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FRANCE – EUROPE



Assailant Near Louvre Is Shot by French Soldier

Aurelien Breeden and Alissa J. Rubin

Although the effectiveness of deploying soldiers alongside police officers and gendarmes to protect civilians has been questioned — about 3,500 soldiers around the country now patrol — their presence is an increasingly accepted feature of the country's efforts to confront the terrorist threat.

President Trump, in a post on Twitter, said, "A new radical Islamic terrorist has just attacked in Louvre Museum in Paris. Tourists were locked down. France on edge again. GET SMART U.S.," but there was no publicly available information to support that claim.

The authorities cordoned off the large central courtyard of the Louvre, which has long been considered a possible target of extremists, and the museum was put under tight security.

Photographs posted on Twitter showed visitors to the museum sitting on the floor, checking their smartphones, and then leaving after the authorities had brought the situation under control.

According to the French Interior Ministry, about 250 visitors were in the museum at the time of the attack — in the morning, when the venue is less crowded. It also draws far fewer visitors in the winter, low season for tourists, than in the summer.

Those who were inside the museum were moved to secure areas, the police chief said, and no one else was allowed to enter. The roughly 1,000 people who were inside the blocked-off area were being let out around midday.

A second person has been taken into custody, said Pierre-Henry Brandet, an Interior Ministry spokesman, but that person's connection to the events at the Louvre is unclear.

As the tensions of the morning eased, the main courtyard that surrounds the glass pyramid designed by I. M. Pei, which anchors the museum's main entrance, was still empty because the police had sealed it off.

Officers secured the area around the Louvre on Friday. Christian Hartmann/Reuters

The police later reduced the size of the security perimeter, and the museum was expected to open later in the day.

The Rue de Rivoli, which runs along the northeast side of the museum and is lined with shops and restaurants catering to tourists and occupying centuries-old arcaded buildings that make it one of Paris's most photographed streets, remained at least partly open to pedestrian traffic, although other streets were blocked off.

Police officers and soldiers were stationed at street corners in the area while tourists walked around, seemingly unconcerned — if curious — about what had happened, checking their phones, taking photographs and asking journalists for information.

Marie-Agnès Tiberghien, 69, who lives in Paris, said that she had not heard gunfire while she and about 200 others were attending a class on the Italian Renaissance nearby, but that the threat soon became apparent.

After an alarm sounded, staff members entered the conference room where the class was being held and told people to stay where they were.

"Someone came to inform us every 15 minutes, so that we wouldn't panic," she said, adding that staff members and the police had been "very reassuring."

Ms. Tiberghien and others left the building around 1 p.m., but only after they had been asked to open their coats and bags and to put their hands in the air.

France has been on edge because of the serious threat posed by terrorism, most notably the coordinated assaults in November 2015. In June, an off-duty police officer and his companion were stabbed to death by a man who then filmed himself claiming allegiance to

the Islamic State, broadcasting the video on Facebook.

On July 14, a man driving a truck plowed into a crowd celebrating Bastille Day in the southern city of Nice, killing 86. Just 12 days later, two men burst into a church during morning Mass in the northern town of St.-Étienne-du-Rouvray and slaughtered a priest, Jacques Hamel.

Many of the assailants have said they were inspired by the Islamic State, also known as ISIS or ISIL, but had links to a wider network of terrorists.

Over the summer, most notably during the Euro 2016 soccer championship, France heightened security measures and conducted raids of possible terrorist cells.

Some of the suspects were French citizens, some showed no sign of radicalization, and women have emerged among their ranks.

In November, seven men who the authorities said were planning terrorist attacks were arrested in the eastern city of Strasbourg and the southern port city of Marseille.

With presidential elections scheduled in a few months, and more than two years after the attacks on the Paris offices of the satirical newspaper *Charlie Hebdo*, questions of how to deal with terrorism and security remain a source of tension in France.

Time : Shots Fired at Suspected Attacker at the Louvre in Paris

Kate Samuelson

A French soldier guarding the Louvre in central Paris opened fire on a man armed with a knife after he attempted to enter the museum, media reports say.

Michel Cadot, the head of the Paris police force, said a man carrying two backpacks shouted "Allahu akbar" (meaning 'God is great') as he "launched" himself at a French soldier in the Carrousel du Louvre area of the museum at around 10am. A different soldier then shot at the unidentified attacker five times, leaving him seriously wounded. Two machetes were found at the scene.

"We are dealing with an attack from an individual who was clearly aggressive and represented a direct threat, and whose comments lead us to believe that he wished to carry out a terrorist incident," Cadot said, *Sky News* reports. The police chief also said a second person has been detained after they were spotted behaving suspiciously near the scene.

The area has been evacuated, according to police. French Prime Minister Bernard Cazeneuve described the incident as "an attempted attack of a terrorist nature" during a visit to Bayeux in Normandy.

U.S. President Donald Trump responded to the attack on Twitter:

A new radical Islamic terrorist has just attacked in Louvre Museum in Paris. Tourists were locked down. France on edge again. GET SMART U.S.

- Donald J. Trump (@realDonaldTrump) February 3, 2017

France's interior ministry released a statement calling the event "serious" and asked locals to "prioritize the intervention of security and rescue forces". For security reasons, the station Palais Royal Louvre Museum has been closed.

A spokeswoman for the Louvre told *Reuters* that the museum - which houses Leonardo da Vinci's Mona Lisa - was "closed for the moment" but would not confirm reports it had been evacuated.

Reports say around 250 people are locked inside, waiting to be evacuated in small groups.

France has become a major target for terrorists; attackers allied with ISIS have killed more than 230 people in the country over the past two years, according to *Reuters*.

Last July, 86 people were killed in the southern city of Nice when a man drove a truck into a crowd on

the seafront, and last September, three women were arrested in connection to a vehicle containing gas canisters found near Paris'

Notre Dame cathedral.

The country faces a presidential election this spring, and security fears and the threat of ISIS are

major issues being discussed by candidates. The capital was planning to formally submit a bid to host the 2024 Olympic Games to the

International Olympics Committee (IOC) Friday.

**The
Washington
Post**

Man attacks French soldier with knife near the Louvre. PM calls it 'terrorist in nature'.

By Samantha Schmidt

A man tried to attack a French soldier with a knife Friday near the Louvre museum in Paris. The soldier shot and seriously injured the attacker, French media reported. (Reuters)

A man tried to attack a French soldier with a knife Friday near the Louvre museum in Paris. The soldier shot and seriously injured the attacker, French media reported. A man tried to attack a French soldier with a knife Friday near the Louvre museum in Paris. The soldier shot and seriously injured the attacker. (Reuters)

A man tried to attack a French soldier with a knife Friday near the Louvre museum in Paris. The soldier shot and seriously injured the attacker, French media reported.

The man was armed with at least one machete and carrying two briefcases as he attempted to enter the museum's shopping center. When he was refused entry to the shopping center, the man pulled out a knife and attacked the soldier, yelling "Allahu akbar," AFP reported, meaning "God is great" in Arabic. The soldier responded by firing five rounds into the attacker's stomach, France's interior ministry tweeted.

Bernard Cazeneuve, France's prime minister, said the knife attack was clearly "terrorist in nature." No explosives were found in the man's two suitcases, the interior ministry tweeted. The identity of the attacker is still unknown.

The soldier was slightly wounded in the scalp, and the attacker remained alive. The interior ministry also said a second person was arrested in connection to the attack.

Authorities called it a "serious public security incident" and evacuated the area. Officials at the Louvre, one of the main tourist attractions in France and the world's most-visited museum, said the museum was closed and the visitors already inside were being kept there, according to the interior ministry.

Pierre-Henry Brandet, interior ministry spokesman, said about 1,000 people were inside the museum at the time, reported the Associated Press.

Friday's incident was the latest in a string of attacks in France, several of which have been claimed by the Islamic State. Over the past two years, militant Islamist attacks have killed more than 230 people, Reuters reported.

In January 2015, gunmen killed cartoonists and journalists at the offices of the satirical newspaper Charlie Hebdo in retaliation for

publishing cartoons of the prophet Muhammad. On Nov. 13, 2015, gunmen and suicide bombers from the Islamic State attacked bars, restaurants, a concert hall and the national stadium in Paris, killing 130 people.

According to the AFP, the Louvre has been suffering from a decline in visitor numbers after the recent attacks in the country. In 2016, 7.3 million people visited the museum, a 15 percent decline from the previous year. Uniformed soldiers carrying automatic rifles can regularly be seen walking in the area around the museum.

"This event reminds us that the threat is here and security is everyone's concern," Brandet said, according to a tweet from the interior ministry.

Derek Hawkins contributed reporting.

NPR : French Soldier Shoots Machete-Wielding Attacker At Louvre

Bill Chappell Twitter

Officers cordon off an area outside the Louvre museum near the shopping area where a man attacked soldiers in Paris on Friday. **Christophe Ena/AP hide caption**

A machete-wielding man shouted "Allahu Akbar" and attacked a security patrol near the Louvre Museum on Friday, prompting a soldier to shoot the man, wounding him, the head of Paris police says.

The attack was "obviously of a terrorist nature," French Prime Minister Bernard Cazeneuve says, according to France 24.

One soldier suffered a minor head injury in the attack near the entrance of the Carrousel du Louvre, an underground shopping mall, says Michel Cadot, head of Paris's police force.

"The Paris police chief said the attacker tried to enter the Louvre's underground shops with two

backpacks," Jake Cigainero reports for NPR's Newscast unit. "Authorities have not said what was in the bags but confirmed there were no explosives."

The soldier fired a total of five rounds, seriously wounding the attacker in the stomach, police say.

A second man has been arrested, NPR's Eleanor Beardsley reports on Morning Edition. Eleanor adds that in Paris, "there are these soldiers and patrols all over Paris."

France has been on high alert for a year now, she adds, calling the situation "the new normal."

French President Francois Hollande, Paris Mayor Anne Hidalgo and other officials are saluting the soldiers' response and professionalism, with Hidalgo saying the soldiers acted to defend both themselves and civilians who were nearby.

When major news happens, stay on top of the latest developments, delivered to your inbox.



Paris shooting: New scare for French tourism

by Alanna Petroff @AlannaPetroff

February 3, 2017: 8:21 AM ET

Tourists flock to Spain, Portugal, to avoid terrorism risk

France's status as a tourist magnet took another hit Friday after a man wielding a machete was shot in Paris.

French authorities have opened a terror investigation after the man, who rushed a group of soldiers, was shot in an underground plaza that adjoins the Louvre museum.

The incident follows a string of high-profile terrorist attacks that have deterred tourists from visiting the

country, including a summer attack in Nice that left at least 85 people dead.

France has been in an official state of emergency since the November 2015 attacks in Paris, which left at least 130 people dead.

The latest data from the UN's World Tourism Organization show international visitor numbers to France fell by about 5% in the first nine months of 2016. If travelers continue to shun France in favor of other destinations, it could soon be overtaken by the United States as the world's most popular tourist destination.

Traveler spending in the country also slumped 6.6% in 2016 following a drop of 5.4% in 2015, according to preliminary data from the UNWTO. Spending in 2016 is expected to be significantly lower than its recent peak of \$58 billion in 2014. France has been in an official state of emergency since the deadly Paris attacks in November 2015.

Paris is among the five most visited international cities in the world with more than 15 million international tourists each year, according to research firm Euromonitor International.

And the Louvre, with its famed glass pyramid entrance, is among the most popular museums in the world.

However, Louvre attendance has fallen by 21% over the past two years. Just 7.3 million people visited the museum in 2016 compared to 9.3 million in 2014.

Museum officials say the decline is "primarily due to the consequences of the terror attacks in 2015 and 2016 and to the museum's four-day closure during the flooding of the Seine in early June of 2016."

Related: Barcelona trying to tame tourism crunch

The latest incident is especially bad news for Parisian hotels, which have been offering deals to lure in travelers.

About 45% of tourism spending in the city goes towards

accommodation, a higher proportion than any other major tourist

destination, according to data from MasterCard.

POLITICO Trump warns America to 'get smart' on Islamic terror after Louvre attack

By Louis Nelson

French authorities said the attacker was wounded in the stomach but is conscious and moving. One soldier suffered minor injuries to his scalp, the AP report said. | Getty

A suspected terrorist attack at Paris's famed Louvre art museum offered President Donald Trump another opportunity to warn against such dangers for the U.S.

The Associated Press reported Friday that a man shouting "Allahu akbar" and brandishing two machetes attacked French soldiers

near the entrance to a shopping mall that lies beneath the museum. The soldiers shot the attacker, wounding but not killing him. Officials described the attack to the AP as a suspected terror attack.

Story Continued Below

French authorities said the attacker was wounded in the stomach but is conscious and moving. One soldier suffered minor injuries to his scalp, the AP report said.

"A new radical Islamic terrorist has just attacked in Louvre Museum in Paris. Tourists were locked down.

France on edge again. GET SMART U.S." Trump wrote on Twitter Friday morning.

The president has used attacks similar to the one carried out Friday morning as justification of his "extreme vetting" proposals, which he has said will keep foreign terrorists from entering the U.S. Last week, Trump signed an executive order temporarily banning individuals from seven majority-Muslim nations from entering the U.S. Those nations have been designated by the U.S. as posing an elevated risk of terrorism.

Trump's order also indefinitely stops the flow of refugees from Syria into the U.S.

While the immigration order was applauded by his supporters, the policy's opponents said that its greatest effect would be to bolster the narrative supported by terrorist groups that the U.S. is at war with all of the Islamic world. Trump's executive order is likely to be used as a recruiting tool for the Islamic State and other groups, his detractors have said.

The New York Times

Fillon Scandal Indicts, Foremost, France's Political Elite

Adam Nossiter

But the scandal has done more than add another volatile element to France's presidential campaign. It has also tapped a wellspring of anger in the French electorate and called into question the standard operating procedures of the political class.

The outrage has buffeted the establishment, rendering it ever more vulnerable to the same angry populist forces that have already upset politics as usual from Washington to London to Rome.

France's gilded political culture of immunity and privilege — free train and plane tickets, first-class travel, chauffeurs, all in a setting of marble and tapestries — can no longer be taken for granted, analysts warn.

The perception of a political structure run by and for elites who use it to enrich themselves — sometimes corruptly, but more often perfectly legally — is helping propel the far-right National Front candidate, Marine Le Pen.

"Nepotism is part of French institutional genetics," said Matthieu Caron, an expert on government ethics at the University of Valenciennes. "It is unfortunately a 'great' French tradition."

The scandal over Mr. Fillon, he added, is "making the National Front's day," even as Ms. Le Pen's party, too, faces its own no-show employment scandal in the European Parliament.

The difference is that, unlike Mr. Fillon, who has campaigned on a platform of probity and high ethics, Ms. Le Pen has never "presented

herself as the incarnation of republican morality," Mr. Caron said.

Though a fixture of France's political landscape for over 40 years, the National Front has never held power at the top, and so can position itself outside the establishment.

Just how much Mr. Fillon's scandal has improved the Front's chances of toppling the old order in elections this spring is among the most urgent questions facing France and Europe as a whole.

The uproar has similarly lifted the hopes of Emmanuel Macron, the former Rothschild banker and economy minister in the Socialist government, who is running an insurgent campaign atop his own newly formed political movement.

The immediate problem facing Mr. Fillon from the revelations in The Canard Enchaîné newspaper is that it is not clear his family members actually worked for the money.

France's financial prosecutor is now looking into Mr. Fillon's cozy monetary arrangements with his wife. His parliamentary offices were raided this week, he and his wife, Penelope, were questioned by the investigators, and Mr. Fillon has said he will bow out of the race if he is indicted.

But it is telling of the decades of slow rot that have eaten into France's political establishment that virtually no one in line to replace Mr. Fillon is untainted, either.

Former prime minister Alain Juppé, defeated by Mr. Fillon in the November primary, was himself convicted in a no-show employment scheme. The runner-up, former

president Nicolas Sarkozy, too, is a subject of multiple financial investigations into alleged improprieties.

The far-right National Front candidate Marine Le Pen in Paris on Wednesday. Her party faces its own no-show employment scandal in the European Parliament. Eric Piermont/Agence France-Presse — Getty Images

In France, to be a high-level member of the political class is to enter an exalted state where it appears O.K. to summon a professional shoeshiner to the presidential palace (one of President François Hollande's top aides was forced to resign after that and similar revelations). Lunches with the minister are at least three courses with wine, served by gloved footmen in gilt-paneled chambers hung with tapestries.

Which may explain why Mr. Fillon, 62 and also a former prime minister, sounded plaintive this week, defending himself at a Paris trade show.

He had been in France's Parliament for 30 years and his wife had been working for him that long, he said. "If they wanted to get me in trouble over this, they could have done it earlier," he complained.

But that may be precisely the problem. Mr. Fillon didn't say it, but the implication seemed clear: Over years of fat parliamentary paychecks to his wife, nobody ever raised questions about it.

And that, in spite of the fact that she was never seen around the building, did not have a badge or an email address, according to some news

reports, and told interviewers over the years she stayed away from her husband's political life.

The sense of entitlement, and indeed nepotism, is an inheritance of the country's monarchical culture, political experts and historians say.

At least 20 percent, and probably more, of French parliamentarians hire family members. Others hire the wives, children or nephews of colleagues, according to some in Parliament — a mutual back-scratching that can profit both sides.

Inside Parliament's stately marbled chambers this week, some deputies ducked questions about family hiring. Just a few wondered whether moral issues might be involved.

"On the whole, they are not calling into question at all family employment," insisted René Dosière, a veteran Socialist deputy who has been associated with ethics reform in Parliament. Even he defended the practice, though he does not do it himself.

"It is legal," Mr. Dosière mused. "But is it moral?"

That question has not arisen publicly, until now, and for good reason, experts say. Employing family members "bears witness to a culture of caste or oligarchy that makes it absolutely natural for politicians to profit to the maximum from political power," said Jean Garrigues, a leading historian of France's political culture.

"There's a custom, a culture which has become part of French political life, which is a heritage of the monarchy, and which is completely French," Mr. Garrigues said.

"There's this idea that, as soon as he is picked, he's free to dispose of public money as he pleases."

That is so despite reforms in 2013 that have raised public expectations for change, something Mr. Fillon appears to have underestimated.

Since the ethics reform, members of Parliament have to give the names of their assistants, though not necessarily their relationship to them.

"François Fillon is in a new world now," said Mr. Caron, the ethics expert. "There is a demand for transparency."

Some lawmakers were indignant. "I'm transparent," one parliamentarian, Jean-Pierre Gorges, said angrily. "I tell people, go see my wife and daughter, and you will see how hard they are working."

"People are mixing everything up," said Mr. Gorges, who represents the town of Chartres. "It's all just to have

next to you an employee who is actually much closer to you, and can keep things confidential. You are not just a deputy 9 to 5, you know."

The scandal over Mr. Fillon is unlikely to simply blow over. "What was tolerated 10 years ago will no longer be tolerated by the French," Mr. Garrigues said. "There's a disjunction between public opinion and the conservatism of the politicians."

That certainly appeared to be borne out in the comments of visitors to

the grand old Parliament building this week. As the deputies ducked and scurried in a marble antechamber off the main hall, a visiting group from the rural Loiret département expressed dismay at the affair.

"This just casts a shadow over our political institutions," Marc Bouwyn said. "And we are only now finding out about it."

CNBC : Fillon bid for French presidency in chaos as MPs call on him to quit

CNBC

French presidential candidate Francois Fillon attempted to fight back on Thursday as pressure mounted on him to quit the race with some lawmakers from his own side urging him to drop his scandal-tainted bid to save the conservatives from defeat.

With opinion polls showing the conservatives that their candidate may be fatally damaged, some senior members of The Republicans urged him to pull out now to give the party time to find a replacement who can save them from defeat.

