (yet-uncovered in the bill) healthcare services you feel should be required under essential health services.
   - Ask them to start having the conversation now on how to implement non-profit financing of health care.
   - Ask **Rep. Heck** to detail his objections, to utilize his resources to try to overcome those objections, and to participate in establishing Single Payer HealthCare in a thorough but expeditious manner. Remind him the majority of Americans, the majority of Washingtonians, support a Single Payer HC system. Ask Rep Heck if he will provide his staff report on H.R. 676 (this may give us further information and insight into those objections).

3. Thank **Rep. Heck** for his support and actions on behalf of his constituents and all Americans by making every effort to ensure:
   - During this time between failure of TrumpCare and the passage of new legislation, millions don’t lose their healthcare;
   - Ensuring Americans don’t suffer ballooning premium/co-pay/deductible hikes due to Trump/GOP-created uncertainty in the markets.
   - Recognizing and working against those who would eliminate essential benefits. The GOP has called their efforts “Freedom of Choice” in health care which is defined as “freedom to choose to spend little, or a lot of money on do nothing policies that would be paid for but wouldn’t provide coverage for the things we need most.”
2. Education for All H.R. 1880 College for All Act of 2017  
https://www.govtrack.us/congress/bills/115/hr1880/text/ih

Background:

H.R. 1880 is a bill that must be passed by both the House and Senate in identical form and then be signed by the President to become law.

It was introduced to the House on Apr 4, 2017 by Ms. Jayapal, for herself and for: Mr. Ellison, Mr. Scott of Virginia, Mr. Grijalva, Mr. Nolan, Ms. Lee, Mr. Pocan, Ms. Jackson Lee, Mr. Khanna, Ms. Norton, Ms. Velázquez, Mr. Conyers, Mr. Raskin, Mr. Swalwell of California, Mr. Cicilline, Mr. Welch, Mrs. Napolitano, Mr. Langevin, Mr. Blumenauer, and Mr. Espaillat. The bill was referred to the House Committee on Education and the Workforce.

This bill eliminates tuition fees for all eligible students at community colleges and eliminates tuition and fees for working class and middle class students to public four year institutions of higher education.

Rep. Heck has a history of supporting education. During Thursday's Indivisible Tacoma hat, he stated, during his time in our State Government, he supported first year free college in the State of Washington. He doesn't believe this is an achievable goal in Congress at this time. That unfortunately may be accurate because, as we've seen, not much is getting done in Congress at all. Rep. Heck has concerns over the funding mechanisms.

Action:

Call, write, email or fax:

1. Rep. Heck's office. Ask to speak with his education aide. Request a copy of the staff report to the Congressman on this issue and any other references they may have on this bill. Additionally, tell them we support the Free College For All and we will review the information they provide, especially regarding any concerns.

2. Thank Rep. Heck for his personal and professional commitment to education. He has shown us his deep support throughout his public and political life. He knows education is the great American equalizer and the foundation of our economy for current and future generations.
3. Workers’ Rights H.R. 15 Raise the Wage Act

Background:

Introduced in House (01/03/2017) Raise the Wage Act, it was referred to the House Committee on Education and the Workforce.

This bill amends the Fair Labor Standards Act of 1938 to increase the federal minimum wage for regular employees over a 7-year period, for tipped employees, and for newly hired employees who are less than 20 years old.

The bill sets forth a schedule of annual increases in the federal minimum wage for individuals with disabilities. The Department of Labor shall no longer issue special certificates for the payment of subminimum wages to such individuals after the final wage increase under this bill for such individuals takes effect.

Labor shall provide, upon request, technical assistance and information to employers to:

- help them transition their practices to comply with wage increases and other requirements under this bill for individuals with disabilities, and
- ensure continuing employment opportunities for such individuals.

The bill eliminates the separate minimum wage requirements for tipped, newly hired, and disabled employees. After a specified period, these employees shall be paid the same minimum wage as regular employees.

Labor must publish any increase in the minimum wage in the Federal Register and on its website 60 days before it takes effect.

Our MoCs:

The Coalitions and Caucuses Rep. Heck belongs to include the New Democrat Coalition.

- The New Democrat Coalition is dedicated to maintaining America’s standing as the world’s strongest, most successful nation. Founded in 1997, the New Dems believe firmly in the power of American ingenuity and innovation, and are focused on finding ways to foster and harness this creativity to grow our economy, create new American jobs, and ensure a safer and more secure future for our country.
- Within the New Democrat Coalition, Rep. Heck serves as co-chair of the Financial Services Task Force and is a member of the 21st Century Job Skills Working Group.
- Recent dueling studies of Seattle’s $15/minimum three years ago, one study by University of California Berkeley and the other by University of Washington, may be the reason Rep. Heck has not stated support for or against this bill. (Recent Studies on Effects of Seattle's Minimum Wage.html)

Action:

Contact Rep. Heck’s office and ask to speak with his aide on Labor Issues. Request they provide any staff report or concerns about H.R.15 for our consideration.

Background:

This ‘Equal Access to Abortion Coverage in Health Insurance (EACH Woman) Act of 2017’ bill requires the federal government:

- to ensure coverage for abortion care in public health insurance programs including Medicaid, Medicare, and the Children's Health Insurance Program (CHIP);
- as an employer or health plan sponsor, to ensure coverage for abortion care for participants and beneficiaries; and
- as a provider of health services, to ensure that abortion care is made available to individuals who are eligible to receive services.

The federal government may not prohibit, restrict, or otherwise inhibit insurance coverage of abortion care by state or local governments or by private health plans. State and local governments may not prohibit, restrict, or otherwise inhibit insurance coverage of abortion care by private health plans. Text H.R.771

Women don’t require, want or need others to tell them what their healthcare decisions must be or restricting their options. We don’t require invasive exams, counselling or waiting periods for any medical condition affecting men.

Our MoCs:

Six Representatives from Washington State have signed as co-sponsors on this bill. Rep. Heck was one of the earliest co-sponsors. He has stated, repeatedly, that he fully believes women are capable of making the best health decisions for themselves.

Action:

Call, fax, email or write to Rep. Heck:

1. Thank him for his consistent support for laws that fight the on-going Trump/GOP battle against women and his support for H.R.771.