Thomas Samson | Gamma-Rapho | Getty Images

Francois Fillon and his wife Penelope Fillon

Fillon, 62, denied wrongdoing after Le Canard Enchaîné newspaper reported the former prime minister had paid his wife hundreds of thousands of euros for work she may not have done.

Falling poll ratings since then will benefit far right leader Marine Le Pen and centrist Emmanuel Macron, a former investment banker running as an independent.

A daily IFOP poll of voting intentions for the April 23 first round showed Fillon down one percentage point since Wednesday to be level with Macron. Either candidate would comfortably beat Le Pen in the May 7 runoff, the poll suggests.

"I think our candidate must stop," Alain Houpert, a senator close to Fillon's former rival for the conservative ticket, Nicolas Sarkozy, told Public Senat television on Wednesday.

France 2 television broadcast on Thursday extracts of a 2007 interview of Fillon's Welsh-born wife Penelope telling Britain's Daily Telegraph that if she had not had her last child she would have looked for work.

She added that beyond helping her husband during campaigns, she had done nothing more.

"I have never been actually his assistant or anything like that. I don't deal with his communication," she said.

Her lawyer, Pierre Cornut-Gentille, said in a statement that the interview had been taken out of context and that she had always done her utmost to remain discreet and not appear to have a public role.

French financial investigators are widening their probe to include two of the Fillons' children, who were also hired to help him out, a source told Reuters.

Fillon himself pressed on with campaigning in the Ardennes region in northern France, telling a rally of about 1,000 people to "help him resist" against orchestrated efforts by his political opponents to break him and the party.

He once again defended his actions as "nothing illegal" and sought to

grab back the political high ground by attacking the other presidential candidates.

"I feel like someone who is being attacked unjustly on all sides. But I am ready to defend myself," he told reporters earlier in the day when a few cries of "Resign!" rang out from a crowd.

French lawmakers are allowed to employ family members, but the suggestion Penelope Fillon did no real work has damaged Fillon's image, and could yet put him in court.

Fillon has said the work was genuine and will not stand down unless put under formal investigation. He held an emergency meeting with party grandees on Wednesday in which he urged them to stick by him for another two weeks - the time he estimated a preliminary investigation would take to run its course.

But some appeared unwilling to give him that much time after one poll showed the hitherto favourite would be eliminated in the first round of the election on April 23.

Another survey showed 69 percent of people wanted Fillon to drop his bid.

Sinking ship

"We need to change tactics, strategy," lawmaker Georges Fenech told RTL radio on Thursday. "We're like the orchestra on the Titanic as it sinks," he said in an earlier comment.

Another legislator, Philippe Gosselin, called on former prime minister Alain Juppe, whom Fillon beat in a runoff for the party nomination, to think of stepping in as an alternative.

But in the right-leaning newspaper Le Figaro, party stalwarts such as former candidates Bruno Le Maire and Nathalie Kosciusko-Morizet offered Fillon their "total support".

Aside from Juppe, other names being mentioned are Francois Baroin, a former finance minister, Valerie Pécresse, who heads the prosperous Ile de France region around Paris, and Xavier Bertrand who won a notable victory against Le Pen in regional elections in 2015.

The scandal has heightened investor concerns that National Front leader Le Pen could win and take France out of the euro and the European Union.

Opinion polls routinely show Le Pen making it through to a second round, but being soundly defeated in the runoff vote by any candidate - be it Fillon or the centrist Macron.

The uncertainty has increased state borrowing costs, with the spread over German bond yields rising to an almost two-year high.

France sold 7 billion euros' worth of bonds in an auction on Thursday at yields about 30 basis points higher than at sales in December and January.

The political damage already may have been done. A poll published Thursday by the French news site Atlantico showed almost 70% of the respondents want Fillon to drop out of the race. An



Conservative French party feels Fillon is 'sinking' chances of election

Maya Vidon, Special for USA

TODAY

Published 6:45 p.m. ET Feb. 2, 2017 | Updated 14 hours ago

French presidential election candidate for the right-wing Les Républicains party Francois Fillon gestures as he delivers a speech during a public meeting in France,

on Feb. 2, 2017. (Photo: Francois Nascimbeni, AFP/Getty Images)

PARIS — The front-runner to be France's next president faces growing pressure to withdraw because of a scandal involving payments to his wife, creating a boost for an independent candidate or an anti-immigration populist in the spring election.

Conservative candidate François Fillon has seen his support evaporate following charges that he paid his wife nearly \$900,000 for work she didn't perform as a parliamentary aide over eight years.

A preliminary investigation into the payment to Penelope Fillon as her husband's assistant is expected to be finalized in two weeks. The probe was expanded to include payments

to a son and daughter, the Associated Press reported Thursday, citing an unnamed person close to the investigation.

The political damage already may have been done.

A poll published Thursday by the French news site Atlantico showed almost 70% of the respondents want Fillon to drop out of the race. An

Elabe poll released Wednesday found that Fillon would be eliminated in the first round of voting, trailing far-right candidate Marine Le Pen of the National Front, 20% to 26%.

Analysts say Fillon's supporters are likely to turn to centrist Emmanuel Macron, who is running as an independent. That would make Macron and Le Pen the leading candidates, according to the Elabe poll.

"I am disappointed like one can be only disappointed after being deceived," said Sebastien Marneur, 48, owner of a security company who had intended to vote for Fillon. "He had this austere style ... very humble ... and then suddenly you understand he really loves money. We believed in him and we fell far."

France's ruling Socialist party is faring no better. President François Hollande declined to seek re-election because of his low popularity as France was plagued by a string of terror attacks and a lethargic economy. His party also

has low approval ratings going into the elections that begin April 23.

The election is a key test for Europe following gains by populist candidates across the continent and Britain's historic referendum vote in June to leave the European Union. The populist fervor even crossed the Atlantic to elect brash billionaire Donald Trump president of the United States.

Some in France worry about a Le Pen victory because she has promised to leave France out of the EU, drop the euro and return her country to the French franc.

Fillon, 62, built his candidacy on a platform of honesty and an economic stimulus program that includes tax cuts for the wealthy, cuts in France's generous social welfare programs and an end to the 35-hour work week. He wants to beef up French security forces to thwart would-be terrorists and vows to uphold conservative social values.

"That's the problem," said political analyst Pierre Haski. "Fillon has made honesty his campaign theme.

The New York Times

Paris Turns to Flower-Growing Toilet to Fight Public Urination

Dan Bilefsky

In cities the world over, men (and, to a lesser extent, women) who urinate in the street — al fresco — are a scourge of urban life, costing millions of dollars for cleaning and the repair of damage to public infrastructure. And, oh, the stench.

Now, Paris has a new weapon against what the French call "les pipis sauvages" or "wild peeing": a sleek and eco-friendly public toilet. Befitting the country of Matisse, the urinal looks more like a modernist flower box than a receptacle for human waste.

You can even grow flowers in its compost.

The Parisian innovation was spurred by a problem of public urination so endemic that City Hall recently proposed dispatching a nearly 2,000-strong "incivility brigade" of truncheon-wielding officers to try to prevent bad behavior, which also includes leaving dog waste on the street and littering cigarette butts. Fines for public urination are steep — about \$75.

Even that was not deterrent enough, officials say. A small brigade of sanitation workers still has to scrub about 1,800 square miles of sidewalk each day. And dozens of surfaces are splattered by urine, according to City Hall.

Enter the boxy Uritrottoir — a combination of the French words for

"urinal" and "pavement" — which has grabbed headlines and has already been lauded as a "friend of flowers" by Le Figaro, the French newspaper, because it produces compost that can be used for fertilizer. Designed by Faltazi, a Nantes-based industrial design firm, its top section also doubles as an attractive flower or plant holder.

The Uritrottoir, which has graffiti-proof paint and does not use water, works by storing urine on a bed of dry straw, sawdust or wood chips. Monitored remotely by a "urine attendant" who can see on a computer when the toilet is full, the urine and straw is carted away to the outskirts of Paris, where it is turned into compost that can later be used in public gardens or parks.

Fabien Esculier, an engineer who is known in the French media as "Monsieur Pipi" because of his expertise on the subject, said the Uritrottoir was more eco-friendly than the dozens of existing public toilets which dot the capital and are connected to the public sewage system.

"Its greatest virtue is that it doesn't use water, and produces compost that can be used for public gardens and parks," he said.

So far, Paris's Gare de Lyon, a railway station that has become ground zero in the capital's war against public urination, has ordered two of the toilets, which were installed on Tuesday outside the

station, and the SNCF, France's state-owned national railway, says it plans to roll out more across the capital if the Uritrottoir is a success.

He even boasted about his Christian values."

In the fall conservative primaries, many voters cast their ballot for Fillon — who was prime minister from 2007 to 2012 — instead of former president Nicolas Sarkozy, who is tangled in numerous legal battles, Haski said.

"They chose a candidate who was honest and unimpeachable, and that's why the result is terribly damning," he added.

Since the payment scandal broke, Fillon's supporters have been turning to Macron, Haski added.

Fillon denied that his wife was paid without doing any work: French lawmakers can legally employ family members. He has also said he will not withdraw from the presidential race unless he is put under formal investigation.

"I am ready to defend myself," Fillon said this week, vowing to clear himself of the charges.

Even if Fillon escapes any charges, there is mounting pressure in his

party to find an alternative candidate now, said Guillaume Tabard, a political commentator in Paris.

"He might give answers about his wife's employment, but I think the political and moral damage is such that the relationship of trust with his constituents has been ruptured," he said.

Marneur agreed, saying Fillon's fate is sealed. "He has no chance of being elected," Marneur said. "He should withdraw."

"Today we no longer hear what he's saying, all we talk about is this affair," he added. "For this reason, even if he is not guilty, he should make room for someone else."

Lawmaker Georges Fenech, a member of Fillon's Les Républicains party, fretted in an interview with French broadcaster BFMTV. "We are like the orchestra on the Titanic, we are sinking."

Paris Turns to Flower-Growing Toilet to Fight Public Urination

France is far from alone in combating public urination. In San Francisco, a street lamp whose base was damaged by urine recently collapsed, almost injuring a driver. The city has since installed public urinals adorned by plants.

New York has also long suffered from drunken urinating revelers, but the City Council recently downgraded the offense, along with littering and excessive noise, as part of its effort to divert minor offenders from its already overstretched court system. Nevertheless, offenders face a fine of \$350 to \$450 if they commit a third offense within a year.

In Chester, northwest England, the local government has clamped down on public urination amid concerns it was damaging the city's medieval covered walkways.

In France, the acrid smell of urine has been a particular blight on the nation's capital stretching back centuries, and Mr. Lebot noted that the carbon of the straw had the added benefit of combating the odor of urine. His next challenge, he added, was to design an aesthetically pleasing public toilet that women could use.

Among the steepest fines for an act of public urination — about \$37,500 — was meted out to Pierre Pinoncelli, a French citizen who urinated on the artist Marcel Duchamp's Dadaist porcelain urinal "Fountain" in 1993 — considered a

masterpiece of conceptual art — In 2006, he was fined about \$230,000 after he attacked the artwork a second time.



Europe Processing Donald Trump Challenge

LONDON —

When European Council President Donald Tusk put out an open letter this week describing the Trump administration as a "threat" to Europe, his message was clear: Europe must unite or fall prey to threats from Russia. But European governments are far from united in their approach to U.S. President Donald Trump.

Some governments, like that of Britain's Theresa May, see their interests better served by engaging and aligning with the new U.S. administration. Others, like Germany and France, have chosen to confront.

The differing approaches show the challenges that European leaders face in adapting to Trump, whom they can love or loathe, but cannot ignore.

"Europe is not adapting very well at the moment," said John Ryan, a professor of political economy at the London School of Economics. "I think there's a degree of shock at the election result, and also I don't think that European politicians or media really followed closely enough what Donald Trump was saying on the campaign trail."

Among Trump's campaign promises that have jarred Europeans were his plans to restrict travel from some majority-Muslim countries and his pledge to demand more contributions to NATO from member countries that he says are not paying their share.

British Prime Minister Theresa May leaves 10 Downing Street in London, Feb. 1, 2017.

Britain's alignment

Britain has chosen the path of alignment, observers say, as a political necessity.

"One of the things politically that our government has to show is that post Brexit, Britain is not isolated, we have friends and we have allies. And if that friend and that ally happens to be the

most powerful country on earth, so much the better," said Anand Menon, Professor of European Politics and Foreign Affairs at Kings College London.

The EU's calls for unity have been blunt in their characterization of Trump's policies.

In his letter this week, Tusk named "worrying declarations by the new American administration" among a list of external threats on par with Russia, China, and radical Islam. Those threats, he wrote, "all make our future highly unpredictable."

The language was striking, reflecting a growing nervousness among the EU leadership.

"In Brussels there is a degree of concern that pillars of the traditional transatlantic relationship are starting to look a bit wobblier than people would have liked, and that Europe needs to start preemptively talking about that," said Menon.

German Chancellor Angela Merkel listens during a press conference with Turkey's Prime Minister Binali Yildirim after their meeting in Ankara, Turkey, Feb. 2, 2017.

Merkel's challenge

American and European media have sometimes touted Germany's Angela Merkel as the new leader of the free world and some observers, as well as some leaders, expect some governments in Europe to rally around the German leader to present a united front.

Quiet anxiety about the Trump administration turned into open criticism this week following the implementation of an executive order that temporarily barred entry into the United States for citizens of seven mainly Muslim countries. U.S. officials say the measure, supported by roughly one-half of Americans, is not aimed specifically at Muslims and was necessary "to safeguard the American people, our homeland, our values" against terrorism.

The American action has been welcomed by a few far-right parties

and governments in Europe, including the leaders of Hungary and Poland. But Merkel has emerged as the prospective leader of what media are characterizing as a continent-wide rebellion against Trump's policy.

"I have made it clear once again that the fight against terrorism does not justify a general advance against certain countries," she has said.

Also critical has been French President Francois Hollande, who recently accused the new U.S. administration of "encouraging populism, and even extremism."

Neither leader is on secure ground as their countries prepare for national elections this year.

Merkel, while riding high in the polls, has been weakened by the migrant crisis, which saw her country absorb 1.1 million migrants last year alone, and a rising far-right, anti-immigration movement.

Hollande, with popularity ratings sinking to 4 percent at the end of 2016, will not run for re-election, and a strong push is under way from the right to elect anti-immigration candidate Marine Le Pen — or at the very least a center-right candidate with views that are more sympathetic to Trump.

"You're talking really about whether Paris and Berlin and London could do something for European unity and that is very, very difficult with Britain on its way out [of the EU], and Paris and Berlin being under pressure from populist movements that are anti-European Union," said Ryan.

Far-right leader and candidate for next spring presidential elections Marine le Pen from France delivers a speech in Koblenz, Germany, Jan. 21, 2017.

Transatlantic relationship

Observers note it is still early, and European leaders are waiting for more clarity on exactly what Trump's strongly stated positions will mean

for the longer-term Transatlantic relationship.

They are nervous, though, and how they adapt will depend on whether Trump follows through on his promises, as well as what the political landscape in Europe looks like after elections in France and Germany.

"This uncertainty could not have come at a worse time for Europe," wrote Hans Kundnani, a Europe researcher at the Transatlantic Academy. "There have been many calls for Europeans to pull together — and, as usual, some hopes that a crisis might force further integration."

The U.S. president continues to be the subject of ridicule in some European newspapers and comedy shows. A newspaper in Britain on Thursday quoted Sir Bernard Ingham, a former spokesman for the late Prime Minister Margaret Thatcher, as saying "Trump's narrowed eyes and belligerent posture" make him appear like Italy's World War II leader "Benito Mussolini with a wig."

At some point, observers say Europeans will have no choice but to adapt and deal with the new administration.

"British media were certainly giving a free pass to Hillary Clinton, and really hoping or thinking that Hillary Clinton would win the election and really just cast Donald Trump in sort of a parody, and never really looked closely enough at his policy and now he's in power," said Ryan.

"There is a case for Donald Trump to moderate his stance, but at the same time, you have to ask the Europeans to moderate their statements when they don't like what they're hearing," Ryan said.

"Of course we can't ignore the president of the United States. We have to take him at his word, and from a European perspective, there has to be less talk and more getting on with things," he said.

Argument



Trump's Currency War Against Germany Could Destroy the EU

And that might be the point.

It's just over a week after Donald Trump's inauguration, and his administration has already indicated that it is preparing for global economic war. The currency war the

White House has in mind is clearly aimed not just against China — which has long been suspected of "cheating" in order to win the globalization game — but also Germany: On Tuesday, Peter Navarro, the head of the new National Trade Council, claimed that

Germany is using its currency to "exploit" both its neighbors and the United States. The White House evidently thinks of the European Union, and the monetary union that established the euro currency, as essentially a mechanism to protect German interests and extend

German power — as an instrument of Germany, as Trump himself put it.

This fear of Germany is both an outlandish expression of paranoia and an idea with a long pedigree among some establishment economists and policymakers.

Nobody doubts that the White House has tools at its disposal to strong-arm Germany into changing its economic policy, including its commitment to the euro, which currently binds the European Union together — indeed, the Trump administration already seems to be doing just that.

The first version of such criticism directed at Germany came in the late 1970s and was focused on the European Monetary System (EMS), which preceded the existence of the euro. The EMS was a fixed (but adjustable) exchange rate system that reproduced most of the features of the global Bretton Woods system established in 1944 and was designed by Europeans as an immediate reaction to the mismanagement of the U.S. dollar under President Jimmy Carter. Dollar weakness sent floods of capital — short-term money — into Germany, pushing up the Deutsche mark against the French franc and vastly complicating trade relations within the European customs union.

But there was always a suspicion that Germany was trying to get long-term trade advantages from linking the currencies. In the early 1980s, the former British Labour Party politician Denis Healey convinced himself that the EMS was a German racket after then-German Finance Minister Manfred Lahnstein told him that Germany expected to get a competitive edge by limiting the scope for other currencies to depreciate; since Germany had lower rates of wage inflation than France and much lower rates than the Mediterranean countries, a locked currency would guarantee increased export surpluses, at the price of misery elsewhere. The suggestion was that the EMS, and then later the euro, would allow Germany's grasp for European economic primacy to succeed at the end of the 20th century and in the new millennium where a similar German military plan had failed one century earlier.

The odd thing about this theory is that it has been far more current in Britain and the

United States than in continental Europe. If the power grab is what the Germans were aiming at, wouldn't other countries be able to get some whiff of the nefarious plot? And more importantly, if this were really a strategy, it would be a pretty short-sighted one (not really that much better than the disastrous Schlieffen Plan of 1914 to defeat both France and Russia at the same time). Plunging one's neighbors into national bankruptcy is not a good way of building any kind of stable prosperity.

From the German point of view, the goal of having a single currency is not just to make ordinary transactions easier but to remove the suspicion of trade advantages when nonfixed currencies move against each other. For instance in 1992-1993, when Spain and Italy left the EMS, French farmers immediately began to demand protection against cheaper wine from the south.

Previous U.S. administrations — including Barack Obama's — have long worried about the size of German current account surpluses: the investment surplus by Germans abroad that corresponded to the amount that they were underconsuming in goods and services. But they read them differently — not so much as evidence of trade manipulation but of a wrong approach to economic policy that placed a brake on the world economy as a whole. Washington did attempt to counteract this. At the 2010 G-20 summit in Seoul, there was a brief, but ill-fated, attempt by the United States to encourage a limit on the size of current account surpluses to 4 percent of GDP. Germany's surplus is about to overtake China's in absolute size and as a share of GDP is now much larger. The IMF estimates Germany's 2017 surplus as 8.1 percent of GDP while putting China's at only 1.6.

Navarro's criticism of the "undervalued euro" is that the currency union is a permanent way of keeping what is really the Deutsche mark lower than it should

be. As an alternative, it is plausible to look at Switzerland, whose export-driven economy has similarities to Germany's and which also runs a big current account surplus. Since the financial crisis, the Swiss franc appreciated significantly against both the dollar and the euro. For some time, the Swiss National Bank tried to hold the franc down, with a peg of 120 against the euro, but it unpegged in January 2015 (though it still intervenes to stop over-rapid rises in the currency). But its current account surplus is still enormous — bigger in share of GDP than Germany's with 8.95 percent forecast for 2017.

In short, Switzerland's current account balance reflects deep imbalances between high savings and low domestic investment — and not simply trade manipulation. And it is not easily adjusted even by a currency appreciation of the size that Switzerland undertook, which brought acute pain to some major sectors of its economy, including tourism and now also watches.

The dynamite in the German case lies in the domestic politics. In order to stop the franc from rising, the Swiss central bank intervened to acquire foreign assets, mostly euro-area government bonds — rather like China buys U.S. Treasury bills. And Germany also has the equivalent in the eurozone: The German central bank is building up large claims against southern Europe in the European payments system TARGET2. At the end of 2016, they amounted to 754 billion euros, higher than the peak during the euro crisis of 751 billion euros in August 2012. The goal in this case is not to keep the German exchange rate down (that can't be done since this is a currency union) but to stop the euro from breaking up.

Germany's TARGET2 balances are not an intended policy by Berlin, but the consequence of money leaking out of southern Europe after the ECB's attempt to stimulate growth there by asset purchases (quantitative easing). And that quantitative easing arose out of

pressure from southern Europe — but also from the United States — to do something to rescue the euro. So the German claims arise because of the inherent logic of the system rather than because the German government or central bank is trying to manipulate anything.

Navarro and Trump's demand is so effective because it points to an underlying political weakness of the German position. The buildup of Germany's TARGET2 claims on southern Europe is much more uncertain and more unpopular in Germany than China's dollar assets or Switzerland's reserves are in those countries. Germans are not worried that they are too successful as exporters, but they are deeply concerned about the quality of assets purchased with their current account surplus: U.S. subprime mortgage paper before 2008, southern European debt after the financial crisis. German taxpayers face a potentially large bill but one that would only be due if the euro collapsed.

In fact, the American attack plays into German domestic politics, and into critics of Angela Merkel, and sets the stage for an election campaign that will be fought around two policies — the euro and refugees — on which the American government will play an opposition role. The likely new U.S. ambassador to the EU, Ted Malloch, says he would bet on the euro collapsing and that he wants to "short the euro."

But what would be the consequences of a euro breakup? It would weaken Europe as a competitor but also make it more unstable as old national rivalries are unleashed again. In the past, Americans saw Europe as a pole of stability in an uncertain world. The new vision wants European instability, political as well as economic. The end result is that Europe would be more fractious — indeed, more like Donald Trump's America.

leaders when they discuss the comments made by Donald Tusk, President of the European Council, about Trump: that the new US President is a "threat" to European order.

So far Trump has backed Brexit, been ambivalent at best about the EU and accused Germany of using the EU to steal American business.

The British Prime Minister hitched her political wagon to Donald



Europe must come to terms with Trump's hostility

By Nic Robertson,

CNNSource: CNN

Trump to speak with key European allies 01:31

Story highlights

- EU leaders to meet for first time since President Donald Trump took office
- Ukraine, immigration high on the agenda

Nic Robertson is CNN's International Diplomatic Editor. The opinions expressed in this article belong to the author

(CNN)Gathering in Malta for a meeting of the EU Council, the leaders of the EU member states would be forgiven for wondering how many more such gatherings they'll attend.

The unspoken question: is the world on the verge of an historic power

pivot -- one pushed by President Trump that re-shapes world order, diminishes the EU, and enables others like Russia?

Britain edged closer to Brexit this week, with members of the British parliament voting in favor of Prime Minister Theresa May triggering article 50.

In Malta, she is already an outsider, invited to some meetings, but not all. She won't join the 27 other EU

Trump's fortunes a week ago. Kudos back home was rapidly replaced with rancor, as the Trump administration's so-called "Muslim ban" was revealed hours later.

Most European leaders are repulsed by Trump's decree suspending all refugee admission for 120 days, and his travel ban on anyone from seven named Muslim-majority countries. But this barely scratches the surface of their deeper fears.

That Trump took this decision in semi-secrecy without any apparent input from key senior staff from the State, Defense, Homeland Security and Justice departments is a bad sign of what's to come.

Trump's "America First" rhetoric -- branded by an aggressive fast track to unilateralism -- threatens a rapid reshaping of global diplomacy: witness National Security Adviser Michael Flynn's throwing down a red line against Iran and Trump's tweet, declaring that Iran had been put "on notice".

Secrecy and spats

Running past the reflecting pool in Washington DC's iconic National Mall last week, I was struck by its murky green waters. The winter clouds had robbed it of its reassuring serenity, but it was the absence of its clarity that I found most unsettling.

Only a few weeks earlier, these waters had provided the backdrop to history unfolding,

as they do every four years during the reassuring spectacle of the peaceful transition of power. Yet this time, the words that fell on upon its surface were darker: President Trump heralding his vision of "America First".

What is currently unsettling European capitals and others around the world is Trump's style. Not just the Twitter spat with Mexico's President, not just his apparently brusque style with Australia's Prime Minister Malcolm Turnbull, but his unconventional secrecy.

In rolling out his apparently haphazard and ill-conceived travel ban, Trump has put a match to an accumulation of tinder-dry worries, grown in the run up to his presidency. What he has done is the diplomatic equivalent of setting the school on fire while bunking off to smoke behind the bike shed.

Setting aside the obvious problems with Trump's travel ban -- that Americans are statistically more likely to be killed by a child with an automatic weapon or falling out of bed than by a refugee, that it flies in the face of all the successful counter-terrorism tactics honed by US and its allies in recent decades - - it is the insidious nature of the decision making and crafting of the decree that is troubling America's traditional allies.

Trump's team was smart enough to get him elected and is smart enough

to have gamed out some of the repercussions.

Fanning the flames

So why create so much turmoil and uncertainty?

Is Trump's inner politburo, the one often surrounding him as he launches his decrees, afraid that their project will be stopped? Are they afraid that its flaws will be found out? Or is it that they do have a grand plan, privy only to the most-trusted members of the President's inner circle?

The old adage of no smoke without a fire raises fears as to what other secrets is Trump keeping, and what his core trusted advisers are planning.

In Malta, the members of the EU Council fear that the Muslim-oriented travel ban will fan flames already licking the central plank of the European project: open borders.

Unlike in the US, the danger of ISIS exploiting the refugee ban to gain entry to the continent is a major security concern. His policy enables populist nationalists like UKIP's Nigel Farage, France's Marine Le Pen, Holland's Geert Wilders and Germany's AfD, who all want to bring the EU down.

The reality for them is now very clear: Trump's apparent ambivalence to EU is a chimera for his hostility toward it.

So what happens behind the White House bike shed next is a worry.

A secretive plan to embrace Putin above the heads and advice of most European leaders would not just add further distance between Brussels and Washington, but ignite another smoldering ember of European contention: sanctions over Ukraine.

Some of Putin's European allies have been calling for an end to this policy, as it hurts them too. Putin himself is only too happy to see America's historic European allies squabble and weaken.

If it comes -- and the Kremlin's fulsome and all but effusive read out of Putin phone conversation with Trump indicates that it could -- it will become a matter of urgency for EU leaders to put differences behind them.

If this were Trump's next move, Tusk could be forgiven for thinking Europe does indeed face an existential threat. Europe's experience would become a fast-learned object lesson for other capitals around the world.

America First is more than a battle of ideals; it is a vision of a new world order that places the US dollar ahead of all else.

Only Trump's inner circle currently knows how far he is willing to go to achieve this.



For Europe, There's a New Threat in Town: The U.S.

Steven Erlanger

LONDON — The European Union is accustomed to crises. But it is probably safe to say that none of the 28 leaders who are gathering in Malta on Friday expected the crisis that has overtaken the agenda: the United States of America.

Like much of the world, the European Union is struggling to decipher a President Trump who seems every day to be picking a new fight with a new nation, whether friend or foe. Hopes among European leaders that Mr. Trump's bombastic tone as a candidate would somehow smooth into a more temperate one as commander in chief are dissipating, replaced by a mounting sense of anxiety and puzzlement over how to proceed.

If many foreign leaders expected a Trump administration to push to renegotiate trade deals, or take a tough line on immigration, few anticipated that he would become an equal opportunity offender. He has insulted or humiliated Mexico, Britain, Germany and Iraq; engaged

in a war of words with China and Iran; and turned a routine phone call with the prime minister of Australia, a staunch ally, into a minor diplomatic crisis.

With the possible exception of NATO, where he has softened his tone, Mr. Trump has expressed disdain for other multilateral institutions such as the European Union. His praise has been reserved for populists and strongmen, like Nigel Farage, the former leader of the U.K. Independence Party, President Rodrigo Duterte of the Philippines and, of course, President Vladimir V. Putin of Russia.

Mr. Trump is convinced that the United States has been played for a patsy by the rest of the world and is vowing to set things straight. "We're taken advantage of by every nation in the world virtually," he said on Thursday at a prayer breakfast. "It's not going to happen anymore."

Against this forbidding backdrop, some European leaders are urging their counterparts to recognize that Mr. Trump may represent a truly dire challenge, one that threatens to

upend not only the 70-year European project of integration and security, but just about everything they stand for, including liberal democracy itself.

A European official, Donald Tusk, created a stir this week when he wrote a letter to 27 leaders of the bloc's 28 member states suggesting that the Trump administration presented a threat on a par with a newly assertive China, an aggressive Russia and "wars, terror and anarchy in the Middle East and Africa."

Intentionally, he left out Britain, because it has voted to leave the bloc and its prime minister, Theresa May, has rushed with what some Europeans consider unseemly rapidity to the side of Mr. Trump, who has derided the European Union and praised Britain's withdrawal, or "Brexit," saying, "I don't think it matters much for the United States."

In his letter, Mr. Tusk, a former Polish prime minister who is the president of the European Council, made up of the national leaders,

wrote of "worrying declarations" from the Trump team, adding: "Particularly the change in Washington puts the European Union in a difficult situation, with the new administration seeming to put into question the last 70 years of American foreign policy."

Stefano Stefanini, a former Italian ambassador working in Brussels, said that Mr. Tusk "is prone to exaggeration" and that he had a specific Polish fear of Mr. Trump's apparent coziness with Mr. Putin.

But Mr. Tusk "has some justification," Mr. Stefanini said, because he is also reacting to a complacent Brussels establishment "that he believes is shrugging off Brexit, Trump and right-wing populism and believes it's business as usual."

Others say Mr. Tusk is adapting realistically to a series of new dangers posed by the new administration in Washington. Mr. Trump's open protectionism, his contempt for the European Union and his ambivalence toward NATO are serious and damaging, which

Mr. Tusk understands, said Mark Leonard, the director of the European Council on Foreign Relations.

"Trump is the first American president since the E.U. was created not to be in favor of deeper European integration," Mr. Leonard said. "Not only that, but he's against it and sees the destruction of the European Union as in America's interest."

Worse, he said: "Europeans see Trump as the biggest threat to global order and the European ideal of how the world should be organized. The U.S. has been a crucial part of the ballast meant to be upholding the global order in the face of these other challenges Trump mentions, from Russia and China to Islamic radicalism."

"But rather than acting as a check on these forces, Trump seems to be amplifying them, and that's pretty terrifying," Mr. Leonard continued. "It's like you suddenly discover that the medicine you've been taking is making you sicker than the illness itself."

For his part, Mr. Trump described his confrontational diplomatic style as a necessity. "The world is in trouble, but we're going to straighten it out, O.K.?" he said at the prayer breakfast on Thursday. "That's what I do — I fix things."

He added: "Believe me, when you hear about the tough phone calls I'm having, don't worry about it. Just don't worry about it."

There have been other moments when Europeans judged American policies as harmful, including the Iraq war and the assaults on multilateralism early in the first term of President George W. Bush. "But Trump's attacks are of a different scale and come when there's a lot of indigenous turmoil anyway," Mr. Leonard said. "He seems to be linking up with some of the scariest and darkest forces within European

societies," which all want the European Union to fail, he said.

Mr. Trump's views about Europe and his reluctance to commit to summit meetings with the European Union or even with NATO are deeply troubling for Europeans, said Leslie Vinjamuri, a professor of international relations at London's School of Oriental and African Studies.

"America's strategy towards Europe has always been highly consequential, but up until now that strategy has been aimed at bolstering Europe," she said. The United States has provided "that overarching protection and alliance that underpins the whole thing and makes it work," she said. "But dealing with Russia and China is suddenly a whole different calculus if you don't have America behind you."

Then there is Germany and the euro. Traditionally, Europeans view Germany as the bulwark of the European Union, its largest, richest and most influential country, but uncomfortable with open leadership. Chancellor Angela Merkel of Germany, up for re-election this autumn, is viewed as practical, pragmatic and devoted to the European project, and Germans see the euro as a political sacrifice they made of the revered deutsche mark to please the French.

So they deeply resent Mr. Trump's attacks on Ms. Merkel for her refugee policy and his statements that the European Union itself is a "vehicle" for German self-interest. Ms. Merkel was angry over comments by Peter Navarro, the director of Mr. Trump's new National Trade Council, that Germany was manipulating a "grossly undervalued" euro to gain trade advantages over other Europeans and the United States.

While Germany depends heavily on exports, annoying some of its

neighbors, the value of the euro is the same for all that use it, and Ms. Merkel made clear that its value was up to the European Central Bank, not Berlin. But a protectionist America that opposes free trade is certainly unhelpful to Germany.

Added to that are the comments by Ted Malloch, who has been advertising himself as Mr. Trump's top choice to succeed Anthony L. Gardner as ambassador to the European Union. Mr. Malloch, a strong supporter of Britain leaving the bloc, has publicly said that Mr. Trump "doesn't like an organization that is supranational, that is unelected, where the bureaucrats run amok, and is not frankly a proper democracy."

Mr. Malloch has also referred to Jean-Claude Juncker, the European Commission president, as "a very adequate mayor of some city in Luxembourg," predicted that the euro would collapse and compared the bloc to the Soviet Union. "I had in a previous career a diplomatic post where I helped bring down the Soviet Union," he said on British television. "So maybe there's another union that needs a little taming."

Mr. Malloch may not get nominated, and if he does, the bloc may not accept his posting, Mr. Gardner said.

Mr. Trump is "getting advice that is a caricature of the E.U. as a dysfunctional entity, not delivering and wholly inaccurate, despite all the challenges," Mr. Gardner said, citing joint European-American efforts in counterterrorism, trade, sanctions, security, digital privacy and policing. "Even Mrs. May has said Britain sees a cohesive E.U. in British interests. She doesn't want to see a disintegrating E.U. on its doorstep and nor do we. Hopefully that will be heard by others in the administration."

Mr. Tusk, he said, has a point, trying to dissuade other European Union nations, like Hungary and Poland, from rushing to Washington to try to make separate deals, which would be illegal, with the Trump administration. China and Russia, too, have always tried to ignore the European Union and deal bilaterally with member states, something Mr. Trump seems to be encouraging.

The French, who are being tough on a British withdrawal and are deeply disconcerted by Mr. Trump, see him as a bigger threat to European cohesion, said Charles Grant, director of the Center for European Reform. "They see the three great world powers — Russia, China and now the U.S. — wanting to destroy the E.U.," he said.

One impact of Mr. Trump that Mr. Tusk is clearly hoping for, Mr. Grant said, is "to reinforce a feeling of solidarity among mainstream European politicians."

Another result, said François Heisbourg, a senior adviser with the French Foundation for Strategic Research, may be a more serious European effort at forming its own defense capacity, which may not be in the interests of NATO or the United States.

The American commitment to NATO and the European Union has been unconditional since their creation, Mr. Heisbourg said. "But Trump sees alliances as transactional, and once you state that, countries like Poland, Hungary and Japan start to hedge their bets."

But Mr. Heisbourg also notes the impact of Mr. Trump's dark view of the world as a helpless America being taken to the cleaners by its allies. "In the Trump world there are no sunny uplands, just darkness and hatred," he said. "And in a continent that has had its share of hatred, this resonates."

**The
New York
Times**

Putin Swaggers Into Hungary as Europe Wonders About U.S.

Rick Lyman

BUDAPEST —

When President Vladimir V. Putin of Russia last paid a visit to Hungary, Prime Minister Viktor Orban was under siege for his autocratic style, Russia was isolated for its seizure of Crimea, and both men were called xenophobes for their hard-line stance on immigration.

Two years later, as Mr. Putin landed on Thursday for his first foray into Europe in the Trump era, it was a different story. Both men feel vindicated. There is talk of lifting the economic sanctions placed on

Russia for its land grab in Ukraine. Their brand of nationalism has moved from the fringe to the mainstream.

There was a note of triumphalism, even a bit of swagger, in the air.

"We all sense, it's in the air, that the world is in the process of a substantial realignment," Mr. Orban said in a news conference after Thursday's meeting. "We believe this will create favorable conditions for stronger Russian-Hungarian relations."

Even so, beneath the triumph lies a strain of uneasiness. The visit is expected to be fairly low-key, an indication of the uncertainty surrounding the new Trump administration, analysts say. President Trump's intentions remain unclear, and the prospects of a grand bargain between Washington and the Kremlin are highly uncertain.

In the meantime, leaders across Europe have been forced to recalculate the best way to balance pressures in the East and West. Nowhere is that challenge felt more keenly than in Central and Eastern

Europe, historically torn between Russia and the West.

That means European and global leaders are closely scrutinizing the visit. They are looking for hints of how aggressive Mr. Putin and populist leaders like Mr. Orban will be in capitalizing on this new international climate and on Mr. Trump's stated desire for better relations with Moscow.

If Thursday's post-meeting news conference is any indication, any hints of aggression are well buried. Both leaders focused on economic issues, such as Russian energy

deals, and emphasized the need for international cooperation.

"I provided information in great detail on our assessment of what is happening in eastern Ukraine and what, in our opinion, is happening in Syria," Mr. Putin said — which, he added, underlines the need for more global cooperation to fight terrorism.

Many here, skeptical that the Americans and Russians will actually bridge the chasm of interests dividing them, are injecting a note of caution about the balancing act ahead for leaders like Mr. Orban and his governing right-wing party, Fidesz.

Andras Racz, a Russia expert and associate professor at Pazmany Peter Catholic University in Budapest, predicted that the reset in relations between the United States and Russia would result in "a brief honeymoon, but nothing else, soon overwritten by conflicting interests."

As for Hungary, "there is no trust on the Russian side towards Orban," Mr. Racz said. The Hungarian leader has been seen mostly as a useful tool for weakening European Union unity, he said.

And the feeling is mutual, said Balazs Orban, director of research for the Szazadveg Foundation, a think tank that advises the Fidesz party.

"Fidesz doesn't feel chemistry with the Russians," he said. "They don't think they are friends of Hungary, necessarily."

The warmer relations of recent years, he said, had more to do with economic necessity and Hungary's dependence on Russian energy.

Indeed, Zoltan Kovacs, Viktor Orban's spokesman, said in an interview that both nations would treat Mr. Putin's visit as "business as usual," with energy policy and a Russian deal to build a nuclear power plant in Hungary at the top of the agenda.

In a phone call with Mr. Putin on Saturday, President Trump did not mention sanctions against Russia. Drew Angerer/Getty Images

It was not clear how significant a role, if any, the thorniest issue between Russia and the West — the sanctions imposed by the European Union and the United States after the seizure of Crimea — would play in the meeting. But Mr. Putin is clearly eager to have the sanctions lifted, and to sow divisions in the European Union on that policy and others.