2. Thank him for his support for Planned Parenthood as not only a women’s healthcare provider, but healthcare clinics providing services for men, as well.
5A. Environmental Justice and Climate Change Law

Background:

Multiple organizations, including the NAACP, have been pursuing this issue. [NAACP Environmental Justice Main Page](https://www.naacp.org/press-room/press-releases/)

The direct impact of environmental injustices, including climate change, on our own lives, families, and communities, all of whom depend on the physical environment and its bounty, are increasingly urgent. Hurricane Harvey, the worst to hit our country, and not far removed from our memory of Hurricane Katrina, should be a sharp reminder of the disproportionate impacts on people of lesser means. Hurricane Harvey came just before “Texas’ Show Your Papers Law” was to take effect on 090117. A court has put a temporary stop on the law. Likewise, it comes at a time when Trump is predicted to recall the Executive Order by President Obama that gave life to DACA. Trump has shown he has no comprehension of the urgency of climate change or the impact of his words. The intersectionality of so many issues are significant reasons for urgent action on environmental injustices created, in part, by climate change.

Some of the reasons for the differential effects are:

- The ability of populations to mitigate and adapt to the negative consequences of climate change are shaped by factors such as income, race, class, gender, capital and political representation.
- As low-income communities and communities of color possess few if any adaptive resources, they are particularly vulnerable to climate change.
- People living in poverty or in precarious circumstances tend to have neither the resources nor the insurance cover necessary to bounce back from environmental disasters. On top of that, such populations often receive an unequal share of disaster relief and recovery assistance.

“Developed countries, as the main cause of climate change, in assuming their historical responsibility, must recognize and honor their climate debt in all of its dimensions as the basis for a just, effective, and scientific solution to climate change. (...) The focus must not be only on financial compensation, but also on restorative justice, understood as the restitution of integrity to our Mother Earth and all its beings.

---World People’s Conference on Climate Change and the Rights of Mother Earth, People’s Agreement, April 22, 2005 Cochabamba, Bolivia

Our MoCs:

Both Senators Murray and Cantwell, as well as Rep. Heck have shown, and continue to show, they understand and appreciate the severity of the problem.

Action:

No bill specifically addressing this issue has been introduced yet.

This bill was introduced in the House, with Rep. Heck as an early co-sponsor, and referred to the Subcommittee on Readiness.

The Pentagon has clearly stated that Climate Change is great threat to America’s national security. Trump said he trusts generals, but then again he also said he knows more than the generals. He has placed individuals with dreams of greater wealth through privatization in positions to adjust and eliminate policies and regulations that protect people. Rather they would have corporations behave in what the rest of the country considers criminal deeds such as pollution, failure to protect employees, devastation of ecosystems, forced fossil fuel dependence combined with refusal to advance clean energy, and more.

The worldwide demand for clean water, food, energy and more, are already the cause of many disruptions, disputes and military actions. Climate change has already affected the number of disagreements and demands elsewhere while also having occurred here, as well.

A report in 2003 by Peter Schwartz and Doug Randall, looked at potential implications from climate related scenarios for the national security of the United States, and concluded, "We have created a climate change scenario that although not the most likely, is plausible, and would challenge United States national security in ways that should be considered immediately."

"Climate change is a challenge that requires a broader, whole-of government response. If confirmed, I will ensure that the Department of Defense plays its appropriate role within such a response by addressing national security aspects."

---Secretary of Defense James Mattis, during his confirmation hearings, Jan 2017

In written testimony delivered to the Senate Armed Services Committee

“Climate change is impacting stability in areas of the world where our troops are operating today,” Mattis said in written answers to questions posed after the public hearing by Democratic members of the committee. "It is appropriate for the Combatant Commands to incorporate drivers of instability that impact the security environment in their areas into their planning.”

Mattis has long espoused the position that the armed forces, for a host of reasons, need to cut dependence on fossil fuels and explore renewable energy where it makes sense. He had also, as commander of the U.S. Joint Forces Command in 2010, signed off on the Joint Operating Environment, which lists climate change as one of the security threats the military expected to confront over the next 25 years.

Mattis’ written statements to the Senate committee are the first direct signal of his determination to recognize climate change as a member of the Trump administration charged with leading the country’s armed forces.

The President’s desire to keep campaign pledges to kill Obama-era climate policies without and over consideration for the need to engage constructively with allies for whom climate has become a vital security issue. His motivation is all we need to know to explain his intentional disregard of the tremendous science on climate, ignoring experts and the world’s consensus that climate change is real, and went so far as to withdraw the US from the Paris Climate Accord. This is to our peril unless the entire country moves forward towards compliance with the accord. And we mustn’t stop at the borders of our country. Nature and climate know no borders.

Our MoCs:
Rep. Heck is a co-sponsor on this bill.

Action: Contact Rep. Heck and thank him for his support for H.R.2908.


Background:

This bill amends the Outer Continental Shelf Lands Act to prohibit the Bureau of Ocean Energy Management (BOEM) from issuing, renewing, reinstating, or extending any nonproducing lease, or issuing any authorization for the exploration or production of oil, natural gas, or any other fossil fuel in the Arctic Ocean, Atlantic Ocean, Pacific Ocean, Gulf of Mexico, or any other area of the Outer Continental Shelf. BOEM shall also cancel within 60 days any lease issued in the Beaufort Sea, Cook Inlet, or Chukchi Sea (three of the five bodies of water that encompass the Alaska Outer Continental Shelf).

The Bureau of Land Management (BLM) must not issue, renew, reinstate, or extend any nonproducing lease for the exploration or production of any onshore fossil fuels, including coal, oil, tar sands, oil shale, and gas, on land subject to the Mineral Leasing Act.

The bill provides for exceptions if there is an imminent national security threat that would be significantly reduced by granting an exception.

In addition, BOEM and the BLM may allow a nonproducing lease to be renewed or extended if the lease contract was signed before this bill, and giving effect to any provision of this bill is likely to lead to a material breach of contract.

Our MoCs:

This is simply acknowledgement that this bill recently made it onto our radar and should be considered for research. Time did not allow research to be done. On Thursday, Aug 31, 2017, several members of our chapter attended an Indivisible Tacoma chat with Rep. Heck. He opened his remarks that evening by saying that Hurricane Harvey is a direct result of climate change and that Congress needs to respond effectively. Lisa Ornstein (co-founder and Fearless Warrior) went prepared and asked an informed question about the bill. Rep. Heck stated he wasn’t aware of it but, by the description she provided, he was surprised he’s not a co-sponsor on this bill. Look forward to more to come with recommendations on this bill. Rep. Heck said he would be looking into the bill.