Hungary may be among the nations most susceptible to Mr. Putin's maneuvering to remove the sanctions. Mr. Orban has voted with other European nations to support them, as a show of solidarity.

When Hungary's foreign minister, Peter Szijarto, visited Moscow last week to prepare for Mr. Putin's visit, he described the sanctions as "counterproductive and harmful": an indicator, some thought, of weakening Hungarian resolve.

But since then, Mr. Trump has said that it is "too early" to revisit the issue, but that he remains open to easing sanctions down the road. In separate phone conversations he had last weekend with Mr. Putin and Chancellor Angela Merkel of Germany, who strongly supports the sanctions, the subject did not even come up.

And that pattern held on Thursday, when neither leader mentioned the word "sanctions" in their public statements.

Mr. Orban, though, did allude to the sanctions, saying that some nations in "the western side of the Continent have shown very anti-Russian policies," which have harmed the Hungarian economy "for reasons which are beyond us."

Mr. Orban's hosting of Mr. Putin is the first part of a busy year of global outreach. Efforts are underway to arrange a meeting with Mr. Trump — the timing and location are still under discussion — and Mr. Orban is also planning a visit to Beijing and a meeting with Turkey's increasingly autocratic leader, Recep Tayyip Erdogan.

"Orban has collected some credits in the international sphere," said Balazs Orban, the researcher, who is not related to the prime minister. "He forecast everything correctly, like immigration."

Now, seeing a potential ally in Washington to balance the one in Moscow, the prime minister intends to cash those credits.

"He understands geopolitics is changing," Balazs Orban said: The notion that all nations need to embrace globalism and "the liberal world order" is no longer automatically accepted.

The Hungarian prime minister's chief opposition comes from the far-right Jobbik Party. Its leader, Gabor Vona, said in an interview this week that he had "very mixed feelings about Donald J. Trump's election," and that he was unsure how seriously to take Mr. Trump's talk.

He said he would wait "to see what will be unfurled."

Russia has been accused of backing fringe parties in an effort to destabilize the European Union and NATO, but Mr. Vona denied persistent rumors that Jobbik received money from the Kremlin, calling it government propaganda.

Nevertheless, Mr. Vona said Jobbik would welcome a grand bargain between Mr. Trump and Mr. Putin.

"We will only be happy if relations between the U.S. and Russia improve," he said. If that bargain includes the creation of new "spheres of influence" for Russia and the West, as Mr. Putin dearly wishes, so much the better.

In such a world, the prime minister's spokesman, Mr. Kovacs, made clear that Hungary would be working for more latitude to pursue its own interests, even while staying in the European Union.

"We don't want to step out of the European Union," he said. "We want to reform it," turning it from a "United States of Europe" into an alliance of more independent, sovereign nations whose leaders can govern without what Mr. Kovacs characterized as undue influence from the organization's bureaucrats in Brussels.

"At the same time, we all sense there is going to be a resetting of the relationship with Moscow, and Hungary would like to be there," Mr. Kovacs said. "It is not a bipolar world anymore. It is a multipolar world that is emerging."

The New York Times

Protests Rock Romania After Government Weakens Corruption Law

Palko Karasz

Huge protests, among the largest since the fall of communism, have rocked Romania after the government passed a law that would effectively allow official corruption.

More than 250,000 Romanians took to the streets, about half of them in the capital, Bucharest. "Thieves, thieves," they shouted, denouncing the government and corruption. A few demonstrators clashed with riot police.

The protests — which continued Thursday night and were expected to swell further over the weekend — erupted after the government adopted an emergency law on Tuesday night that would make official misconduct punishable by prison time only in cases in which

the financial damage is more than 200,000 lei, or about \$47,000.

The measure had been debated for several weeks, but the government decided to adopt it abruptly late on Tuesday night, stunning observers. Officials including Liviu Dragnea, the leader of the governing Social Democratic Party, stand to benefit from the measure. Mr. Dragnea faces charges of abuse of power involving a sum of 24,000 euros, or about \$25,800.

Clashes erupted when a small group among over 100,000 protesters turned violent. Vadim Ghirda/Associated Press

Romania's top judicial watchdog, the Superior Magistrates' Council, on Wednesday issued a constitutional court challenge to the decree. Another body, the Higher Judicial Council, which helps oversee the

court system, has also challenged the law.

President Klaus Iohannis, whose role as head of state is largely ceremonial but who commands respect in many parts of the country, asked the constitutional court to strike it down.

"I am very impressed by the scale of demonstrations that took place last night in the entire country," he said in a statement on Thursday, praising the latest in a series of protests at which he himself has turned up.

Mr. Iohannis, who was elected in 2014 as the first president from the country's German-speaking minority, called Tuesday a "day of mourning for the rule of law."

In the northwestern city of Cluj, Raluca Sandor, a 30-year-old

pharmacist, braved cold weather to take part in the demonstrations.

"This decree will drag Romania back in time," she said. "The Social Democratic Party is the most corrupt party, and they are trying to save themselves from prosecution. I want the government to resign and these decrees to be canceled."

Another demonstrator in Cluj, Alexandrin Pop, 30, said, "I'm protesting because I see this as an assault on the judiciary and the rule of law."

Alexandra Zaraf, 27, one of many young protesters in Bucharest, asked, "What self-respecting government issues emergency ordinances at 9 p.m. and publishes it in the middle of the night?" She added, "In a world where we talk about corruption, they want to

change legislation and encourage it or go easy on punishing it.”

Until recently, Romania, which joined the European Union in 2007, along with Bulgaria, was seen as making slow but steady progress on corruption. The new law threatens to create a new problem for the bloc's executives in Brussels, who are already troubled by problems like the Greek debt crisis, sluggish growth among the countries that use the euro currency and Britain's plans for withdrawing from the bloc.

Analysts feared that the government could further reverse the country's progress and that an open conflict between the government and the president could create a lasting deadlock.

“The fight against corruption needs to be advanced, not undone,” Jean-Claude Juncker and Frans Timmermans, the president and vice president of the European Commission, said in a joint statement on Wednesday.

More than 250,000 Romanians took to the streets, about half of them in the capital, Bucharest. There, a small group of demonstrators, some of them identified as soccer hooligans, clashed overnight with the riot police. Sebastian Tataru/European Pressphoto Agency

But the government appeared to stand its ground. On Wednesday night, Florin Iordache, the minister of justice, whose portfolio the measures belong to, published a message on his Facebook page, urging the protesters to read the text of the decree themselves.

“I don't understand what the protesters are upset about,” Mr. Dragnea said before the decree was passed on Tuesday.

What infuriated the crowds was that the decrees “gave people the impression that the government is legislating in its own benefit,” said Alina Mungiu-Pippidi, a professor at Hertie School of Governance in Berlin, who runs a website that monitors corruption in the country.

The protests are against controversial decrees to pardon corrupt politicians and decriminalize other offenses. Andrei Pungovschi/Agence France-Presse — Getty Images

In fact, senior political and business figures, including Mr. Dragnea, were under investigation and likely to be convicted under the rules the decree was concerning.

“Romania is far from being a success story,” Ms. Mungiu-Pippidi said in a telephone interview. “We ended impunity, we managed to put in jail very important people. But the problem is that corruption has not gone down — people who replaced those people behave similarly.”

The country's anticorruption prosecution service, which was behind many of those arrests, is investigating over 2,000 cases of abuse of power. It warned its work would be hampered by the new regulation. In a statement before the decree was passed on Tuesday, the service said it would benefit both future infractors and those already being investigated for abuse of power.

The riot police at the protest when it turned violent. Alex Dobre/European Pressphoto Agency

Romania's new government was elected at the end of last year by a large majority but on low turnout, less than 40 percent. The Social Democrats came back to power only a year after they were ousted by similar demonstrations. According to analysts, they succeeded with a platform that appealed to the country's struggling middle classes — many of whom live and work elsewhere in Europe, but send money home — promising lower taxes and higher wages.

“This is a disaster for the Social Democratic Party, which wanted to change its image of a corrupt party and show that there is a new generation prepared to rule,” said Sergiu Miscoiu, a professor of political science at Babes-Bolyai University in Cluj.

Seventy-nine people were detained after a small group of protesters turned violent and provoked the riot police protecting government headquarters. Daniel Mihailescu/Agence France-Presse — Getty Images

Mr. Miscoiu described the ruling party as “a rural conservative party with a left-wing component in social and economic policies” that was more similar to the ruling conservatives in neighboring Hungary and Poland than their leftist counterparts. He said the Social Democrats could follow the playbook of the right-wing leaders in those countries, consolidating power and clashing with the European

Union, and “playing a little bit on the populist, nationalist side, trying to show that Romania has the right to have its own policies, including in justice.”

The party was behind a measure last year to scrap the mandatory television license, fees from which support public broadcasting — a move that critics said would compromise the independence of the state television and radio stations. Mr. Dragnea this month also pushed for more control over nongovernmental organizations that receive funds from abroad. Organizations backed by the American financier George Soros had “financed evil” in Romania, Mr. Dragnea was quoted as saying.

Have You Experienced Corruption in Romania? Tell Us Your Story

Tens of thousands of Romanians have protested efforts to decriminalize certain types of corruption. / Zeci de mii de români au protestat împotriva planurilor guvernului de a dezincrimina anumite tipuri de corupție. Andrei Pungovschi/Agence France-Presse — Getty Images

Romania's new government is facing a growing protest movement over measures seen as permissive toward corruption. We want to hear from Romanian readers who have felt corruption's effects. At work or at play, in ways large or small, in pursuit of medical care, an education or anything else, how has corruption been a force in your life? We may use your submission in a future piece.



Editorial : A shout-out for honesty in Europe

The Christian Science Monitor

February 2, 2017 —Since joining the European Union in 2007, Romania has made so much progress against corruption that it is often held up as a model for other former Soviet-bloc countries. An average of 1,000 officials a year have been tried for graft in Romania since 2013. And last year, the corruption-fighting group Transparency International began to tally the number of companies with codes of ethics. “We want to convince Romania that integrity is worthwhile,” said the group's local leader, Marian Popa.

But another measure of public integrity happened this week. Hundreds of thousands of Romanians took to the streets to

protest a surprise move by the government to end the corruption probes of certain officials and release others who had been jailed for such crimes. One decree said a criminal charge could not be brought against an official if the abuse amounted to less than \$48,000. Another measure aims to release more than 2,000 officials convicted of corruption.

The swift reaction of the public shows the momentum toward honest governance in Romania will be difficult to stop. In addition, Western countries have come down hard on the government over its backsliding. And the minister of business, Florin Jianu, resigned in protest over the moves. “How am I going to look [my child] in the eye

and what am I going to tell him over the years?” he wrote on Facebook.

Romania still remains one of the EU's most corrupt countries (tied with Hungary and not as bad as Italy, Greece, and Bulgaria). The cost of corruption is estimated at 15 percent of gross national product. But it has put many laws on the books to improve the rule of law and transparency. Most of all, the country has a zealous group of prosecutors, led by Laura Codruta Kovesi of the National Anticorruption Directorate (DNA). Her team has felled two prime ministers and dozens of mayors.

The protests were the largest since the ones that helped down communist rule in 1990. While Romanians now enjoy democracy,

corruption has become their biggest worry. It is also an obstacle to joining the eurozone and fending off influence from Russia.

Former President Emil Constantinescu explained what the country faces in an interview last year with a business publication, bne IntelliNews: “It took a long time to change Romanians' mentality that a head of state that obeys the law is stupidity.... Families and schools now have to educate young Romanians, to build their character. Countries are not corporations, we have to work with our people's ethos in building our democracy.”

INTERNATIONAL

The
Washington
Post

Obama's White House worked for months on a plan to seize Raqqa. Trump's team took a brief look and decided not to pull the trigger.

<https://www.facebook.com/missy.ryan>

Planning for the final assault on Raqqa, the capital of the Islamic State's caliphate, had been grinding on for more than seven months. There had been dozens of meetings of President Barack Obama's top national security team, scores of draft battle plans and hundreds of hours of anguished, late-night debates.

There were no good options, but Obama's top foreign policy advisers were convinced that they had finally settled on an approach that could work — arming Kurdish fighters in northern Syria, current and former U.S. officials said. There was just one problem: The Obama team had deliberated for so long that there was little time left to pull the trigger. Trump's advisers had also sent word that they wanted to make the decision.

So on Jan. 17, just three days before the transfer of power, Obama directed his national security adviser to hand over to the Trump team a paper detailing the plan to arm the Kurds, including talking points that President Trump could use to explain the move to Turkey's president, who officials knew would be furious. The Turks viewed the Kurdish fighters as terrorists and their No. 1 enemy.

Checkpoint newsletter

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Obama hoped that his last-minute preparations would clear the way for Trump to authorize a swift assault on the Islamic State's most important stronghold, where U.S. intelligence officials say militants are plotting attacks outside Syria.

Instead of running with the plan, Trump's national security team deemed it wholly insufficient and swiftly tossed it.

To the incoming Trump administration, Obama's approach was so incremental and risk-averse that it was almost certain to fail. "They provided the information, but we found huge gaps in it," said a senior Trump administration official

who reviewed the document. "It was poor staff work."

The Obama White House viewed its Syria plans as the product of years of experience in a region where every move carries unintended and potentially catastrophic consequences. Those who steered the Obama administration's Syria policy insisted that the new White House did not understand the complexity of the issue, but soon would.

The troubled handoff of one of the United States' most vexing national security problems shows how far the pendulum has swung between two presidents who in many ways are opposites. Obama sweated the smallest details of U.S. military and intelligence operations, often to the point of inaction.

Trump has made it clear that he prefers to go with his gut and has promised a swift and brutal campaign that will "utterly destroy" the Islamic State. In meetings with his national security team, he has signaled his desire to give Defense Secretary Jim Mattis, whom he regularly refers to by the nickname "Mad Dog," a free hand in doing whatever it takes to fight terrorism.

[In deadly Yemen raid, a lesson for Trump's national security team]

It is up to Mattis and the rest of Trump's national security team to translate the president's campaign-trail pronouncements into policy. Trump's more aggressive approach could speed the destruction of the Islamic State in Syria and Iraq, but it also could lead to an increase in civilian deaths, fueling anger toward the United States.

Trump and his top advisers also could decide to increase coordination with Russia and even Syrian President Bashar al-Assad to seize Raqqa. Or he could ultimately conclude, as Obama did, that arming the Kurds represents the best of several bad options.

The policy dilemmas that Obama and his team spent more than seven months deliberating will be decided over the course of the next 30 days in a review led by Mattis and the Pentagon. Trump has directed his defense secretary to bring him multiple options and to ignore the restrictions on troop

numbers and civilian casualties that were put in place by Obama.

"The message to the Pentagon was to widen the aperture," said the senior administration official, who, like other current and former officials, spoke on the condition of anonymity to discuss sensitive planning. "Give us all of your options."

Target: Raqqa

The policy dilemma facing Trump began with a decision made by the Obama administration in a moment of desperation in 2014.

Islamic State fighters had just seized huge swaths of territory in Iraq and Syria. Obama decided to intervene militarily but ruled out the use of American ground forces on the front lines.

The Pentagon needed to find local partners in a hurry, and the Syrian Kurds stepped forward. The budding U.S. battlefield alliance with the Kurds carried big strategic risks. The Kurdish fighters who volunteered to help the Americans had ties to the Kurdistan Workers' Party, or PKK, which the Turkish and U.S. governments considered a terrorist group.

[The uneasy mix of forces battling the Islamic State]

In contrast to Obama, Turkish President Recep Tayyip Erdogan did not see the Islamic State as his country's No. 1 threat. In private meetings with senior U.S. officials in 2014, Erdogan said the Kurds were his top concern and that removing Assad ranked second, according to U.S. and Turkish officials.

By the fall of 2016, after two years of tension between Obama and Erdogan because of different priorities, a U.S.-backed offensive using Kurdish forces to recapture Raqqa was finally within sight, and Army Gen. Joseph Votel, the commander of U.S. forces in the Middle East, asked for authorization to arm them for a push into the city.

The proposal divided the Obama White House. Then-Defense Secretary Ashton B. Carter backed the plan, but others worried that it would deepen the rift with Ankara.

Among the biggest skeptics was Susan E. Rice, Obama's national

security adviser. When she asked Marine Corps Gen. Joseph F. Dunford Jr., the chairman of the Joint Chiefs of Staff, whether an immediate decision was needed, the general said he was still evaluating whether Turkey was serious about an offer to provide its own forces to take Raqqa instead of the Kurds.

For two years inside the Pentagon, Turkey's promises of sending rebels and later its own troops were viewed with deep skepticism and derisively dubbed "Erdogan's ghosts" or the "unicorn" army, according to current and former defense officials. Carter and other defense officials worried that Dunford's response gave the White House another reason to delay a decision.

By late 2016, Dunford had concluded that the Turks would not produce the forces to retake Raqqa. With less than three weeks left in the Obama administration, Dunford and Carter submitted a formal request to arm the Kurds for the assault with armored vehicles, antitank weapons, Russian-made machine guns and mine-clearing equipment.

The Pentagon pushed for an immediate decision, warning that if the Kurds did not receive the equipment by mid-February, their offensive on Raqqa would stall. A decision not to arm the Kurds could delay the Raqqa operation by up to a year, U.S. officials warned.

The Pentagon also was alarmed by increasingly dire warnings from senior counterterrorism officials about terrorist attacks being planned inside the city.

[Tracing the path of four terrorists sent to Europe by the Islamic State]

On Jan. 10, just 10 days before Trump's inauguration, Obama's top advisers huddled in the White House Situation Room to weigh the Kurdish proposal, which would be the last major national security decision of the outgoing administration.

Carter argued that the Kurds understood that they would have to turn Raqqa over to local Arab forces as soon as the Islamic State was defeated.

Samantha Power, the outgoing U.S. ambassador to the United Nations, and the U.S. ambassador in Ankara, along with others, warned that moving forward with the plan would further damage relations with Turkey. It also would put the United States in the unacceptable position of supporting allies of a terrorist group that was carrying out mass-casualty attacks on a NATO member, they said.

Everyone in the Situation Room that day agreed on the need to consult with the Trump team. There was no point taking such a consequential step if the new president might reverse it.

At the end of the meeting, Rice thanked everyone for their hard work and led a champagne toast.

Shortly afterward, Rice spoke to retired Army Lt. Gen. Michael Flynn, her counterpart in the incoming administration, about the proposal.

"Don't approve it," Flynn responded, according to two former officials briefed on the exchange. "We'll make the decision."

On Jan. 17, Obama chaired his final National Security Council meeting and directed his team to leave the decision on arming the Kurds to the Trump administration. In one of his last acts as commander in chief, he approved the deployment of two or three Apache attack helicopters to Syria and authorized the Pentagon to provide more support to Turkish forces fighting for the Syrian town of al-Bab.

Rice prepared briefing papers for Flynn, emphasizing the importance of moving quickly to arm the Kurds.

Obama told a small group of aides that he would personally discuss the importance of the matter with Trump on the morning of the inauguration, possibly in the limousine on the way to the Capitol for the swearing-in ceremony.

"Welcome to the NBA," Obama said he planned to tell his successor, according to officials present.

A new plan

The recommendation was dead on arrival at the Trump White House.

The Obama plan required U.S. forces to train the Kurds in using the

new equipment and fighting in a densely packed city, but it lacked details about how many U.S. troops would be required and where the training would take place, the Trump administration official said. Trump officials said they were dismayed that there was no provision for coordinating operations with Russia and no clear political strategy for mollifying the Turks.

Nor were there contingency plans if the Kurdish attack stalled, the senior Trump administration official said.

"What bothered us most of all was that there was no Plan B," the Trump official said.

To the Trump team, it seemed that Obama administration officials had delayed authorizing the plan because they knew it was inadequate and did not want to be held responsible, the official said.