5D. NOTE:


6. Criminal Justice and Immigrant Rights H.R. 3227 Justice is Not for Sale Act of 2017
Justice Is Not For Sale Act 2017

**Background:**

On Aug 3, 2017, this bill was referred to the House Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. It addresses and provides the following:

- Elimination of federal contracts for privately run prisons within 3 years.
- Prohibition on private entities running prisons housing state and local prisoners after 3 years.
- There is additional information on the parole process and responsibilities, revocation for cause.
- Oversight of providers of money transfer services for correctional and immigration detention facilities.
- Restrictions on the provision of inmate telephone and video service.
- Amends portions of Title II of the Department of Homeland Security Appropriations Act, 2016 (division F of Public Law 114–113; 129 Stat. 2497), addressing among other things, detention: capacity, alternatives to detention, assessments, individualized approach and custody.
- Oversight of facilities and termination/prohibition of detention of families.
- The private right of civil action for violation of this law or any amendment to it.

**Our MoCs:**

Rep. Heck is not a co-sponsor on this bill. However, it was introduced in July at the height of the healthcare debates.

**Action:**

Contact Rep. Heck's office and ask for his position on H.R.3227. Urge him to support this legislation.

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7. **Tax on Wall Street H.R. 1144 Inclusive Prosperity Act** (AKA “Robin Hood Tax”)
Background:

This bill would impose a tax on certain trading transactions to invest in our families and communities, improve our infrastructure and our environment, strengthen our financial security, expand opportunity and reduce market volatility.

Specifically, this bill amends the Internal Revenue Code to:

- impose an excise tax on the transfer of ownership in certain securities (covered transaction), including any share of stock in a corporation, any partnership or beneficial interest in a partnership or trust, any note, bond, debenture, or other evidence of indebtedness (excluding tax-exempt municipal bonds), or derivative financial instruments;
- impose a penalty on taxpayers who fail to include a covered transaction on their tax return or information statement; and
- allow an individual taxpayer whose modified adjusted gross income does not exceed $50,000 ($75,000 for married taxpayers filing joint returns) a tax credit for the amount of tax paid on covered transactions.

Talking Points:

The Inclusive Prosperity Act would:

- impose a tax of a fraction of a percent on trades of stocks, bonds and derivatives.
- Impose a Wall Street speculation fee, also known as a financial transaction tax, to be used to make public colleges and universities tuition free and to substantially reduce student debt.
- It will reduce speculation and high-frequency trading that is destabilizing financial markets. During the financial crisis, Wall Street received the largest taxpayer bailout in the history of the world.
- It’s Wall Street’s turn to rebuild the disappearing middle class. This legislation would not tax investors, retirees, or parents saving to send their kids to college. Instead, this bill would impose a tax on Wall Street investment houses, hedge funds, and other speculators.
- For the rare household of modest means that trades directly or through a broker, this legislation would provide an income tax credit to offset the speculation fee.

The bill is written with the following considerations explained in this Fact Sheet.

Our MoCs:

Call, write, email or fax:

1. Rep. Heck is not a co-sponsor on the House bill. Ask if he has a position on this bill and urge him to support H.R.1144.

2. There are no co-sponsors on the Senate bill. Ask Senators Murray and Cantwell if they have a position on the bill and urge them to support S.805.

Background:

CFPB’s new rule will ban mandatory arbitration clauses that deny groups of people their day in court.

Summary

- Arbitration clauses are commonly included in customer contracts to help banks or businesses avoid lawsuits from consumers who say they have been defrauded or abused.
- The Dodd-Frank Wall Street Reform and Consumer Protection Act required the Consumer Financial Protection Bureau to study the use of mandatory arbitration clauses in consumer financial markets.
- The CFPB study found that group lawsuits get more money back to more people. In five years of group lawsuits, they tallied an average of $220 million paid to 6.8 million consumers per year. Yet in the arbitration cases they studied, on average, 16 people per year recovered less than $100,000 total.
- The CFPB developed a rule based on its finding that pre-dispute arbitration agreements “are being widely used to prevent consumers from seeking relief from legal violations on a class basis, and that consumers rarely file individual lawsuits or arbitration cases to obtain such relief.”
- The rule forces companies to write arbitration clauses included in contracts in ways that would not prevent consumers from joining class-action lawsuits.
- It also mandates that financial firms hand over information about “initial claims and counterclaims, answers to these claims and counterclaims, and awards issued in arbitration.”
- The rule applies to providers engaged in extending consumer credit, extending or brokering automobile leases, providing debt management or debt settlement services, providing assistance in avoiding foreclosure or modifying consumer credit, providing check cashing, collection or guaranty services, and collecting debt arising from any of these services, among other consumer services and products.
- The rule becomes effective September 18, 2017, and consumer agreements entered into as of March 19, 2018, must comply with the rule. 12 C.F.R. Part 1040 (July 10, 2017).
- On July 25, 2017, the House of Representatives voted 231-190 to repeal the rule using the Congressional Review Act, a law that allows Congress to eliminate regulations within 60 days of their release and bars agencies from issuing similar rules in the future. Only one Republican, Rep. Walter Jones (N.C.), joined Democrats in voting against repeal.

Talking Points

- In an op-ed in the New York Times, Richard Cordray, Director of the CFPB, said not only do group lawsuits help consumers recover money they otherwise would forfeit, but they also protect many more consumers by halting and deterring harmful behavior. For example, when banks reordered bank debits to charge more overdraft fees, consumers sued and recovered $1 billion. Most banks have since stopped the practice.
- The rule does not ban individual arbitration, as opponents falsely claim. It simply ensures that consumers have the option of joining together to sue companies. Companies and consumers can still use arbitration to resolve their differences, but companies cannot unilaterally block group lawsuits.
- Opponents also claim that the rule benefits lawyers rather than consumers. In reality, lawyers collect a small portion compared with consumers, and only if they succeed. For every $10 that a company pays out for wrongdoing, the CFPB found about $8 goes to consumers and $2 goes to pay legal costs.
any event, banks choose to hire lawyers to file class-action lawsuits, and ordinary people deserve to make the same choice.

- The CFPB estimates the potential costs of this rule for the entire financial system at under $1 billion per year, whereas banks alone made $171 billion in profits last year.
- The law already bans mandatory arbitration clauses in financial contracts for military service members and in mortgages (the largest consumer financial market), yet the financial sector remains strong.
- The Chamber of Commerce, American Bankers Association, Consumer Bankers Association, Credit Union National Association and Financial Services Roundtable joined nearly a dozen groups in denouncing the rule. Conservative nonprofit Heritage Action announced Tuesday that it would negatively grade lawmakers who vote against repeal.
- Sen. Elizabeth Warren (D-Mass.), the architect of the consumer bureau, said the arbitration rule would “allow working families to hold big banks accountable when they’re cheated and help discourage the kinds of surprise fees that consumers hate.” “The Republicans are advancing this bill because they’re on the side of the giant financial institutions,” she said.

Our MoCs:


- AG Ferguson joined 18 other Attorney Generals in a letter urging the Senate to oppose disapproving the rule

Action:


2. Call, email, write to Wa.St.AG Ferguson for standing tall with the consumers in our state and taking action with other Attorney Generals.