A senior Obama administration official said the criticism was unfounded and a sign of the new White House's "intelligence insecurity." In addition to the short memo that Rice gave Flynn, the

outgoing administration left a thick package of supplemental material, the Obama official said.

Most of the shortcomings outlined by the Trump team were obvious to Obama's advisers, he added. In fact, the senior Obama administration official said, arming the Kurds was Obama's Plan B, after it became clear that Plan A — using Turkish forces to take Raqqa — would not be feasible.

It is up Mattis and Dunford to sort through Syria's many complexities and come up with a new plan. At the end of Obama's term, Dunford emerged as one of the most passionate supporters of arming the Kurds, the senior Obama administration official said. Aides declined to describe Mattis's thinking on the option. Trump has promised to give Dunford and Mattis a free hand, which could lead them right back to some variation of the Obama plan.

"He's a businessman," the senior Trump official said of the new president. "His attitude is that I am hiring really good people to make these decisions."



How Trump's travel ban hurts the fight against ISIS

The Christian Science Monitor

February 2, 2017 Amman, Jordan— President Trump's imposition of a temporary travel ban on seven Muslim countries is hurting the fight against the self-declared Islamic State, undoing two years of work on and off the battlefield, experts say. And a central question is emerging: Can the administration uphold what Arab officials see as a "Muslim ban," when the US relies almost solely on Muslim states, groups, and allies to fight IS across the Middle East?

From Iraq to Syria to Libya, and beyond, Muslim leaders and fighters who have risked their lives to join the US-led coalition against IS are increasingly incensed by a policy they regard as an insult, devaluing their sacrifice and punishing them individually and collectively. Across the Muslim world, the policy also threatens to erode the mutual trust that allows the sharing of vital intelligence.

"The policy on the surface, and perhaps under the surface, is anti-Muslim [and] makes it hard for any Muslim country to be an open partner with the US," says Clint Watts, a senior fellow at the Philadelphia-based Foreign Policy Research Institute and a former FBI special agent. "At a time when even the Trump administration is

reluctant to deploy troops in the region, it really limits the options on the counterterrorism playing field."

Among the countries targeted by the ban is Iraq, where 5,000 US troops and advisers are embedded with and supporting Iraqi forces in their fight to liberate Mosul from IS. The travel ban has strained cooperation, experts say, and given an unintended propaganda boost to the jihadists, whose supporters are citing the ban on social media.

Some of the executive order's impacts have been direct. An ongoing training program in Arizona for dozens of Iraqi F-16 pilots has been put in doubt, with trainees no longer able to travel to the US. Sen. John McCain (R) of Arizona has warned. The Defense Department said this week it would work to provide an exemption for the pilots, although the matter has yet to be resolved.

Others are personal. CBS News reported that the ban thwarted plans by Iraqi Gen. Talib Kenani, who commands American-trained counterterrorist forces, to travel early this month to be reunited with his family, who had been relocated to the US for their safety.

"There are many American troops here in Iraq," Kenani told CBS News. "After this ban, how are we supposed to deal with each other?"

'A cleavage in the ranks'

Dozens if not hundreds of Iraqi military officials who have worked alongside the US for years and are leading the fight against IS could now face a similar predicament. The perception is that an ally for which they put their life on the line is now treating them no better than suspected terrorists.

In Syria, the ban is also affecting leaders of the Syrian Democratic Forces — the coalition of Kurdish and Sunni Arab fighters the US is relying on to defeat IS and drive it out of Raqqa, the self-declared capital of the caliphate. In Libya, the UN-backed Government of National Accord, whose affiliated militias liberated the city of Sirte from IS two months ago and are on the frontlines fighting the remnants of the jihadist group, was also broadsided.

Other Muslim-majority US allies that were not targeted by the ban are also becoming increasingly incensed.

"This creates a cleavage in the ranks of the groups coming together to mitigate the threat presented by the Islamic State," says Charlie Winter, a senior research fellow at the International Center for the Study of Radicalization at King's College, in London.

"This is a long war, and the latest administration has taken us two steps back; it has reversed a lot of work done already."

The blowback may undo years of work by Washington to unite 17 Muslim-majority nations in the 68-country anti-IS coalition.

New political pressures

Should Trump uphold the ban, and pursue other policies that could be considered anti-Muslim, experts say key anti-IS allies may become reluctant to continue siding with Washington.

"Cooperation is essential, and partners will start asking: Is this cooperation about protecting the world order or just about protecting the United States?" says Richard Barrett, former head of counterterrorism at MI6 and director of the Global Strategy Network, a London-based consultancy that helps combat violent extremism.

"More and more, they will believe that they are just serving the United States without any regard to them or their communities."

Even if various leaders, tribesmen, and politicians wish to continue to cooperate with the US in the fight against extremism, they are likely to come under immense pressure to cut ties.

Iraqi Prime Minister Haider al-Abadi already is feeling the heat from various political groups and his own parliament to impose a reciprocal travel ban on US citizens.

On Monday, the Iraqi parliament passed a non-binding measure calling on the government to "respond in kind in the event the American side does not withdraw its decision." Muqtada al-Sadr, an influential Shiite cleric and a rival to Mr. Abadi, called on the US to "get your nationals out" of Iraq.

'Where is the trust?'

Iraq's Hashd al-Shaabi, or Popular Mobilization Units, the elite, mostly Shiite militia supported by Iran and taking a leading role in the Mosul operation, have

called for expelling US nationals from Iraq.

Although Abadi and other key coalition allies in Jordan, Egypt, and Saudi Arabia have kept domestic pressure at bay, this could change as reactions to the ban and other Trump policies continue in the press and social media.

Experts say the ban hinders intelligence sharing and counterterrorism cooperation at the most basic levels.

"Counterterrorism liaison is built on trust, it is one person talking to another and telling them, trust me," says Patrick Skinner, former CIA case officer and director of special projects at the New York-based risk firm, Soufan Group. "Where is the

trust, when in a very high-profile fashion the president says everybody from this country is blacklisted?"

Even from Trump's party, Republican Sens. McCain and Lindsey Graham warned that the ban amounted to a "self-inflicted wound in the fight against terrorism."

Undermining the narrative

The impact of the travel ban is also being felt off the battlefield, where experts say years of work countering IS ideology is being undone.

The Global Engagement Center, an inter-agency department in Washington, has funneled millions

of dollars to host communities across the Middle East, supporting clerics, community leaders, and NGOs to counter the jihadists' apocalyptic claims.

Their main task has been to support voices challenging IS's claim of a "clash of civilizations" between the West and Islam.

"The counternarrative is that rather than the West vs. Islam, it is the whole world against ISIS, which is barbaric and brutal," says Mr. Barrett, the former MI6 officer. "But this action says to their audience, hang on a minute, maybe there is something to what ISIS is saying, and that this anti-ISIS line is little more than propaganda."

**The
New York
Times**

David E. Sanger

Trump Embraces Pillars of Obama's Foreign Policy

Mark Landler,
Peter Baker and
David E. Sanger

WASHINGTON — President Trump, after promising a radical break with the foreign policy of Barack Obama, is embracing some key pillars of the former administration's strategy, including warning Israel to curb settlement construction, demanding that Russia withdraw from Crimea and threatening Iran with sanctions for ballistic missile tests.

In the most startling shift, the White House issued an unexpected statement appealing to the Israeli government not to expand the construction of Jewish settlements beyond their current borders in East Jerusalem and the West Bank. Such expansion, it said, "may not be helpful in achieving" the goal of peace.

At the United Nations, Ambassador Nikki R. Haley declared that the United States would not lift sanctions against Russia until it stopped destabilizing Ukraine and pulled troops out of Crimea.

On Iran, the administration is preparing economic sanctions similar to those the Obama administration imposed just over a year ago. The White House has also shown no indication that it plans to rip up Mr. Obama's landmark nuclear deal, despite Mr. Trump's withering criticism of it during the presidential campaign.

New administrations often fail to change the foreign policies of their predecessors as radically as they promised, in large part because statecraft is so different from campaigning. And of course, today's positions could shift over time. There is no doubt the Trump administration has staked out new

ground on trade and immigration, upending relations with Mexico and large parts of the Muslim world in the process.

But the administration's reversals were particularly stark because they came after days of tempestuous phone calls between Mr. Trump and foreign leaders, in which he gleefully challenged diplomatic orthodoxy and appeared to jeopardize one relationship after another.

Mr. Trump made warmer relations with Russia the centerpiece of his foreign policy during the campaign, and European leaders had been steeling for him to lift sanctions they and Mr. Obama imposed on President Vladimir V. Putin after he annexed Crimea. But on Thursday, Mr. Trump's United Nations ambassador, Ms. Haley, sounded a lot like her predecessor, Samantha Power.

"We do want to better our relations with Russia," she said in her first remarks to an open session of the United Nations Security Council. "However, the dire situation in eastern Ukraine is one that demands clear and strong condemnation of Russian actions."

Similarly, Mr. Trump presented himself during the campaign as a stalwart supporter of Israel and criticized the Obama administration for allowing the passage of a Security Council resolution in December that condemned Israel for its expansion of settlements.

"While we don't believe the existence of settlements is an impediment to peace," his press secretary, Sean Spicer, said in a statement, "the construction of new settlements or the expansion of existing settlements beyond their

current borders may not be helpful in achieving that goal."

The White House noted that the president "has not taken an official position on settlement activity." It said he would discuss the issue with Prime Minister Benjamin Netanyahu of Israel when they meet Feb. 15, in effect telling Mr. Netanyahu to wait until then. Emboldened by Mr. Trump's support, Israel has announced more than 5,000 new homes in the West Bank since his inauguration.

Mr. Trump shifted his policy after he met briefly with King Abdullah II of Jordan on the sidelines of the National Prayer Breakfast — an encounter that put the king, one of the most respected leaders of the Arab world, ahead of Mr. Netanyahu in seeing the new president. Jordan, with its large Palestinian population, has been steadfastly critical of settlements.

The administration's abrupt turnaround also coincided with Secretary of State Rex W. Tillerson's first day at the State Department and the arrival of Defense Secretary Jim Mattis in South Korea on his first official trip. Both men are viewed as potentially capable of exerting a moderating influence on the president and his cadre of White House advisers, though it was unclear how much they had to do with the shifts.

With Iran, Mr. Trump has indisputably taken a harder line than his predecessor. While the Obama administration often looked for ways to avoid confrontation with Iran in its last year, Mr. Trump seems equally eager to challenge what he has said is an Iranian expansion across the region, especially in Iraq and Yemen.

In an early morning Twitter post on Thursday, Mr. Trump was bombastic on Iran. "Iran has been formally PUT ON NOTICE for firing a ballistic missile," he wrote. "Should have been thankful for the terrible deal the U.S. made with them!" In a second post, he said wrongly, "Iran was on its last legs and ready to collapse until the U.S. came along and gave it a life-line in the form of the Iran Deal: \$150 billion."

Still, the administration has been careful not to specify what the national security adviser, Michael T. Flynn, meant when he said on Wednesday that Iran had been put "on notice" for its missile test and for its arming and training of the Houthi rebels in Yemen.

The new sanctions could be announced as soon as Friday. But most experts have said they will have little practical effect, because the companies that supply missile parts rarely have direct business with the United States, and allies have usually been reluctant to reimpose sanctions after many were lifted as part of the 2015 nuclear accord.

Ali Akbar Velayati, an adviser to Iran's supreme leader, replied, "This is not the first time that an inexperienced person has threatened Iran," according to the semiofficial Fars news agency. "The American government will understand that threatening Iran is useless."

Some analysts said they worried that the administration did not have tools, short of military action, to back up its warning.

"Whether the Trump administration intended it or not, they have created their own red line," said Aaron David Miller, a senior fellow at the

Woodrow Wilson International Center for Scholars. "When Iran tests again, the administration will have no choice but to put up or shut up."

Mr. Netanyahu will cheer Mr. Trump's tough tone with Iran. But the statement on settlements may force him to change course on a delicate domestic issue. His coalition government seemed to take Mr. Trump's inauguration as a starting gun in a race to increase construction in occupied territory.

After Mr. Trump was sworn in, Israel announced that it would authorize another 2,500 homes in areas already settled in the West Bank, and then followed that this week by announcing 3,000 more. On Wednesday, Mr. Netanyahu took it a step further, vowing to build the first new settlement in the West Bank in many years.

For Mr. Netanyahu, the settlement spree reflects a sense of liberation after years of constraints from Washington, especially under Mr. Obama, who, like other presidents, viewed settlement construction as an impediment to negotiating a final peace settlement. It is also an effort to deflect criticism from Israel's political right for Mr. Netanyahu's compliance with a court order to force several dozen families out of an illegal West Bank outpost, Amona.

The "beyond their current borders" phrase in the White House statement hinted at a return to a policy President George W. Bush outlined to Prime Minister Ariel Sharon in 2004, which acknowledged that it was unrealistic to expect Israel to give up its major settlements in a final deal, although

they would be offset by mutually agreed-upon land swaps.

Mr. Trump had also promised to move the American Embassy from Tel Aviv to Jerusalem. But the White House has slowed down the move, in part out of fear of a violent response.

The policy shifts came after a turbulent week in which Mr. Trump also clashed with the leaders of Australia and Mexico over one of the most fraught issues of his new presidency: immigration. He defended the tense exchanges as an overdue display of toughness by a United States that has been exploited "by every nation in the world, virtually."

"They're tough; we have to be tough. It's time we're going to be a little tough, folks," he said at the

prayer breakfast Thursday. "It's not going to happen anymore."

Yet later in the day, the White House felt obliged to put a more diplomatic gloss on events. Mr. Spicer said Mr. Trump's call with Prime Minister Malcolm Turnbull of Australia had been "very cordial," even if Mr. Trump bitterly opposed an agreement negotiated by the Obama administration for the United States to accept the transfer of 1,250 refugees from an Australian detention camp.

A senior administration official disputed a report that Mr. Trump had threatened to send troops to Mexico to deal with its "bad hombres." The official said that the conversation with President Enrique Peña Nieto had been "actually very friendly," and that Mr. Trump had been speaking in jest.



Allen and O'Hanlon : Trump can do better on terrorism

John Allen and Michael

O'Hanlon 3:16 a.m. ET Feb. 2, 2017

At Rutgers University on Jan. 31, 2017. (Photo: Mel Evans, AP)

Let's give President Trump his due. There is no doubt that our new commander in chief has identified a serious concern, that terrorists could infiltrate the waves of refugees and other individuals surging across the globe. Several recent violent tragedies in Europe, including the catastrophic Bataclan attack in Paris in November 2015, involved individuals who had traveled to war zones before sneaking into Europe to carry out their abhorrent plans. Disguising terrorists within otherwise friendly and cooperative populations is a classic tactic for extremist groups.

Indeed, when retired Marine Corps general John Allen was commander in Afghanistan from 2011 through early 2013, for example, Afghans posing as loyal police or army soldiers killed dozens of NATO troops (most of them American) and nearly sank the entire mission. Some who perpetrated these "green-on-blue" attacks may have been mentally unstable. But others gained access to Western personnel in patient and diabolical plots that played out over weeks or months. It is true that this same type of tactic could be attempted among those trying to reach the United States.

At the same time, Trump needs to rapidly reevaluate and revise his executive order. As it stands now, it could do enormous harm to the broader struggle against terrorism — and thus, ultimately, to America's

own security even here in the homeland. In particular, it will damage America's image in the world, betray friends and allies who have fought with us, complicate cooperation with governments we need to help us defeat the Islamic State, and leave many vulnerable individuals unable to return to jobs and families — or to reach asylum in the first place.

Though the order responds to a legitimate fear, its logic and specific elements are misguided. To begin, none of the major attacks on American soil since 9/11 have involved individuals embedded within refugee or immigration groups from the seven countries involved in the order. Yes, the 9/11 attackers did abuse the immigration system and evade watch lists. But U.S. agencies are now much better at connecting dots and sharing information across the government.

Our vetting has also improved and is very good today. Even if one had doubts, why ban women with their innocent children? There have been only a modest number of female terrorists among today's Salafists and jihadists; hardly any of these are moms. Why ban former interpreters who worked with U.S. forces? They have already proven their trustworthiness, and we owe them a great debt. Why ban anyone over 50? Terrorists over that age are extremely rare.

POLICING THE USA: A look at race, justice, media

It is difficult to avoid the conclusion that Trump's executive action is poorly thought through and more symbolic than substantive. And

while the Trump administration fervently denies that this is a ban on Muslim immigration, many will find it difficult to conclude otherwise given various statements from Trump and his team.

So we would suggest that Trump recast his approach to what is a legitimate issue. For example:

- Are there ways to intensify scrutiny on individuals from certain regions of Syria from which ISIS and Al-Nusra have recruited most of their fighters? Young men from these regions might have to undergo an even longer delay — or even a type of probation — to achieve American refugee or immigrant status. Whether or not this step is truly needed, it would be relatively benign, and understandable.
- Can the United States assist European allies to further integrate their watch lists and improve their domestic laws and organizational approaches? There are many American interests and citizens in Europe; we are probably more at risk there than here. We might offer, for example, to deploy some FBI and National Counterterrorism Center personnel to help Belgium, Germany, France and other nations improve their vigilance.

- Finally, Trump needs to keep up the fight against ISIL in Iraq, Syria and elsewhere while also brainstorming about ways to end the Syrian civil war. Only more stable, responsive governance in the Middle East can ultimately really address the threats we face. There is surely a role for the United States in improving this capacity. Trump has a chance to bring fresh thinking and better cooperation with Moscow. A solution may require consideration of autonomous zones and other forms of self-government for Sunni parts of Syria.

And if we're truly seeking to defeat extremism, we should organize to attack the underlying causes of the radicalization that fuels this seemingly interminable Salafist violence worldwide. Above all we should recognize that it is not about being Muslim or about the Islamic faith.

It is important to take on these challenges early in a Trump presidency, rather than rely on largely irrelevant and in fact mostly counterproductive executive actions of the type taken last week.

John Allen is a retired Marine Corps general who commanded NATO's ISAF mission in Afghanistan from 2011 to 2013 and coordinated the international coalition to counter the Islamic State from 2014 to 2015. Michael O'Hanlon is the author of The \$650

Billion Bargain: The Case for Modest Growth in America's Defense Budget. Both are senior fellows at the Brookings Institution.

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**THE WALL
STREET
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Trump Administration Set to Impose New Sanctions on Iran Entities as Soon as Friday

Jay Solomon

Updated Feb. 3, 2017 7:32 a.m. ET

WASHINGTON—The Trump administration is set to impose fresh sanctions on dozens of Iranian entities for their alleged role in missile development and terrorism, in a move likely to escalate U.S. tensions with Tehran, according to people close to the deliberations.

The penalties on these Iranian companies, individuals and military organizations could be announced as early as Friday, said these individuals.

They would follow the Trump White House's announcement on Wednesday that it was putting Iran "on notice" for its recent ballistic missile tests and support for militant groups in Syria, Yemen and Iraq.

President Donald Trump said early Friday in a Twitter post, "Iran is playing with fire - they don't appreciate how 'kind' President Obama was to them. Not me!"

A draft of an executive order would dramatically expand religious protections, and could allow denial of services to gay and transgender people.

President Trump addressed the tense phone calls he shared with the Australian prime minister and Mexican president, telling attendees of the National Prayer Breakfast not to worry.

Defense Secretary Jim Mattis has traveled to Asia to affirm that the U.S. was committed to the security of its allies.

State Department officials are entitled to their own opinions but will need to work together on "one team," Secretary of State Rex Tillerson said Thursday in his first speech to the department.

Here is the list of CEOs expected to meet with President Trump to discuss issues including regulation, trade and women in the workforce.