3. Contact **Senators Murray and Cantwell** and urge them to vote NO on S.J.Res.47.
9. DACA and Immigration

Background:

Trump planned to use DACA as leverage in budget negotiations: The Washington Post reported that Trump was planning to use DACA (Deferred Action for Childhood Arrivals), the mechanism that allows the so-called “dreamers” to live and work legally in the US, as leverage in upcoming budget negotiations. Trump wanted to officially end the program or threaten to end it, and only agree to continuing it as part of budget legislation that funds the border wall, cuts legal immigration, mandate that employers check hires’ immigration status and adding funding for immigration detention facilities. Democrats have said that they will not agree to support such legislation (and their votes would be required to pass it).

The White House announced August 25 that DACA is currently under review. Two additional news sources (Axios and ABC News) reported that Trump is leaning toward ending the program. However, on Aug 31, 2017, CNN reported: “It's unclear how drastically Trump may reshape DACA, the Deferred Action for Childhood Arrivals program, which gave young people who had come to the United States illegally as kids a chance to work and study in the US without fear of deportation. Sources on the Hill increasingly believe Trump is leaning toward ending renewals and new applicants to the program, and a source familiar has said the White House is considering that option.” Trump has publicly stated on Sept 1 that his decision on DACA will come on “Sunday, or Saturday or maybe Monday” of this Labor Day weekend, adding “the latest would be Tuesday.”

9th Circuit hears fight over travel ban interpretation: A 3-judge panel of the 9th Circuit Court of Appeals in Seattle heard Hawaii’s defense of the lower court’s ruling on the Trump Administration’s interpretation of the Supreme Court decision on Trump’s travel ban. The Supreme Court will hear the case on its merits on October 10. The Supreme Court found that individuals with a “bona fide relationship” to the US would not be subject to the ban, but the Trump Administration took an extremely narrow interpretation of such a relationship. The Court was skeptical of the administration claim that grandparents or aunts and uncles of people legally in the US should not receive an exemption from the ban. The Administration argued that its interpretation comes directly out of immigration law. The 90-day ban is set to expire September 24, which might make the Supreme Court case moot.

Trump Administration introduces additional green card hurdle: Politico reported that immigration authorities will require an in-person interview for certain applicants for green cards, a change likely to slow the process of obtaining one. There is currently a six-month wait on average. The new requirement will apply to anyone moving from an employment-based visa to lawful permanent residency. Visa holders who are family members of refugees or people who receive asylum will also be required to undergo an in-person interview when they apply for provisional status, a stage that precedes receiving a green card. In fiscal 2015, nearly 168,000 immigrants in these categories obtained lawful permanent residency. Most (roughly 122,000) moved from an employment-based visa to a green card. This requirement for an in-person interview is not new, but currently it is waived most of the time over the past decade. Under this change, it will be mandatory.

Mexico again says it will not pay for a border wall: One day after Trump responded to questions about who would pay for his proposed border wall by saying that eventually Mexico would pay for it, potentially by reimbursement, the Mexican government released a statement saying that it would not fund such a project “under any circumstances.” They said it is a principle of national sovereignty and dignity. Mexico then offered its assistance in the wake of Hurricane Harvey, a very generous offer given the way Trump has treated Mexicans in the US, Mexico and the Mexican President.
Items 10, 11 and 12 should be considered for research at a future date.

10. **Budget Amendment** introduced by FL Rep. Ron DeSantis (R-Fla.), pushing an amendment to **severely curtail special counsel Robert Mueller’ investigation** into the Trump campaign’ ties to Russia.

11. What are our MoCs doing to stand up to white supremacy?

12. H.B.1987 - **Oversight Commission on Presidential Capacity Act**
13. Budget, Debt Ceiling:

Debt ceiling

Trump escalates feud with Republican congressional leaders over debt ceiling: The Washington Post reported that Trump tried on August 24 to pin blame on Republican congressional leaders for what he predicts will be a mess to raise the debt ceiling. On Twitter, Trump said he asked Mitch McConnell and Paul Ryan to include a debt ceiling increase in a recent veterans bill. He said that because they did not do as he requested, they now must compromise with Democrats on the legislation. Congress must raise the debt limit by September 30 to avoid a US default.

The deficit has grown to $800 billion because some firms and individuals are delaying payments in anticipation of tax cuts. There is a payment scheduled shortly after September 30 for military pensions of over $70 billion. Treasury has only $84 billion in its cash reserves. The figure raises and lowers based on daily tax collections and spending requirements, but it has declined steadily over the past seven months. When Trump was sworn in, there was $350 billion in cash reserves.

14. Health care:

All ACA counties without insurers have at least one now: Vox reports that all of the counties that all insurers had stopped offering coverage in ACA exchanges now have at least one insurer offering coverage. Every county in the country will have at least one insurer in the ACA exchange market. In June, there were 47 counties with 38,000 customers without insurers. This took place because state officials worked behind the scenes to bring carriers on board. Insurers also know that in such counties, they can set prices to recoup their costs, knowing there are no other choices for consumers and that most of the cost will be covered by ACA subsidies. Some companies, especially Centene, invested to help the law. Centene filled 45 of the “bare” counties. Two counties in Washington state, Klickitat and Grays Harbor, were among the counties with no insurer in June. Most of the counties that were bare in June were in just a few states.

Iowa and Oklahoma seek ACA waivers: Vox reported that Iowa is planning to apply for a waiver that would: standardize the benefits for plans on exchanges (eliminating bronze, silver, gold and platinum options); transition from existing subsidies (limiting premiums to a percentage of income) to a flat dollar amount based on income and age; eliminate cost-sharing reductions; create a reinsurance program for insurers of high-cost enrollees, using funds saved from cost-sharing reductions.

Oklahoma has applied for a waiver that would try to implement many of the elements of the House and Senate Republican ACA repeal bills. It would change subsidy eligibility from 100%-400% of federal poverty level to 0-300%, while standardizing subsidies based on age and income. It would create two benefit options: a standard plan covering 80% over medical costs and a high-deductible plan (that could be used with a health savings account). It would scale back the ACA’s essential health benefits. It would allow insurers to charge older enrollees five times as much as younger enrollees. It would explore using high risk pools or reinsurance to cover high-cost patients.
Half the jobs in the US pay less than $18 an hour: The New York Times reported on a new Department of Labor report that found that half of the jobs in the US currently pay less than $18 an hour, about $37,000 a year if someone works full-time. Forty percent of jobs in the country pay less than $15.50. Manufacturing jobs pay over $20.50 an hour, on average. The report showed that wages are up only 2.5 percent from a year ago, well below the historic average for the US about the same rate of increase as in the final years of the Obama administration. Median household income peaked in 1999, according to census data. In the nearly 20 years since then, households have seen modest gains eaten away by inflation.