Mr. Trump campaigned on taking a tough line on Iran, and his administration is currently reviewing the terms of the landmark nuclear deal the Obama administration and five other nations reached with Iran in 2015, according to U.S. officials. The agreement lifted most international sanctions on Iran in

exchange for Iran constraining its nuclear program.

The Trump administration believes the new sanctions don't violate the nuclear deal because they are solely focused on Iranian entities involved in the missile program or providing support to militant groups designated as terrorist entities by the U.S., according to the people close to the deliberations.

Mr. Trump's National Security Council has drafted a list of around 25 Iranian entities that will be targeted, those people said. Mr. Trump is expected to sign executive orders authorizing the penalties.

The White House didn't immediately respond to a request for comment.

Iran's government has repeatedly warned that any new sanctions imposed by the Trump administration will be viewed as a violation of the nuclear deal.

On Wednesday, Iranian officials sharply rebuked the Trump administration for its tough rhetoric since taking office last month. "This is not the first time that an inexperienced person has threatened Iran," Ali Akbar Velayati, a top aide to Supreme Leader Ayatollah Ali Khamenei, told state media. "The American government will understand that threatening Iran is useless."

Iran confirmed this week that it recently conducted ballistic missile tests. But Iranian officials have denied they violate either the nuclear deal or United Nations Security Council resolutions.

The Trump administration has signaled to foreign governments and Congress in recent weeks that it intends to significantly increase financial and military pressure on Tehran.

Mr. Trump has staffed his National Security Council with a number of current and former U.S. military officers who directly faced off against Iranian-backed militias in Iraq following the 2003 invasion. Among them are National Security Adviser Mike Flynn, and two of his top deputies, retired Army Col. Derek Harvey and Joel Rayburn, an active Army officer.

The people close to the deliberations on the new sanctions

lists said the National Security Council began drafting documents almost immediately after Mr. Trump took office on Jan. 20. The Obama administration relaxed sanctions on a number of Iranian entities believed to be involved in Iran's ballistic missile program, including Bank Sepah, a state-owned bank.

The Trump administration will face a serious test in gaining support from European and Asian countries to back new penalties on Iran. Foreign companies doing business with Iranian companies blacklisted by the U.S. are at risk of facing sanctions themselves.

European leaders have said they are strongly opposed to any efforts by the Trump administration to upend the nuclear agreement. A large number of European businesses have returned to Iran since the nuclear deal was implemented a year ago.

"Lots depends on how new sanctions are implemented," said a European official briefed on the White House's deliberations. "It's not necessarily a bad thing to push back against Iran's aggressive actions in the region."

Reuters first reported the news of the Iran sanctions on Thursday.

A number of Iran experts in Washington said they believe the Trump administration is only at the start of ratcheting up pressure on Tehran.

"These designations are merely the beginning of a combined administration and congressional push back against Iran's malign activities," said Mark Dubowitz, chief executive of the Foundation for Defense of Democracies, a critic of the Iran deal who has advised the Trump administration and Congress on Iran. "Any foreign companies doing business in those segments of Iran's economy supporting its missile program are on notice."

A number of Iran watchers voiced concerns on Thursday that the Trump administration's actions and rhetoric could spark a new crisis in the Persian Gulf. Obama administration officials stated on numerous occasions that they believed the U.S. and Iran were at risk of war without the nuclear deal.

The Pentagon has reported numerous cases of Iranian speed boats harassing U.S. naval vessels in the Gulf in recent months. White House officials on Wednesday also accused Iran of financing and arming militias in Yemen that have attacked American, Saudi and Emirati ships. Saudi Arabia has launched airstrikes on rebels in Yemen, with U.S. support.

Trump administration officials have said they will much more aggressively push back against Iranian naval operations in the Gulf.

Mr. Trump has personally taken to Twitter in recent days to warn Iran to expect a much more aggressive U.S. policy in the coming months.

"Iran has been formally PUT ON NOTICE for firing ballistic missiles," Mr. Trump wrote on Thursday. "Should have been thankful for the terrible deal the U.S. made with them!"

Asked Thursday if military action against Iran was off the table, Mr. Trump said: "Nothing is off the table."

The testy exchanges over the missiles risk playing into the hands of Iranian hard-liners, said a number of Iran experts. The clerical regime stokes anti-American sentiment to justify its hold on power.

"The ambiguity of the U.S. threat is dangerous given the level of mistrust and risks of misunderstanding," said Ali Vaez of the International Crisis Group, a Brussels-based think tank. "Tensions could easily spiral out of control."

Iran's government has also widely criticized the Trump administration's decision to ban travel from seven Muslim-majority countries in a bid to prevent future terrorism in the U.S. Iran is among the countries.

"The government is trying to convince people that the U.S. is not an enemy of the government but the enemy of the people," said Mehdi Khalaji of the Washington Institute for Near East Policy. "This travel ban targets people, which means the U.S. has problems with each Iranian individual, not the regime."

—Asa Fitch, Aresu Eqbali and Carol E. Lee contributed to this article.

Taunts and threats mark first exchanges between U.S. and Iran in the Trump era

<https://www.facebook.com/anne.gearan>

The United States and Iran traded threats Thursday as both nations sought new footing in a power struggle that could jeopardize the landmark international nuclear accord that President Trump has called "the worst deal ever negotiated."

The Trump administration was preparing additional economic penalties on Iran related to the country's recent ballistic missile test, with an announcement expected as soon as Friday, according to a U.S. official.

When asked whether his administration's tough new posture could mean a military strike, Trump answered, "Nothing's off the table."

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That followed the White House broadside Wednesday in which national security adviser Michael Flynn warned that Iran is "on notice" over the test launch. He also cited Iran's support of rebels seeking to overthrow a U.S.-backed government in Yemen.

"This is not the first time that an inexperienced person has threatened Iran," Ali Akbar Velayati, a senior adviser to Iran's supreme leader, was quoted by Reuters as saying Thursday. "Iran does not need permission from any country to defend itself."

(Reuters)

While most Americans were still asleep early Thursday morning, President Trump tweeted, saying 'Iran has been formally put on notice for firing a ballistic missile. Should have been thankful for the terrible deal the U.S. made with them.' The White House condemned the test from earlier this week as a violation of the seven-nation agreement restricting Tehran's nuclear program. The White House put Iran "on notice" on Wednesday for test-firing a ballistic missile and said it was reviewing how to respond, taking an aggressive posture toward Tehran that could raise tensions in the region. (Reuters)

Speaking to reporters, Velayati brushed off what he called Trump's

"baseless ranting" and pledged that missile tests would continue as Iran sees fit.

The exchange surrounding the missile test is the most substantive between the two countries since Trump took office two weeks ago and suggests that each nation is willing to escalate tension at the outset.

The posturing on the U.S. side appears to be mostly an attempt to seize the upper hand in what Trump officials have said will be a far tougher, less forgiving relationship with Tehran. Flynn directly blamed Barack Obama's administration for emboldening Iranian aggression and regional ambitions, and Trump has ridiculed his predecessor for seeking more cordial, if wary, relations.

Trump is under political pressure to make good on campaign pledges to get tough on Iran, while Iran has a history of testing the resolve of new U.S. leaders. The Iranian leadership also faces domestic political pressures with a presidential election due this spring.

"It will take him a long time and will cost the United States a lot, until he learns what is happening in the world," Iranian President Hassan Rouhani said in a televised address Wednesday, in which he also accused Trump of discrimination and recklessness.

Rouhani, considered a cautious political reformer, presided over the partial warming of the three-decade freeze in U.S.-Iranian relations under Obama.

Rouhani said that Trump, in temporarily halting travel to the United States from Iran and six other Muslim-majority nations, is "trampling on all international principles and commitments."

Iran had earlier vowed "reciprocal measures" for the ban, and the missile launch Sunday was widely seen as a test of the new U.S. administration.

It is not clear whether the launch violates a U.N. Security Council edict, but the Trump administration maintains that it does. The United States called an emergency Security Council review of what it called a "provocative" breach.

"Clearly, we wanted to make sure that Iran understood that they are on notice this is not going

unresponded to," White House press secretary Sean Spicer said.

White House officials have refused to clarify the "on notice" statement either on record or anonymously, but it could indicate additional economic sanctions, military repositioning or the first moves to undermine the nuclear accord that the Obama administration counted as a signature foreign policy accomplishment.

Iran experts in the United States have said the most likely initial sanctions would probably mirror those Obama applied last year to Iranian companies and individuals that Washington accused of involvement in the country's ballistic missile program.

Most Republican senators assumed that sanctions are what Flynn had in mind from his comments Wednesday.

"We should stop the crap. I think I know what he means. ... More sanctions," said Sen. Lindsey O. Graham (R-S.C.).

The new sanctions were first reported by Reuters.

House Speaker Paul D. Ryan (R-Wis.) said Thursday that he is in favor of new sanctions on Iran. Legislation is already in the works, but Republicans would need some Democratic support to reimpose penalties.

"I would be in favor of additional sanctions on Iran," Ryan told reporters. "I'd like to put as much toothpaste back in the tube as possible. I think the last administration appeased Iran far too much."

Karim Sadjadpour, an Iran analyst at the Carnegie Endowment for International Peace, said the new administration's view of Iran is informed by much more than deep skepticism about the nuclear deal and fear over Iran's potential threat to Israel.

"For Trump's senior national security brain trust, including Flynn, [Defense Secretary Jim] Mattis and key NSC staff, the enmity toward Iran is very personal," Sadjadpour said. "They hold Tehran directly responsible for hundreds of U.S. military deaths in Iraq."

As a Marine general, Mattis was a commander in Iraq and later head of the military region responsible for both the wars in Iraq and Afghanistan.

Trump reiterated on Twitter on Thursday that Iran is "formally PUT ON NOTICE for firing a ballistic missile. Should have been thankful for the terrible deal the U.S. made with them!"

Perhaps for emphasis, Trump followed that with a tweet specifically about the nuclear deal.

"Iran was on its last legs and ready to collapse until the U.S. came along and gave it a life-line in the form of the Iran Deal: \$150 billion," he wrote.

Most experts place the amount Iran recouped in frozen assets closer to \$100 billion.

There is little chance that Trump will immediately rip up the 2015 deal designed to prevent Iran from developing a nuclear weapon. Trump has not set out any plan in detail, but he has spoken of strengthening enforcement of the deal and improving on it. The United States would need the agreement of the other signers, including Russia and China, to renegotiate it.

Secretary of State Rex Tillerson was critical of the deal during his confirmation hearing last month but said it could be improved.

A U.S. official who briefed reporters after Flynn's announcement Wednesday said the new administration is keeping potential retaliatory actions strictly separate from the nuclear deal, although U.S. officials acknowledge that anything that affects the U.S.-Iran relationship has implications for the future of the pact.

Few congressional Republicans are demanding an outright rejection of the nuclear accord, either, and say they are working with the new administration to tighten enforcement and raise the stakes for Iran for any violations. U.S. allies including Saudi Arabia and Israel, which worked to thwart the deal, now have an interest in keeping it in place for fear of the instability that could result from abandoning it.

The 2015 deal lifted international trade and other restrictions on Iran related to its nuclear program in exchange for a halt in the most troublesome aspects of Iranian nuclear development. Iran claims it is not seeking a nuclear weapon.

The deal left in place separate U.S. sanctions that could now be expanded or tightened.

The risk analysis and policy organization Eurasia Group assesses a 60 percent probability that the deal survives but said in a memo Thursday

that "there is now initial downward pressure on that number."

"Trump is unlikely to tear up the deal and shoulder the full wrath of

the international community," the memo said. "Trump will walk a fine line, and probably try to keep the deal intact."

Erin Cunningham in Istanbul and Karoun Demirjian in Washington contributed to this report.

**The
New York
Times**

Editorial : New Tensions With Iran

The Editorial Board

It didn't take long for tensions to flare between Iran and President Trump, and both sides have to share the blame.

Iran was dangerously provocative in conducting a ballistic missile test this week, especially given the confusion and incompetence that has characterized Mr. Trump's first days in office. Officials in Tehran must have known that the launch of the medium-range Shahab missile would alarm America and other countries in the unstable region and would be red meat for the impulsive new president. However, the Iranians seemed determined to test not just the missile, but also whether Mr. Trump would seize any excuse to blow up the 2015 nuclear deal.

Although Mr. Trump campaigned against the deal, under which Iran curbed its nuclear program in return for the lifting of international sanctions, he didn't immediately jettison it after the missile launch, as many had feared. Instead, he threw down a challenge that was itself provocative and displayed an

eagerness to confront Iran, a risky path that could lead to a military conflict. "As of today we are officially putting Iran on notice," his national security adviser, Michael Flynn, told reporters Wednesday, arguing that the missile was the latest in a series of actions that had destabilized the region.

Mr. Flynn didn't reveal just what he meant by "putting Iran on notice," although other officials later said new sanctions were under consideration — Reuters reported they could be imposed as early as Friday — and military action has not been ruled out. Mr. Flynn clearly wanted to signal that the administration is intent on pursuing a more muscular approach. He gave little reason to believe there was any real long-term strategy behind the comment, which was oddly timed since a major member of the national security team, Secretary of State Rex Tillerson, did not start work until Thursday.

The national security adviser, Michael Flynn, on Thursday. Win McNamee/Getty Images

Moreover, there was no apparent attempt to discuss the missile issue

with Iran privately and no coordination with Britain, France, China, Russia and Germany, the other major powers that are parties to the nuclear deal. Multilateral cooperation was essential to achieving the deal and is essential to ensuring strict implementation. The same goes for addressing Iran's other unacceptable activities. Mr. Trump has a better chance of success if he doesn't freeze out the European allies, Russia and China.

Mr. Flynn was right, however, in highlighting Iran's troubling behavior, including the recent attack on a Saudi Navy patrol boat by Iranian-backed Houthi rebels from Yemen, as well as Iran's expanding influence in Iraq. Israel and America's Sunni Arab allies are also alarmed about Iran's aggressive moves and consider the country their chief adversary.

Given these tensions, Iran needs to refrain from testing missiles, even though the International Atomic Energy Agency said they are not capable of carrying nuclear warheads. Iran says it needs them to defend against neighbors with superior arsenals. Critically, this week's launch does not violate the

2015 nuclear agreement, which does not cover missiles. And despite what Mr. Flynn has said, the test is not considered a violation of 2015 United Nations resolution that calls on Iran to refrain from testing ballistic missiles, without making it mandatory.

For now, the administration says it intends to impose new missile-related sanctions in a way that does not affect the nuclear deal. It could use existing American sanctions to expand penalties on firms that support Iran's missile program. It should work with the major powers to strengthen efforts, under United Nations sanctions, to interdict missile technology shipments to Iran. Another idea would be an initiative to persuade Iran to agree to missile limits if Saudi Arabia and Israel did the same.

What is most important is to find ways to manage tensions with Iran by exerting pressure when appropriate without creating a path toward confrontation.

Bloomberg

Editorial : Trump's Chance to Act on Iran

The Editors

Iran's recent test of a medium-range ballistic missile is an early indicator that it doesn't fear the bellicose rhetoric of Donald Trump any more than it did the passive approach of Barack Obama. Unfortunately, the Trump administration's immediate response -- National Security Adviser Michael Flynn said the U.S. is "officially putting Iran on notice" -- seems straight out of the Obama playbook.

The president needs to get beyond his vague campaign statements about standing up to Iran. When the regime breaches its obligations under the 2015 nuclear pact -- or even tests its boundaries -- the U.S. needs to be ready with specific penalties.

Iran says its ballistic testing doesn't violate U.N. strictures because the missile is not capable (for now) of carrying nuclear warheads. The Iranians also point out that the

U.N. resolution passed in tandem with the nuclear pact only "called upon" them to stop such tests for eight years, as opposed to banning them outright. They may be correct, but the test certainly violates the spirit of the deal.

At any rate, the U.S. is free to interpret the matter differently and employ unilateral sanctions over what it considers violations. These might not only dissuade Tehran from more missile tests, but also avert future Iranian miscalculation and a potential military crisis.

One possible step is delaying the sale of 80 passenger jets and parts by Boeing. These planes are not just vital to resurrecting Iran's commercial airline industry; they could be used to ferry military supplies to Tehran's proxy forces such as Hezbollah, the Lebanese terrorist group.

The U.S. could also levy more sanctions on people and entities -- Iranian and from other countries --

involved with the Revolutionary Guard Corps, the elite military force that has gradually become the state's biggest industrial conglomerate. The message would be clear: Do business with Iran's military, and lose access to the U.S. banking system. And Washington's best leverage continues to be the financial measures that have kept Iran from getting its hands on much of the formerly frozen global money that was theoretically freed up by the nuclear pact. Trump should warn them that future missile tests will make the U.S. increasingly less willing to cut a deal.

The Obama administration tended to look the other way at Iran's missile testing. So it was a refreshing contrast to see the new U.S. ambassador to the U.N., Nikki Haley, call the test "absolutely unacceptable" and promise strong countermeasures.

But such a response isn't likely to come via the Security Council, where the U.S. called for an

emergency meeting and where Iran's new ally Russia holds veto power. The Trump administration has another option: working with the U.K. and other allies on potential bilateral punishments, or -- more likely -- on steps to keep their corporations from rushing into the Iranian economy.

Iran has frightening goals: creating a so-called "Shiite crescent" from Tehran to Beirut, destabilizing its Middle Eastern rivals, and becoming a global geopolitical player. The U.S. can do more to counter these ambitions, but it shouldn't have to act alone.

To contact the senior editor responsible for Bloomberg View's editorials: David Shipley at davidshipley@bloomberg.net.

**The
Washington
Post**

Ignatius : Trump should look before he leaps on Iran

<https://www.facebook.com/davidignatiusbooks>

(Reuters)

During the White House daily briefing on Feb. 1, President Trump's national security advisor Lt. Gen. Michael Flynn spoke about Iran's ballistic missile test. During the White House daily briefing on Feb. 1, President Trump's national security advisor Lt. Gen. Michael Flynn spoke about Iran's ballistic missile test. (Reuters)

By putting Iran "on notice" for its aggressive behavior, President Trump has taken aim at a country that's opposed by many U.S. allies. But he has begun this confrontation without much preparation or strategic planning, continuing the haphazard pattern of his first two weeks in office.

Iran is a convenient enemy for Trump. Israel and the Gulf Arab states share the administration's antipathy toward Iran, and the regime's hard-liners gave Trump a pretext with a ballistic-missile test last weekend that arguably violated a U.N. Security Council resolution.

Trump's challenge also comes at a moment when Russia, Iran's only major ally, is seeking better relations with the new administration. That may be a useful point of leverage. Some American, Israeli and Arab officials hope Russia might be persuaded to accept limits on Iranian behavior as the price of rapprochement with the United States. But some senior intelligence officials are skeptical.

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Confronting Iran carries significant dangers. The U.S. Central Command has thousands of troops in Iraq and the Gulf who could be vulnerable to Iranian reprisals. The White House, however, didn't coordinate its actions with Centcom before national security adviser Michael Flynn announced Wednesday his nonspecific but menacing "notice" about Iran's "destabilizing" behavior.

In a tweet Thursday, Trump echoed Flynn's comment that Iran should be grateful for the 2015 nuclear agreement negotiated by President Barack Obama, which Trump termed a "terrible deal," rather than continuing its aggressive actions. The administration appears to be considering new sanctions, but since taking office, Trump hasn't moved to revoke the deal itself.

(Reuters)

While most Americans were still asleep early Thursday morning, President Trump tweeted, saying 'Iran has been formally put on notice for firing a ballistic missile. Should have been thankful for the terrible deal the U.S. made with them.' The White House condemned the test from earlier this week as a violation of the seven-nation agreement restricting Tehran's nuclear program. The White House put Iran "on notice" on Wednesday for test-firing a ballistic missile and said it was reviewing how to respond, taking an aggressive posture toward Tehran that could raise tensions in the region. (Reuters)

Iranian officials launched rhetorical counter-volleys. A Foreign Ministry spokesman described Flynn's warning as "baseless, provocative and repetitive." But the Iranians, too, avoided any suggestion that the nuclear agreement was at risk.