Economists don’t know how unemployment can be so low (4.3 percent nationally) and so many firms Complain they can’t get enough good workers, yet wages are barely rising. Some blame robots and overseas outsourcing for keeping wages low. Other says the labor market really isn’t as tight as it appears, since many Americans in their prime working years have given up looking for jobs.

In the past year through July, the biggest jump in wages occurred for the lowest 10 percent of workers which went from $9.39 to $9.85 an hour, on average, That is largely because 19 states raised their minimum wages at the start of 2017. The best paid workers (top 5%) have seen their pay jump 22% from 2000 to July 2017. The bottom half haven’t even seen their pay rise 5% in that same period.

Janet Yellen warns against easing financial regulations: The New York Times reported that Janet Yellen, Federal Reserve Chair, warned in a speech at a conference that people were forgetting the lessons of the financial crisis. She argued forcefully for maintaining financial regulations enacted after the crisis. She said there is little evidence that regulation had reduced the availability of credit. She said that even if safety had come at some cost, financial crises cause larger declines in the availability for everyone. She also cautioned against overconfidence. She noted that policy-makers a decade ago were optimistic about the resiliency of the economy, even as the economy was falling apart. Yellen’s four-year term as Fed chair is up in February.

Stanley Fischer, the Fed’s vice chairman, issued a similar warning about deregulation to the administration this week. “After 10 years, everybody wants to go back to a status quo before the great financial crisis,” Mr. Fischer told The Financial Times. “I find that really, extremely dangerous and extremely shortsighted.” Mario Draghi, the president of the European Central Bank, told the same conference that “there is never a good time for having lax regulation. Any reversal would call into question whether the lessons of the crisis have indeed been learned.”
16. Voting rights:

Federal judge again rules against Texas voter ID law: The Washington Post reported that US District Judge Nelva Gonzales Ramos again block the Texas voter ID law August 23, rejecting a weakened version backed by the Trump Administration. She rejected changes signed by Texas Governor Greg Abbot as lacking and also potentially chilling to voters because of new criminal penalties. The new version didn’t expand the list of acceptable photo ID options (gun licenses remained as sufficient proof to vote but college student IDs did not). The bill’s changes would allow people who lack a required ID to cast a ballot if they signed an affidavit and brought paperwork that showed their name and address, such as a bank statement or utility bill. But the judge (who first struck down the law in 2014) said Texas didn’t go far enough with its changes and said that criminal penalties Texas attached to lying on the affidavit could have a chilling effect on voters who, fearful of making an innocent mistake on the form, simply won't cast a ballot. The judge was not swayed by Texas clarifying under the revised law that both U.S. passport books and cards would be accepted. She said that this remains discriminatory because it perpetuates the selection of types of ID most likely to be possessed by Anglo voters and, disproportionately, not possessed by Hispanics and African-Americans. Texas said it would appeal the decision.

Texas appeals redistricting decisions to Supreme Court: The Washington Post reported that the state of Texas is appealing cases on voting laws and redistricting to the Supreme Court. In the past two weeks, federal judges in four separate cases ruled that the Texas Legislature discriminated against minorities in drawing congressional and legislative districts, setting ID requirements for voters and regulating who can assist voters for whom English is not a first language.

Two courts are considering whether the actions intended to discourage African American and Hispanic voters. If the courts find that the efforts were intentional, it could return Texas for ten years to the kind of federal oversight from which the Supreme Court freed it and other (mostly Southern) states in the landmark 2013 decision in Shelby County v. Holder. US District Court Judge Nelva Gonzalez Ramos will hold a hearing in September to consider returning Texas to federal oversight. An affirmative decision will certainly be appealed.

On August 25, Texas Attorney General Ken Paxton went to the Supreme Court for emergency relief rather than comply with a ruling that the state should call a special legislative session to draw new electoral districts in time for the 2018 elections.

Federal judges decline to scrap Maryland’s congressional voting map: The Washington Post reports that in a 2-1 decision, a federal appeals court allowed the state to maintain its boundaries for the 2018 election. The plaintiffs argued that the state's Democratic leaders violated their First Amendment rights by diluting the number of Republican voters in the district and ensuring that a Democrat would win. This is similar to the claim made by Democrats in a case challenging a Republican redistricting in Wisconsin. All three judges on the panel acknowledged that plaintiffs had presented convincing evidence that the state’s Democratic leaders wanted to make it easier for their party to pick up another congressional seat. But in their split decision, the judges said that it was not enough to warrant the “highly consequential” preliminary injunction the plaintiffs sought. The case will be appealed to the Supreme Court. All three judges opposed political gerrymandering. In the past, the Supreme Court has struck down maps that reduced the influence of racial minorities, but it has been more tolerant of political gerrymandering, in part because the justices have never agreed on a clear standard for determining when such manipulation violates constitutional rights.

More intersectionality: Kris Kobach, the Kansas Voter Fraud Conspiracy Theorist co-chairing Trump’s Voter Integrity Commission, has announced he is now a columnist for Breitbart News.
A Justice Department lawyer found themselves apologizing to a federal judge on Wednesday after Trump’s commission for failing to disclose materials ahead of its first meeting in July, and conceded the panel had gotten off to a “chaotic start.” According to an article published August 30, “In previous filings responding to the lawsuit, a commission staffer had pledged to post all relevant documents ahead of the commission’s first meeting. At Wednesday’s hearing, U.S. District Judge Colleen Kollar-Kotelly termed it “incredible” that the panel determined its pledge did not apply to documents that individual commission members had prepared but hadn’t shown to their colleagues.”
17. Environment:

Zinke national monument review recommendations: The New York Times and Washington Post reports that Interior Secretary Zinke has sent Trump a report with draft recommendations to shrink three national monuments. They include Bears Ears (designated in 2016) and Grand Staircase-Escalante (designated in 1996), both in southern Utah as well as Cascade-Siskiyou National Monument in southern Oregon (designated in 2000 and expanded in January of this year). Zinke refused to announce the specific changes he is recommending. The report also calls for changing the management for several monuments, such as allowing fishing in marine monuments, where it is currently prohibited. It also would recommend changing the boundaries of other monuments.

Nearly three million people submitted comments to Interior on the review, with the overwhelming majority supporting protecting public lands and maintaining the sites’ existing boundaries.