Trump's goal of curbing aggressive Iranian behavior in the region has wide support, including among many countries that backed the nuclear deal. Arab nations argue that Iran has destabilized regimes across the Middle East, and that its proxies now control Baghdad, Damascus, Beirut and Saana, in Yemen. Flynn's statement cited an attack last week by Iranian-backed Houthi rebels on a Saudi vessel off the Yemen coast.

"I don't think we are so much looking for a fight as responding to lethal provocations," argued one senior U.S. military official. He noted that in addition to attacking the Saudi ship, the Houthi rebels have been mining waters near the strategic Bab el-Mandeb Strait.

But U.S. and foreign officials caution that any attempt to contain Iran needs to be carefully planned and implemented. Iran is a hardened adversary, despite its political isolation. Any confrontation has to take into account Iran's strong position in Syria and Iraq, and its ability to thwart Trump's pledge to eradicate the Islamic State there.

The administration "wanted to send a message, but they have no idea what it means," says a top Republican former foreign policy official.

With just two weeks in office, the administration hasn't had time to fill some key national security posts, let alone plan a strategy. Take Syria: Administration officials don't like Obama's strategy, but they don't yet have an alternative.

The Trump team has explored partnering with Russia and even considered contacts with the regime of President Bashar al-Assad. Some Syrian opposition officials have urged the United States to

work with Russia (and, implicitly, the Assad regime) in a partnership against the Islamic State. One opposition leader told me this week there's hope that Moscow will curtail the operations of the roughly 5,000 Iran-backed Syrian Shiite militiamen there.

But Iran holds some choke points. Its strongest leverage is in Iraq. With the victory over the Islamic State in Mosul probably six months away, the Iranians can mobilize thousands of Iraqi Shiite militiamen across Iraq. U.S. advisers are vulnerable to attack by these Iran-backed militias, as happened a decade ago in Iraq.

The complex order of battle in Syria was described Thursday by Ahmed al-Jarba, who leads an opposition group called the Syrian Elite Forces. He said in an interview that his roughly 3,000-man Sunni Arab group is now being trained inside Syria by U.S. Special Operations forces, alongside Syrian Kurdish fighters, in preparation for the coming assault on Raqqa. He said his group also had "good and balanced relations" with Russia, even though it opposes Assad and Iran, Russia's partners. That's a tangled web.

Moderating the Iranian threat in the Middle East has been an American aim since the 1979 revolution. Arabs and Israelis alike will cheer Trump's hard line. But Iran is among the toughest foreign policy challenges Trump will face, and he should be careful to avoid ill-planned early actions that would make it his Bay of Pigs.

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**THE WALL
STREET
JOURNAL.**

Jonathan Cheng

Updated Feb. 3, 2017 3:50 a.m. ET

SEOUL—U.S. Defense Secretary Jim Mattis promised an "effective and overwhelming" response to any use of nuclear weapons against America or its allies, delivering a firm message to North Korea during his first overseas trip.

Mr. Mattis said during a meeting Friday with South Korean Defense Minister Han Min-koo that the U.S.'s defense commitment was "ironclad" in the face of Pyongyang's "threatening rhetoric and behavior."

U.S. Promises 'Effective and Overwhelming' Response to Use of Nuclear Weapons

"Any attack on the United States or on our allies will be defeated and any use of nuclear weapons will be met with a response that will be effective and overwhelming," he said.

Mr. Mattis cited the deployment in South Korea of a U.S. missile-defense system, known as a Terminal High-Altitude Area Defense system, or Thaad, as a sign of Washington's commitment to protect South Koreans and the roughly 28,500 U.S. troops stationed in the country.

His remarks were his most detailed on North Korea since the

inauguration of President Donald Trump last month. Mr. Mattis, who flew later Friday to Japan, has described his foreign trip—the first by any cabinet secretary in the Trump administration—as a listening tour to help bolster alliances.

Mr. Mattis visited South Korea's acting president and foreign minister before meeting with Mr. Han. Mr. Mattis said that over the course of his two-day trip, he "gained a deeper sense of the trusted bonds between our countries."

Mr. Mattis also called the U.S.-South Korea alliance "the linchpin of peace and stability in the Asia-Pacific region."

His reassurances have resonated in Seoul.

Meeting with Foreign Minister Yun Byung-se on Thursday, Mr. Mattis emphasized the "100% reliability" of the U.S. commitment to South Korea, according to South Korea's Ministry of Foreign Affairs.

A Pentagon spokesman said that during a meeting with acting President Hwang Kyo-Ahn, Mr. Mattis "emphasized the priority that

President Trump places on the Asia-Pacific.”

The acting president's office said that Mr. Mattis said that Mr. Trump had instructed him to “clearly deliver that the U.S. government is putting a priority on South Korea and the U.S.-Korea alliance.”

In Japan, Mr. Mattis was to meet Prime Minister Shinzo Abe on Friday and other officials before

leaving on Saturday.

Japan is home to around 50,000 U.S. troops, who help secure the Asian nation against an increasingly assertive China and threats from North Korea.

Tokyo and Washington share the costs of sustaining those forces, but during election campaign, Mr. Trump had said Japan should shoulder the entire burden.

Mr. Trump has also repeatedly criticized Japan's trade advantage against the U.S., adding to concerns in Tokyo about the strength of the alliance.

Mr. Abe has responded by reaching out to the U.S. president. He was the first world leader to meet Mr. Trump following the U.S. election, and the two also spoke by phone late last month.

Japanese officials have said the two leaders agreed on the importance of the alliance for defense and economic growth. Mr. Abe is set to travel to the U.S. for talks with Mr. Trump late next week.

—Alastair Gale in Tokyo contributed to this article.

Write to Jonathan Cheng at jonathan.cheng@wsj.com

The New York Times **Krugman : Donald the Menace**

Paul Krugman

President Trump at a prayer breakfast on Thursday. Stephen Crowley/The New York Times

For the past couple of months, thoughtful people have been quietly worrying that the Trump administration might get us into a foreign policy crisis, maybe even a war.

Partly this worry reflected Donald Trump's addiction to bombast and swagger, which plays fine in Breitbart and on Fox News but doesn't go down well with foreign governments. But it also reflected a cold view of the incentives the new administration would face: as working-class voters began to realize that candidate Trump's promises about jobs and health care were insincere, foreign distractions would look increasingly attractive.

The most likely flash point seemed to be China, the subject of much Trumpist tough talk, where disputes over islands in the South China Sea could easily turn into shooting incidents.

But the war with China will, it seems, have to wait. First comes Australia. And Mexico. And Iran. And the European Union. (But never Russia.)

And while there may be an element of cynical calculation in some of the administration's crismongering,

this is looking less and less like a political strategy and more and more like a psychological syndrome.

The Australian confrontation has gotten the most press, probably because it's so weirdly gratuitous. Australia is, after all, arguably America's most faithful friend in the whole world, a nation that has fought by our side again and again. We will, of course, have disputes, as any two nations will, but nothing that should disturb the strength of our alliance — especially because Australia is one of the countries we will need to rely on if there is a confrontation with China.

But this is the age of Trump: In a call with Malcolm Turnbull, Australia's prime minister, the U.S. president boasted about his election victory and complained about an existing agreement to take some of the refugees Australia has been holding, accusing Mr. Turnbull of sending us the “next Boston bombers.” Then he abruptly ended the conversation after only 25 minutes.

Well, at least Mr. Trump didn't threaten to invade Australia. In his conversation with President Enrique Peña Nieto of Mexico, however, he did just that. According to The Associated Press, he told our neighbor's democratically elected leader: “You have a bunch of bad hombres down there. You aren't doing enough to stop them. I think your military is scared. Our military

isn't, so I just might send them down to take care of it.”

White House sources are now claiming that this threat — remember, the U.S. has in fact invaded Mexico in the past, and the Mexicans have not forgotten — was a lighthearted joke. If you believe that, I have a Mexico-paid-for border wall to sell you.

The blowups with Mexico and Australia have overshadowed a more conventional war of words with Iran, which tested a missile on Sunday. This was definitely a provocation. But the White House warning that it was “putting Iran on notice” raises the question, notice of what? Given the way the administration has been alienating our allies, tighter sanctions aren't going to happen. Are we ready for a war?

There was also a curious contrast between the response to Iran and the response to another, more serious provocation: Russia's escalation of its proxy war in Ukraine. Senator John McCain called on the president to help Ukraine. Strangely, however, the White House has said nothing at all about Russia's actions. This is getting a bit obvious, isn't it?

Oh, and one more thing: Peter Navarro, head of Mr. Trump's new National Trade Council, accused Germany of exploiting the United States with an undervalued currency. There's an interesting

economics discussion to be had here, but government officials aren't supposed to make that sort of accusation unless they're prepared to fight a trade war. Are they?

I doubt it. In fact, this administration doesn't seem prepared on any front. Mr. Trump's confrontational phone calls, in particular, don't sound like the working out of an economic or even political strategy — cunning schemers don't waste time boasting about their election victories and whining about media reports on crowd sizes.

No, what we're hearing sounds like a man who is out of his depth and out of control, who can't even pretend to master his feelings of personal insecurity. His first two weeks in office have been utter chaos, and things just keep getting worse — perhaps because he responds to each debacle with a desperate attempt to change the subject that only leads to a fresh debacle.

America and the world can't take much more of this. Think about it: If you had an employee behaving this way, you'd immediately remove him from any position of responsibility and strongly suggest that he seek counseling. And this guy is commander in chief of the world's most powerful military.

Thanks, Comey.

THE WALL STREET JOURNAL

Israeli Settlements ‘May Not Be Helpful’ for Middle East Peace, Trump Administration Says

Louise Radnofsky

Updated Feb. 2, 2017 11:59 p.m. ET

WASHINGTON—President Donald Trump's administration said Thursday night that the growth of Israeli settlements “may not be helpful” in achieving a goal of peace in the Middle East, an abrupt shift that signals a potentially tougher stance with Israeli Prime Minister Benjamin Netanyahu.

“While we don't believe the existence of settlements is an impediment to peace, the construction of new settlements or the expansion of existing settlements beyond their current borders may not be helpful in achieving that goal,” White House press secretary Sean Spicer said in a statement.

The statement came hours after Mr. Netanyahu vowed to establish the

first new West Bank settlement in over two decades “as soon as possible.” Mr. Netanyahu is scheduled to meet with Mr. Trump at the White House on Feb. 15.

“The Trump administration has not taken an official position on settlement activity and looks forward to continuing discussions, including with Prime Minister Netanyahu when he visits with

President Trump later this month,” Mr. Spicer said.

The statement came during a week in which Mr. Trump asserted himself on the world stage, taking aim at both adversaries and allies. He is threatening new sanctions on Iran over a missile test and abruptly ended a conversation with Australian leaders after expressing his angst with a refugee-

resettlement agreement left over from President Barack Obama.

The U.S. president spoke with Mr. Netanyahu by telephone on Sunday about ways to strengthen relations between their two countries and "threats posed by Iran," in a conversation characterized by Mr. Netanyahu's office as "very warm."

Mr. Trump also emphasized that peace could only be negotiated directly between Israelis and Palestinians, the White House said.

In December, the U.S. abstained from voting on a United Nations resolution calling Israel's settlements in the Palestinian territories illegal, capping three days of complex diplomacy.

The Obama White House was effectively siding with the U.N. Security Council; at the time, Mr. Trump published a tweet saying the resolution should be vetoed, as it could place "Israel in a very poor negotiating position."

Thursday's statement also marked a surprising reordering of some of the positions taken by Mr. Trump and those around him. Mr. Trump had previously indicated he didn't believe settlements were an impediment to peace, which emboldened Israeli advocates for the settlement building project.

Mr. Trump's choice for ambassador to Israel, David Friedman, has helped raise millions of dollars for a

large and politically active West Bank settlement that has benefited from extensive support from the U.S. Mr. Friedman heads an organization named Bet El Institutions, which aids the settlement, and leads the organization's U.S.-registered charity, the American Friends of Bet El Yeshiva Center, which has been supported by donations from the family of Mr. Trump's son-in-law Jared Kushner.

Mr. Trump has made Mr. Kushner a senior adviser in his West Wing and said the Middle East is among the issues inside his son-in-law's extensive portfolio. Ivanka Trump converted to Judaism in 2009

before marrying Mr. Kushner, an observant Jew.

Mr. Kushner will work to "broker a Middle East peace deal," the president-elect said in an interview with the Times of London.

In an address last March to the American Israel Public Affairs Committee, which was written in part by Mr. Kushner, Mr. Trump avoided the issue of the settlement. He said the parties "must negotiate a resolution themselves. They have no choice. They have to do it themselves or it will never hold up anyway."

Write to Louise Radnofsky at louise.radnofsky@wsj.com



Trump warns Israel that new settlements 'may not help' achieve Middle East peace

<https://www.facebook.com/abbydphillip>

The White House on Thursday gently warned Israel that new or expanded settlements in the West Bank "may not be helpful" in achieving a Middle East peace, while insisting it has no "official position on settlement activity."

A statement issued by press secretary Sean Spicer said that although the administration does not believe settlements are "an impediment to peace, the construction of new settlements or the expansion of existing settlements beyond their current borders may not be helpful in achieving that goal."

"The American desire for peace between the Israelis and the Palestinians has remained unchanged for 50 years," Spicer's statement said, a reference to President Trump's insistence that a return to the Middle East negotiating table is a goal he hopes to achieve.

While the statement carefully parsed its words, it marked a step away from what some Trump officials — and the president's designated new ambassador to Israel — have said in favor of settlements. Trump's first foreign call as president was to Israeli Prime Minister Benjamin Netanyahu, and he has been sharply critical of former president Barack Obama, whom he characterized as weak on Israel.

The apparent genesis of the statement was a story in Thursday's Jerusalem Post, which quoted an unnamed senior administration official telling Netanyahu's government to stop a spree of housing construction approved since Trump's inauguration, lest it

interfere with Trump's plans to work toward a peace plan. "As the president has expressed many times," Spicer's statement said, "he hopes to achieve peace throughout the Middle East region."

(Reuters)

Just days after President Trump entered the White House, Israeli Prime Minister Benjamin Netanyahu has lifted a ban on construction of new settlements in East Jerusalem. Just days after President Trump entered the White House, Israeli Prime Minister Benjamin Netanyahu has lifted a ban on construction of new settlements. (Reuters)

[Inside the contentious Israeli settlement that counts Trump as a donor]

The White House thought the rebuke, as reported, went too far and issued Spicer's statement in an attempt to dial it back, while also giving itself breathing room as it develops a more comprehensive policy on the Middle East.

At the very least, the White House wants to wait until Netanyahu's scheduled visit to Washington Feb. 15. Newly sworn-in Secretary of State Rex Tillerson spoke Thursday with Netanyahu, according to the State Department.

The administration has also pulled back somewhat on a pledge to quickly move the U.S. Embassy in Israel from Tel Aviv to Jerusalem, which the Palestinians also claim as their capital. Middle Eastern diplomats who have been in contact with the administration have said they believe it will not take that step immediately, perhaps waiting at least until June, when an Obama-issued waiver of a congressional

mandate to make the move will expire.

Trump's frequent mention of Middle East peace suggests it's a real goal for him, despite the failure of the last effort, in 2013 and 2014, and bleak signs since then that either side is ready to bargain.

Trump has surrounded himself with at least three close advisers for whom Israel and its security are a paramount concern — his son-in-law, Jared Kushner; his ambassador choice, David Friedman; and his chief of international negotiations, Jason D. Greenblatt. Trump recently said that if Kushner — who has no foreign policy background — can't bring peace to the region, "nobody can."

Thursday's statement came as Netanyahu's government has approved 5,500 new Israeli housing units in the West Bank over the past two weeks in the largest expansion since U.S.-led peace negotiations broke down in April 2014. Until now, Israel had every reason to believe it had a green light from the Trump administration.

The unusually large approvals were criticized as a land-grab implicitly backed by the United States. But the announced approvals appeared to come as an unwelcome surprise to the new U.S. administration.

[Israel plans West Bank settlement expansion amid policy shifts in Washington]

During the campaign and since his election, Trump has been unstinting in his support for Israel in general, and Netanyahu's government in particular, a coalition under continuing pressure from the right to move away from a two-state solution that for the past quarter

century has been seen by the world as the only way out of the Israeli-Palestinian conflict.

Trump sharply criticized the Obama administration's abstention in December that allowed passage of a United Nations Security Council resolution condemning settlements. Just before Trump's inauguration, diplomats from 70 countries, including the United States, met in Paris and criticized settlement building as a threat to a two-state solution.

David Halperin, executive director of the Israel Policy Forum, which advocates a two-state solution, said the White House statement serves as a caution to Netanyahu and proponents of building more settlements and annexing the large settlement of Ma'ale Adumim.

"It's a warning sign to the Israeli right that their celebration [of the new administration] may be premature," Halperin said.

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The White House statement came a few hours after Trump met with King Abdullah of Jordan, which borders Israel and is burdened with waves of Syrian refugees. The kingdom is concerned Trump's stated intention to move the U.S. Embassy to Jerusalem could cause tensions among its own citizens, more than half of whom are of Palestinian origin.

"Jordan can ill afford unrest on its streets," Halperin said. "The king undoubtedly warned President Trump against any provocative

moves. If the Trump administration abandons hope for a two-state solution, Jordan fears the unrest will spill over the border."

Halperin predicted Trump will be unable to avoid backing two states as the ultimate goal of peace talks.

"This may be an initial signal the Trump administration realizes that working on the Israeli-Palestinian conflict requires working with Jordan," he said.

Anne Gearan and Carol Morello contributed to this report.

THE WALL STREET JOURNAL

Middle East Christians Fear Trump Ban Will Backfire

Yaroslav Trofimov

Feb. 2, 2017 5:30 a.m. ET

Few people are more distraught by President Donald Trump's executive order barring citizens of seven Middle Eastern and African countries from the U.S. than the leaders of a community he said he seeks to help: the region's Christians.

Mr. Trump's order, issued last Friday and aimed at preventing terrorist attacks on American soil, suspended travel from these Muslim-majority countries for at least 90 days. It also ordered a revamping of the U.S. refugee admission process to prioritize those who suffer religious persecution—but only if the applicants follow a "minority religion" in their country.

Most of the violence in the Middle East, however, is between Sunni and Shiite Muslims who both follow the same religion (Sunnis are a minority in Iraq and a majority in Syria). Speaking to the Christian Broadcasting Network last week, Mr. Trump said he meant to single out Christians, followers of by far the largest minority faith in the Middle East.

"They've been treated horribly," he said. "We are going to help them."

That may be good news for a few thousand Middle Eastern Christians aiming to move to the U.S.—but

also a troubling message for the roughly 13 million who won't. While White House officials reject depictions of Mr. Trump's executive order as a Muslim ban, it has been widely portrayed in the region as consistent with his campaign rhetoric regarding Muslims entering the U.S.

"Nobody is seeing this as motivated only by security and everybody views this as targeting largely Muslim immigration," said Basem Shabb, the only Protestant member of Lebanon's parliament. "Trump's offer of help is like a poisoned chalice. It has come at the expense of alienating the region's Christians from their Muslim neighbors."

The position of Christians in the Middle East varies dramatically. In Lebanon, where the president and the armed forces commander are both Christians, they account for a large part of the population and enjoy relative safety. In Egypt, the region's biggest Christian community has been targeted by a series of terrorist attacks but remains a bulwark of support for President Abdel Fattah Al Sisi. Neither country is covered by the executive order.