A variety of groups have said they will contest the changes in court. Presidents have the authority to set aside federal lands as national monuments under the Antiquities Act, passed when Teddy Roosevelt was president. The law does not specifically provide presidential authority to shrink or modify monuments. Past presidents have altered monument boundaries and have removed land from them 19 times. The largest reduction was when Woodrow Wilson removed over 300,000 acres from the Mount Olympus monument in 1915. That monument later became the Olympia National Park. The authority to modify boundaries or remove lands has never been tested in court.

Energy Department grid report recommendations: The Energy Department’s report on the US electric grid made recommendations that would strengthen coal and nuclear plants. The report rejected the idea that the coal and nuclear plants that have been forced to shut down over the past 16 years had been closed prematurely, noting that cheap and abundant natural gas had been the main cause, not environmental regulations or renewable energy sources. The report lists other factors as continuing cost reductions for renewables, stagnant energy demand and government regulation.

The report recommends easing permitting requirements for new coal-fired plants in the new source review process. It said that the uncertainty in that process discourages installation of carbon dioxide emission control equipment and efficiency investments. The report recommended changes that would prevent renewables from providing energy at negative prices, which they can do now due to federal tax credits. This was a problem for nuclear plant energy sales. The report recommended that the Nuclear Regulatory Commission (NRC) speed up its permitting process.

Hurricane Harvey (Info accurate to Aug 30, 2017)

The Washington Post reported that Harvey’s 50 inches of rain is the greatest amount ever recorded in the continental US. The Post reported that up to 30% of Harris County (the county that includes Houston and surrounding suburban areas) is currently under water. The county is 1,777 square miles in land area.

A total of 50 inches of rain has fallen in the Houston area in the last five days: That is equivalent to all of the rain that fell in Olympia over the past seven months (and it was the rainiest winter on record) or all of the rain that fell on Seattle in the past 14 months (again, including an extremely wet winter).

While no single weather event can be clearly linked to climate change, it has the effect of increasing the intensity of storms as waters warm and the atmosphere carries more water vapor.

In the eight counties most directly affected by Harvey, 83% of all homeowners lack flood insurance. Regular home insurance covers wind damage, but not flooding. Homeowners must purchase separate
flood insurance from the government-run National Flood Insurance Program. That program is up for congressional reauthorization at the end of September and is $25 billion in debt.

FEMA grants are capped at $33,000 and most receive significantly less. Flood insurance provides far more assistance. Legally, homeowners in high-risk flood areas are supposed to have the insurance, but the requirement is not tightly enforced.

UPDATE: Texas Gov. Abbott signed a bill that went into effect on September 1, 2017, that may limit damages insurance companies are responsible for if there’s a dispute with a policy owner. The previous law provided for an 18 percent penalty if an insurance carrier wasn’t too timely to pay you on a claim or basically pay you what you’re owed under your claim or your insurance policy. It has been reduced down to 10 percent. Substantial concerns exist as homeowners who managed, in the midst of a category 4 hurricane, to file a claim prior to September 1 could likely claim the 18% penalty if they find themselves undercompensated or not compensated in a timely manner. It’s unclear if claims filed on or after September 1, in spite of the calamity which caused the claim occurred prior to then, will find that penalty reduced to 10%.
18. **Defense:**

Trump moves on nuclear overhaul despite major issues: The Trump Administration is moving forward with a costly rebuilding and modernizing of the US nuclear arsenal. Last week, the Air Force announced major new contracts for an overhaul of the American nuclear force: $1.8 billion for initial development of a highly stealthy nuclear cruise missile, and nearly $700 million to begin replacing the 40-year-old Minuteman missiles in silos across the United States. The estimated cost for a full modernization of the nuclear triad is $1 trillion. Trump is moving ahead with the overhaul before a review of American nuclear strategy is done at the end of the year.

Critics of the stealth cruise missile have argued that it will be so accurate and stealthy that it will force the Russians and Chinese to accelerate their programs to keep up. The plan also commits the US to maintaining ground-based missiles, which some have argued should be eliminated. Some critics note that it has been clear for some time that the Russians are only willing to reduce missile numbers if the US puts limits on missile defense, but with the North Korean threat, the US can’t do that. The cruise missile program is expected to cost $25 billion and the cost of replacing the Minuteman missiles and upgrading command-and-control systems is estimated at $100 billion.

19. **Trump’s Compatriots:**

Sebastian Gorka ousted by Chief-of-Staff Kelly: The New York Times and Washington Post reported that Sebastian Gorka, a Trump staffer who spoke for Trump on national security, left the White House staff on August 25. Gorka was closely aligned with Steve Bannon and had worked at Breitbart with him. He was also closely connected to a neo-Fascist anti-Semitic group in Hungary. Gorka issued an angry resignation letter expressing his anger at the changes in the White House in policy and personnel. White House officials insisted he was fired. Gorka said he would rejoin Breitbart.

David Clarke, outspoken Trump supporter, resigned as Milwaukee County sheriff — without explanation. His announcement on Twitter read, “After nearly 40 years serving my community I’m retiring. What a ride! I will announce my future plans next week after the Labor Day holiday. pic.twitter.com/pYbv7txCEZ”

The question on everyone’s lips is what will his next job be? Politico reported August 31 that Clarke is expected to take a job with the Trump administration. In June, Clarke withdrew his name from consideration for an assistant secretary position at the Department of Homeland Security.
Trump pardoned Joe Arpaio: Trump pardoned former Maricopa County Arizona sheriff Joe Arpaio. He said earlier in the week that Arpaio "was just doing his job."

Arpaio had served as sheriff in the county, which includes Phoenix, for 24 years. He was convicted of criminal contempt of court for defying a court order to stop detaining people based only on suspicion of their immigration status, when there was no evidence that a state law had been broken. This was a misdemeanor punishable by up to six months in jail. The sheriff insisted that his tactics were legal and that he would continue employing them. He was defeated in his last campaign for sheriff in 2016 by 13 points, after a two-year campaign of voter registration and turn-out.

Arpaio had a national reputation for harsh conditions in his county jail and for his campaign against undocumented immigrants. He kept people in an open-air jail in summer heat in the Arizona desert and had them wear pink underwear. His efforts to find undocumented immigrants often resulted in stops and arrests of people legally in the country, including many citizens, who were stopped because they were Hispanic or arrested because they weren’t carrying citizenship documentation when stopped. He arrested those who challenged him, including journalists, and even investigated the judge who found him in contempt. Arpaio was the first well-known figure to challenge whether Barack Obama was born in the US (a “birther”, as was Trump).

Trump’s pardon has been widely criticized, because by pardoning someone who was convicted of contempt of court, because the contempt verdict related to Arpaio’s constitutional violations, and because of Arpaio’s behavior as sheriff. It has also been criticized as a message to those people investigated by Robert Mueller that they will be pardoned by Trump and as a message to law enforcement that they will be pardoned if they are convicted of violating a suspect’s rights.

When challenged over the pardon, Trump defended it. When asked why he issued the pardon on a Friday in the middle of a massive hurricane and whether he was trying to bury the story, Trump said the hurricane guaranteed high ratings so he assumed before the pardon was issued that issuing it then would spread the story, not bury it.

Politico reported that Arpaio is considering a primary challenge to Senator Jeff Flake. He said that the door is open if Trump asks him to run.

Trump asked Sessions to drop Arpaio prosecution: The Washington Post reported that as the Arpaio case headed toward trial in the spring, Trump asked Attorney General Jeff Sessions if it would be possible for the government to drop the criminal case against Arpaio. Sessions told him that it would be inappropriate. He then decided to intervene if Arpaio was convicted.

Initial legal challenges to the Arpaio pardon: The Washington Post reported that while US District Court Judge Susan Bolton cancelled Arpaio’s sentencing hearing, she stopped short of throwing out the conviction based solely on Arpaio’s request. Instead, she ordered Arpaio and the US Department of Justice to file briefs on why she should or shouldn’t grant Arpaio’s request to throw out the conviction.

Protect Democracy, an activist group seeking to counter Trump’s violations of legal norms, and a group of lawyers have sent a letter to Raymond Hulser and John Dixon Keller of the Justice Department’s Public Integrity Section in its Criminal Division arguing that the Arpaio pardon goes beyond legal limits.

They argue that while the pardon power is broad, it is not unlimited. It is limited by later-enacted amendments, including the Bill of Rights and the Equal Protection Clause of the Fourteenth Amendment.
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They say that issuance of a pardon that violates the Fifth Amendment's Due Process Clause is also suspect. They said that for due process and judicial review to function, courts must be able to restrain government officials. They further argue that due process requires that when a government official is found by a court to be violating individuals' constitutional rights, the court can issue effective relief (such as an injunction) and for an injunction to be effective, there must be a penalty for violation of the injunction, such as contempt of court. The argument is that the president cannot interfere with the court’s powers to enforce its orders when the constitutional rights of others are at stake.

There is no precedent for limitation of the pardon power, but there is also no precedent for the Arpaio pardon, overturning a contempt of court conviction tied to constitutional violations by a law enforcement figure. The key argument is that if the president can pardon anyone who defies court orders to enforce constitutional protections, the protections are made meaningless.
21. Russia connection:

Trump organization sought to build Trump Tower in Moscow during the campaign funded by the Russian government: The Washington Post and the New York Times reported that a top executive from Trump’s real estate company emailed Vladimir Putin’s personal spokesman during the 2016 campaign to ask for help in advancing a stalled Trump Tower development in Moscow, according to documents submitted to the House Intelligence Committee on August 28. The request came in a January email from Michael Cohen, one of Trump’s closest business advisors, who asked Putin’s spokesman, Dmitry Peskov for help in reviving a deal Cohen suggested was not moving. Cohen told congressional investigators that he did not recall receiving a response from Peskov. Cohen said the deal was envisioned as a licensing project, in which Trump would have been paid for the use of his name. Cohen had been in negotiations to build a Trump Tower in Moscow starting in September 2015. Cohen said Trump signed a letter of intent with the Russian company in October 2015. He said that it was abandoned in January 2016. Trump had tried repeatedly over the past three decades to build in Russia. The funding for the project was to come from VTB, a Russian bank 60%-owned by the Russian government.

Cohen said he wrote the email on the recommendation of Felix Sater, a Russian American businessman who was serving as broker on the deal. Sater was a New York developer whose office was in Trump Tower and who helped broker licensed Trump deals. Sater had served time in prison in the 1990’s for assaulting a man with a broken margarita glass in a bar fight and also pleaded guilty in 1998 to his role in a Mafia-linked stock fraud. Federal officials have said he then cooperated on various national security and criminal investigations.

He worked with Trump on a number of occasions. Sater bragged in an email to Cohen that he could get Putin to assist with the project and that it would help with Trump’s presidential candidacy. Sater had accompanied Donald Jr. and Ivanka Trump to Moscow and had taken Ivanka Trump to Moscow where he arranged for her to sit in Putin’s private chair at his desk in the Kremlin. Ivanka Trump has confirmed part of this story. Trump has recently tried to distance himself from Sater.

Mueller team asking if Trump tried to intentionally hide the purpose of the Donald Jr. Trump Tower meeting: NBC News reported that federal investigators working for Robert Mueller are focused on Trump’s role in crafting a response to a published article about a meeting between Russians and Donald Jr., his son aboard Air Force One. Prosecutors want to know what Trump knew about the meeting and whether he sought to conceal its purpose and made a knowingly false statement.

Mueller investigating Flynn’s ties to Russian hackers: Robert Mueller is following up on the claims by the late Michael Smith, a former Republican activist. Smith reached out to several hacker groups during the campaign, including some from Russia, to try to find Hillary Clinton’s deleted emails. He claimed that he was in contact with Michael Flynn about the effort. Mueller is following up on Smith’s claim before he passed away of contact with Flynn about the hacking efforts. The Wall Street Journal reported that intelligence agencies described Russian hackers discussing how to obtain emails from Clinton’s server and to transmit them to Flynn via an intermediary. This raises questions Mueller is investigating about what Flynn knew about this or any other attempted outreach to Russian hackers.

Congressional investigators find another email: Reuters reported that congressional investigators have found another email from a top Trump campaign aide about a Russia meeting. Rick Dearborn, now deputy chief of staff, sent an email to other campaign officials about a person trying to connect them with Putin.
Senate Judiciary Chair planning for Sessions testimony as soon as September: Politico reported that Chuck Grassley, chair of the Senate Judiciary Committee is preparing for testimony by Attorney General Jeff Sessions as soon as September. Likely dates are September 19, 27 or October 3. A key item likely to come up is the press report that Sessions discussed campaign issues with the Russian Ambassador Kislyak in a meeting he had with him, contradicting his sworn congressional testimony that the campaign was not discussed.
22. International Matters:

White House pressuring intelligence officials to find Iran in violation of nuclear agreement: The Guardian reported that the White House is pressuring intelligence officials to find Iran in violation of the 2015 nuclear agreement. It reports that intelligence analysts, remembering the experience of the 2003 Iraq war, are resisting the pressure to come up with evidence of Iranian violations. The collapse of the deal would trigger a new crisis over nuclear proliferation while the US is already in a standoff with North Korea. The report quoted a former CIA analyst who worked for the National Security Council under Obama describing conversations with intelligence community personnel saying, “They told me there was a sense of revulsion. There was a sense of déjà vu. There was a sense of ‘we’ve seen this movie before.”

The report says that Trump expects to declare Iran non-compliant by mid-October, the next time he is required by Congress to sign a three-monthly certification of the deal. The Trump Administration is also pursuing another path that could trigger the collapse of the deal.

The US is putting pressure on the International Atomic Energy Agency (IAEA) to be more aggressive in its demands to investigate military sites in Iran. This is similar to what the Bush Administration did in pressuring the IAEA in Iraq military sites. Iran has said it will not allow access to military sites. The nuclear deal makes no distinction between military and non-military sites. There are also numerous undeclared sites that have not been inspected yet.

There is a general consensus among US intelligence and foreign intelligence agencies, the State Department, the IAEA and the other five countries that signed the agreement that there is no significant evidence that Iran has violated its obligations under the deal. Iran scaled down its nuclear infrastructure and fuel stockpiles soon after the deal was signed in Vienna.

North Korea fired missile over Japan during US-South Korea exercises: The Washington Post reported that North Korean fired a ballistic missile over the northern Japanese island of Hokkaido on August 29, as the US and South Korea were holding annual military exercises. The intermediate-range missile had a range of 3,000 miles and could easily have hit Guam, but it was fired eastward rather than southward to Guam. The missile broke into three parts and fell into the ocean.

China demands US withdraw sanctions on its firms related to North Korea sales: China demanded August 23 that the US immediately withdraw new sanctions on companies and individuals trading with North Korea, saying that such punitive measures will damage China-U.S. ties. The Treasury Department imposed sanctions August 22 on ten companies and six people from China and Russia that it said had conducted business with North Korea in ways that advanced the country’s missile and nuclear weapons program. China’s Foreign Ministry said its government had fully implemented UN Security Council resolutions on North Korea and would punish anyone caught violating the Security Council sanctions under Chinese law. It said that it opposed sanctions outside the framework of the Security Council, which these sanctions were. China said that it opposes any country conducting ‘long-arm jurisdiction’ over Chinese entities and individuals.
Trump issues executive order on transgender ban: The New York Times and Washington Post reported that the White House signed an executive order directing Defense Secretary Mattis to preclude transgender people from joining the military. Secretary Mattis will have wide discretion in determining whether transgender people who are already in the military can continue to serve. Mattis’s decision will be based on several criteria, including military effectiveness and budgetary concerns. The military will no longer fund sex reassignment surgeries as of March 23, 2018, unless withholding such funds would harm the health of someone already transitioning. The executive order was not clear on how many of those transgender individuals in the military could keep serving. According to a 2016 RAND study, an estimated 2-11,000 active duty and reserve troops are transgender. Secretary Mattis will have six months to fully implement the executive order.

Five transgender members of the U.S. military including Iraq and Afghanistan war veterans sued Trump earlier this month, saying that the ban was made without consulting senior military commanders. It named as defendants Trump, Mattis and other military leaders including Joseph Dunford, chairman of the Joint Chiefs of Staff. There will be no change in policy until Mattis receives an official order from Trump.

Mattis freezes transgender ban as he reviews options: The Washington Post reported that Secretary of Defense Mattis announced that he has frozen the implementation of Trump’s ban on transgender people serving in the military, saying that he will first establish a panel of experts to provide advice and recommendations on how to carry out Trump’s directive. The plan will both address the potential for transgender people looking to serve in the military for the first time, and those already serving. He said that after the panel makes its recommendations and he consults with the secretary of Homeland Security, he will provide his advice to Trump. In the meantime, policy regarding transgender service members will remain in place, meaning those now service can continue to serve. Under Trump’s executive order, Mattis has until February 1 to present a plan to present to Trump.

Two new lawsuits challenge transgender ban: Politico reported that two advocacy groups said August 28 that they are going to court to challenge the Trump ban on transgender troops in the military. The Maryland branch of the ACLU filed on behalf of five transgender service members. The suit argues that the ban is unconstitutional and discriminatory. The DC law firm of Covington and Burling is representing the ACLU. Lambda Legal and OutServe-SLDN, which includes currently serving LGBT military personnel, file suit on behalf of two transgender people who want to join the military and one currently in uniform, also citing constitutional concerns.
Rabbis groups protest Trump’s Charlottesville comments: Four coalitions of rabbis, two Reform groups, the Conservative group and the Reconstructionist group, all denounced Trump’s response to Charlottesville and announced that they will not participate in any conference call with him before the High Holidays in September. For many years, presidents have spoken by phone with hundreds of rabbis in advance of Rosh Hashanah and Yom Kippur. The groups claim the backing of over 4,000 rabbis and congregations. They accused Trump of having given “succor to those who advocate anti-Semitism, racism and xenophobia” with his Charlottesville comments. The coalitions are: The Central Conference of American Rabbis (Reform), Religious Action Center of Reform Judaism, Rabbinical Assembly (Conservative) and the Reconstructionist Rabbinical Association. Other Jewish organizations that have joined the calls in the past, including the Rabbinical Council of America (Orthodox) did not say whether they intended to participate in the call this year. The group previously issued a statement condemning any effort to draw “moral equivalency between the white supremacists and neo-Nazis in Charlottesville and those who stood up to their repugnant messages and actions.” It is not clear whether the call will still happen.

Gary Cohn criticizes Trump for Charlottesville comments: Gary Cohn, head of the Council of Economic Advisors, and one of two administration leads in drafting their tax plan, gave an interview to the Financial Times in which he said the administration “can and must do better” to condemn hate groups” and “do everything we can to heal the deep divisions that exist in our communities.” Cohn is said to have drafted his resignation letter after Trump’s post-Charlottesville press conference, but ultimately decided to remain in his job. Cohn is a past president of Goldman Sachs.

Rex Tillerson says Trump speaks for himself on values: The Washington Post reported that Secretary of State Rex Tillerson said that Trump “speaks for himself” on his values, when interviewed on Fox News Sunday on August 27. He said that the US commitment to tolerance and equality is unchanged. He said that “we express America’s values from the State Department—our commitment to freedom, our commitment to equal treatment of people the world over, and that message has never changed. Asked about Trump’s reaction to Charlottesville, Tillerson said “The president speaks for himself.”
25. Law Enforcement Militarization:

Trump to restore program sending surplus military weapons to police: The Washington Post reported that Trump plans to resume the transfer of surplus weapons, vehicles and other military equipment to state and local law enforcement agencies. This revives a program sharply curtailed by former President Obama. The program was begun in 1990, but was limited after public reaction to heavily militarized police in Ferguson, Missouri.