Among the seven countries included in Mr. Trump's ban, which prohibited entry to Muslims and Christians alike, Syria and Iraq both have large Christian communities. Christians there have been persecuted and ousted from their homes by Islamic State and other

Sunni extremist groups. But they were usually afforded slightly better treatment than Shiite Muslims, who faced a choice between conversion or death.

Across the Middle East, a significant part of Muslim public opinion has long viewed Christian citizens with suspicion because of their historic links with the West. Mr. Trump's executive order is likely to inflame these feelings, warned Michael Wahid Hanna, a specialist on the region at the Century Foundation think tank in New York.

"It paints the Christians and other minorities as almost a ward of the West, a community that doesn't necessarily have a future in the Arab world," he said.

That is one of the reasons why the region's Christian leaders have denounced Mr. Trump's move.

"Christians are part of the Middle East and they don't accept being treated separately from their co-citizens the Muslims," said Father Rifaat Bader, head of the Catholic Center for Studies and Media in Jordan.

Iraqi Christian leaders were particularly irate. In recent months, Iraqi forces—aided by newly formed Christian militias and by the U.S.—ousted Islamic State from most of the historic Christian heartland in Nineveh province around Mosul. Iraqi TV proudly broadcast footage of troops restoring crosses atop ancient churches.

Those advances could allow hundreds of thousands of people to return to Christian-majority towns that remained under extremists' sway since mid-2014.

Yonadam Kanna, a Christian lawmaker who heads the minorities bloc in the Iraqi parliament, said that Mr. Trump's executive order is likely to backfire on his country's Christian community.

"This will lead to new discrimination. It will reflect very negatively on minorities," Mr. Kanna said. "We appreciate the feeling of support for vulnerable communities, but what we want is to help us to stay, not to emigrate."

Babylon Patriarch Louis Raphael I Sako, the head of the Chaldean Catholic Church in Iraq, agreed. Mr. Trump's executive order, he said in a statement to the Vatican's Fides news agency, is a "trap for the Christians of the Middle East" because it "creates and feeds tension with our Muslim compatriots."

"Discriminating among those who are persecuted and who suffer based on religion ends up harming the Christians of the East," he added. "It provides arguments for all the propaganda and the prejudices that attack Christian communities."

Write to Yaroslav Trofimov at yaroslav.trofimov@wsj.com

THE WALL STREET JOURNAL

Pentagon Says Civilians Were Likely Killed in Yemen Raid

Ben Kesling in Washington and Asa Fitch in Dubai

Updated Feb. 2, 2017 9:28 a.m. ET

WASHINGTON—The U.S. military said Wednesday that civilians were likely killed during a Navy SEAL raid in Yemen on Sunday, an operation that also claimed the life of an American sailor and wounded three others.

Local residents said Sunday that about 20 civilians were killed in the fighting that centered on an al Qaeda compound in the interior of the country. Images purporting to show the bodies of several children killed in the raid circulated on Yemeni social media accounts.

The Pentagon said at the time it had no knowledge of any civilian deaths in the raid, the first counterterrorism operation authorized by U.S. President Donald Trump. But U.S. Central Command said in a statement Wednesday that civilian noncombatants "likely were killed" in the midst of a firefight.

"The known possible civilian casualties appear to have been potentially caught up in aerial gunfire that was called in to assist U.S. forces," the statement said.

The goal of the raid was to gather intelligence, not to capture or kill high-value human targets, the Pentagon said in a statement following the operation. When American forces arrived at the compound, however, they came

under fire from all sides, killing one of the Navy SEALs involved in the operation, Chief Petty Officer William "Ryan" Owens. The forces returned fire and requested air support, the statement said.

During the fighting, U.S. drones struck the house of Abdulraoof al-Dhahab, a leader of al Qaeda in the Arabian Peninsula, the group's Yemeni affiliate., according to two local residents. A mosque, a school and a prison run by the militant group were also hit, they said.

Dozens of AQAP's fighters and three commanders, including Mr. Dhahab, were killed, the residents said. Members of the Dhahab family have been identified as al Qaeda sympathizers in recent years and targeted by the U.S.

Also among the dead was the 8-year-old daughter of Anwar al-Awlaki, the residents said. Mr. Awlaki was an American citizen and AQAP leader who was killed by a U.S. drone strike in Yemen authorized by President Barack Obama in 2011.

For years the U.S. has carried out drone strikes against AQAP, one of the militant group's most formidable branches. AQAP claimed responsibility for a foiled plot to set off bombs on cargo planes in 2010, as well as for the 2015 attack on the Paris offices of satirical French publication Charlie Hebdo.

Raids involving American forces on the ground in Yemen are rare, and Sunday's was the first since late 2014. Two AQAP hostages,

including American photojournalist Luke Somers, were killed by their captors during that raid.

U.S. forces had been making plans for the latest raid for months, according to a military official, and once Mr. Trump took office he quickly gave the order to go ahead.

On Wednesday, Mr. Trump flew from the White House to Dover Air Force Base for the arrival of Chief Petty Officer Owens's remains.

The New York Times

Trump's U.N. Envoy, Nikki Haley, Condemns Russia's 'Aggressive Actions' in Ukraine

Somini Sengupta

Nadiya Volkova, grieved over the body of her mother, Katya Volkova, who was killed by shelling Wednesday morning as she walked to the store in Avdiivka, Ukraine. Brendan Hoffman/Getty Images

UNITED NATIONS — Nikki R. Haley, the new American ambassador to the United Nations, condemned Russia on Thursday for its recent "aggressive actions" in eastern Ukraine.

"We do want to better our relations with Russia," Ms. Haley said during her first remarks to an open briefing of the United Nations Security Council. "However, the dire situation in eastern Ukraine is one that

White House press secretary Sean Spicer said that while the raid yielded valuable intelligence, it is difficult "to ever say something was successful when you lose a life."

"You never want to call something a success 100% when someone's hurt or killed," he told reporters.

April Longley Alley, a senior analyst covering Yemen at the International Crisis Group, said in a report Wednesday that the raid was "a good example of what not to do."

demands clear and strong condemnation of Russian actions."

She made it clear that American sanctions imposed after Russia's annexation of Crimea would remain in place.

During her Senate confirmation hearing last month, Ms. Haley also expressed support for continuing the sanctions and accused Russia of committing war crimes in the Syrian conflict. But her strong criticism of the government of President Vladimir V. Putin put her at odds with President Trump, who has expressed a desire for warmer relations with the Kremlin.

Her Russian counterpart, Vitaly I. Churkin, told reporters after the

AQAP fighters are motivated more by local politics and power struggles than by an anti-Western agenda. Ms. Alley said. Civilian deaths are likely only to inflame anti-American sentiment, she said.

Yemen is embroiled in an almost two-year-old war pitting a Saudi Arabia-led military coalition against the country's Houthi rebels, who control the capital San'a.

Extremists including AQAP have grown amid the instability, although the group lost a significant foothold

last year when Saudi coalition forces pushed them out of their onetime base in the southern coast city of Al Mukalla.

—Mohammed al-Kibsi in San'a, Yemen, contributed to this article.

Write to Ben Kesling at benjamin.kesling@wsj.com and Asa Fitch at asa.fitch@wsj.com

The Washington Post

Editorial : An activist is mysteriously ill in Russia, and the U.S. needs to speak up

<https://www.facebook.com/washingtonpostopinions>

ONE DAY after President Trump and Vladimir Putin held their first phone call, Russian-backed forces mounted their largest offensive in months in eastern Ukraine. Now, days later, one of Russia's most prominent opposition activists is in a coma in a Moscow hospital, where he was rushed after suddenly taking ill on Thursday morning. Vladimir Kara-Murza, a writer and civil-society activist with many supporters in Washington, is believed by his family to be the victim of a poisoning attack — the second they believe he has suffered since 2015.

His agony most likely holds a message from Mr. Putin to the new Trump administration. Since 2014, the Kremlin has endured sanctions from the United States and the European Union for its aggression in Ukraine and for human rights violations, such as the killings of lawyer Sergei Magnitsky and opposition leader Boris Nemtsov.

With the new assault on Ukraine and the felling of Mr. Kara-Murza, the Kremlin hopes to establish that such crimes will be tolerated by the new U.S. president as part of a reformed relationship with Moscow.

So far, Mr. Putin's gambit is succeeding: Mr. Trump, while sparring with close U.S. ally Australia, has had nothing to say about the events in Ukraine and Moscow.

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Mr. Kara-Murza offered an ideal target for Mr. Putin's challenge. The 35-year-old former journalist, a fluent English speaker, was a close associate of Mr. Nemtsov. His family lives outside Washington, and his support in Congress can be intuited from the statements that poured out Thursday from, among

meeting that it would be "frivolous" to speculate on whether the Trump administration would be friendlier than that of President Barack Obama.

"I don't want to make any predictions," Mr. Churkin said. "My intention is to try to do my best to establish a good working relationship with the head of the new U.S. delegation."

"They're just in their first few days," he added.

Mr. Churkin said he expected to meet with Ms. Haley on Friday.

The conflict in eastern Ukraine escalated in recent days, after Mr. Trump spoke by phone on Saturday

with Mr. Putin, whom Mr. Trump has said he admires.

Ukraine accused pro-Russian separatists of aggression. Mr. Putin, by contrast, blamed a financially struggling Ukraine, and its need for money from the international community, for the escalation. "The best way to get that," Mr. Putin said Thursday on a visit to Budapest, "is to portray yourselves as victims of aggression."

The Ukrainian ambassador, Volodymyr Y. Yelchenko, who presides over Security Council deliberations this month, accused Russia of carrying out war crimes.

others, Rep. Steny H. Hoyer (D-Md.), Sen. Benjamin L. Cardin (D-Md.) and Sen. John McCain (R-Ariz.).

The Kremlin will claim it has nothing to do with Mr. Kara-Murza's sudden illness, just as it denies responsibility for the rockets raining down on Ukrainian army positions. But poisoning has become a well-established menace to Kremlin opponents in the Putin era. One case where near-certainty has been established is that of former KGB agent and Putin critic Alexander Litvinenko, who according to an exhaustive official British investigation was poisoned by Kremlin agents in London in 2006. Half a dozen other poisoning cases are suspected, including of a former president of Ukraine.

Mr. Kara-Murza first suffered from an apparent poisoning attack in May 2015, shortly after he testified in Congress in favor of expanding human rights sanctions on Russia. Suddenly taken ill during a meeting, within hours he was in a Moscow

hospital's intensive care unit, his organs failing. Doctors there saved his life but were unable to explain what had afflicted him; tests in France later detected an unusual level of metals in vital organs.

With stunning courage, Mr. Kara-Murza returned to Moscow and resumed his political activities after regaining just enough strength to walk with a cane. When asked if he were not an obvious target for a Kremlin hit, the dissident invariably replied that he believed he had no choice but to go on working for democracy and human rights in his country.

Mr. Kara-Murza is the sort of freedom fighter that the United States has always defended. He walks in the footsteps of Andrei Sakharov and Natan Sharansky, the Soviet-era dissidents whom President Ronald Reagan fought to save. If Mr. Trump and Secretary of State Rex Tillerson now do nothing on his behalf, they will show that their administration is ready to

appease Mr. Putin at the price of American values.

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COMMENTS

Editorial : Putin's Bad Ukraine Deal

Feb. 2, 2017
7:29 p.m. ET 32

Donald Trump says he knows a bad deal when he sees it, and Vladimir Putin is offering him one on Ukraine. That's the meaning of this week's escalation by Kremlin-backed rebels in eastern Ukraine that has resulted in some of the worst fighting since the Russian strongman launched his invasion in 2014.

At least 12 Ukrainian soldiers have been killed since Monday in clashes around the government-held city of Avdiivka, north of the Russian-occupied Donetsk region. The Organization for Security and Cooperation in Europe, which oversees implementation of a 2015 cease-fire agreement, says

it has recorded more than 10,000 explosions in the area in recent days. Civilians, including 2,500 children, are caught in the crossfire without basic services.

The cease-fire agreement, known as Minsk II, prohibits the use of heavy artillery and requires the parties to withdraw heavy weapons. The Kiev government says the Russian-backed separatists are firing Grad rockets and heavy artillery.

Mr. Putin accuses Ukrainian forces of doing the same, but that reveals the main flaw of Minsk II, which is that it treats the warring parties as moral equivalents. The accords, negotiated by Angela Merkel and François Hollande and supported by the Obama Administration, didn't take into account that Moscow is the aggressor while Kiev is trying to

regain sovereign territory. This week's Russian escalation further discredits Minsk II, which was already a diplomatic fiction to most people outside the German Chancellery.

Mr. Putin is a master of strategic unpredictability, but he may be trying to consolidate his territorial gains in eastern Ukraine ahead of a "grand bargain" with Washington that could entail lifting Ukraine-related sanctions in return for Moscow's cooperation in other areas, such as terrorism and nuclear disarmament.

Mr. Trump has hinted at such a deal in interviews, including with our Journal colleagues. The trouble with such an arrangement is that it would allow Mr. Putin to condition steps he should be taking anyway on being granted a free hand on NATO's

doorstep. It could also create the precedent that Moscow can violate sovereign European soil and then bargain its way out of the consequences.

We were therefore glad to see Nikki Haley, the U.S. Ambassador to the United Nations, on Thursday say that "the dire situation in eastern Ukraine is one that demands clear and strong condemnation of Russian actions." The Administration can follow up by cooperating with Republicans and Democrats on Capitol Hill who want to stiffen sanctions. Lifting sanctions without a change in Moscow's behavior is what Mr. Trump's predecessor would do.

**THE WALL
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U.S. Allows Limited Exceptions to Sanctions Against Russia Spy Agency

Felicia Schwartz

Feb. 2, 2017 9:36 p.m. ET

WASHINGTON—The Trump administration on Thursday modified sanctions in place against Russia's spy agency, FSB, in what was intended to be a needed technical fix but which ignited fierce objections from critics of President Donald Trump that it was a favor to Moscow.

Even those who supported the move said its timing, so soon in Mr. Trump's presidency, would stoke political friction.

"It's probably not a huge deal, but it is tone deaf," said a Republican aide who is hawkish on Russia.

The announcement came as Mr. Trump's United Nations ambassador, Nikki Haley, blasted Moscow in her first Security Council appearance and warned U.S. sanctions related to Russia's annexation of Crimea in 2014 would remain in place until Moscow returns control over the peninsula to Ukraine.

Ms. Haley said the U.S. wanted

better relations but blamed Moscow for rising violence in eastern Ukraine involving Russia-backed separatists.

"The United States stands with the people of Ukraine who have suffered for nearly three years under Russian occupation and military intervention," Ms. Haley said. "The United States continues to condemn and call for an immediate end to the Russian occupation of Crimea. Crimea is a part of Ukraine."

Mr. Trump's administration said the change to the FSB sanctions was a tweak based on feedback from U.S. exporters who were unable to get licenses to send products to Russia.

Asked about the move by reporters on Thursday, President Trump said, "I haven't eased anything."

The Obama administration in December sanctioned the FSB and another Russian spy agency as well as Russian intelligence officers and companies in response to Russia's meddling in the U.S. elections.

During the election, Mr. Trump eschewed criticism of Russian

President Vladimir Putin, who U.S. intelligence officials alleged ordered an orchestrated meddling in the 2016 election to aid Mr. Trump.

Democrats quickly criticized Mr. Trump's move, saying it amounted to a dangerous policy shift. "Donald Trump has been president for less than two weeks and he's already easing sanctions on the Russian Security Service and Vladimir Putin's henchmen—the very same henchmen who meddled in our country's election just three months ago," said Rep. Jim McGovern (D., Mass.).

White House press secretary Sean Spicer said Thursday the move didn't mark a relaxation. "From what I understand, it is a regular course of action that Treasury does quite often when there are sanctions imposed," he said.

Sanctions experts and officials said the move to allow U.S. companies to make limited transactions with the FSB was intended to close a loophole that was an unintended consequence of the Obama administration's initial sanctions package.

The FSB acts as a licensing agency for encryption technology, which includes most electronic devices, and the fix is intended to remove obstacles to selling devices like cellphones and tablets.

Sen. Mark Warner (D., Va.), the senior Democrat on the Senate Intelligence Committee, said he supported the intent behind the fix—allowing companies to file applications through the FSB—but was nonetheless concerned.

"This small step cannot be the first step in loosening or even lifting sanctions on the very intelligence agencies that interfered in our presidential election," he said. "I will oppose any effort that results in any meaningful relief from sanctions put in place to punish Russia for their interference in our election or intended to deter them from trying again."

—Jay Solomon, Nathan Hodge and Farnaz Fassihi contributed to this article.

Write to Felicia Schwartz at Felicia.Schwartz@wsj.com

**THE WALL
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Trump Refugee Dispute Strains Australian Alliance

Rob Taylor

Updated Feb. 2, 2017 10:04 p.m. ET

CANBERRA, Australia—The potential unraveling of a refugee pact between the U.S. and Australia

that President Donald Trump blasted as "dumb" threatens to strain ties between the longtime allies amid China's push to extend its sway in the Pacific region.

Prime Minister Malcolm Turnbull had been counting on the Obama-

era deal to close off one of his government's biggest flashpoints and resolve the fate of 1,250 refugees stranded in two Australian-backed camps in the Pacific, which for years have drawn criticism from

rights groups and the United Nations over their conditions.

Instead Mr. Turnbull found himself clashing with Mr. Trump in a weekend phone call, according to people familiar with the talks.

In a Twitter post Thursday, Mr. Trump suggested he could back out of the deal, which was reached in November. "Do you believe it? The Obama Administration agreed to take thousands of illegal immigrants from Australia. Why? I will study this dumb deal!" the post read.

Later on Thursday he told an audience at the National Prayer Breakfast not to worry about "the tough phone calls," adding: "The world is in trouble, but we're going to straighten it out."

The Obama administration agreed to the refugee deal after Mr. Turnbull undertook to settle an unspecified number of refugees from U.S.-funded camps in Costa Rica, most of them victims of drug conflicts in El Salvador and Honduras. Both countries denied at the time that the two deals were linked.

Most of the 2,000 refugees Australia supports in Nauru and Papua New Guinea are from Iran, and others are from Iraq and Somalia, three of the seven countries named in a Trump executive order that temporarily bans immigration from those countries.

With his challenge to the pact, Mr. Trump could back Mr. Turnbull's government into a corner and set back ties with Canberra, following efforts under the Obama administration to deepen the alliance, including closer military relations.

Australia has for decades been a staunch ally of

Washington, sending combat troops, warships and aircraft to support U.S. forces in Iraq and Afghanistan, as well as Vietnam.

As tensions simmer over Chinese assertiveness in the South China Sea, Australia has provided training bases for thousands of U.S. Marines and aircraft, while hosting sophisticated U.S. satellite spying and submarine communications facilities.

Australia shares U.S. concern about China's construction and militarization of disputed atolls. The country has embarked on a 270 billion Australian dollar (US\$203 billion) modernization of its armed forces and strengthened military ties with Singapore and Japan.

Those moves are relevant next to Mr. Trump's argument that allies contribute more to maintain U.S. security commitments, in statements that have rattled other U.S. partners in the Asia-Pacific.

The call prompted an outbreak of introspection in Australia on the strength of the country's closest alliance, while sparking a storm of outrage on social media, where images of a bespectacled Koala being punched while offering a "G'day and Welcome" greeting circulated widely on Twitter. "Donald Thump," said the headline of the mass-selling Daily Telegraph newspaper.

On Twitter, many people wondered how it was even possible to upset a country seen by many Americans as benign. Tourism from the U.S. to

Australia has surged with a stronger greenback. "Someone please tell me how this man managed to upset Australia, of all places," said one Twitter user, in a comment typical of many.

"You don't treat a loyal treaty partner like this," Former Australian Foreign Minister Bob Carr told Australian television, saying Mr. Trump had shown "rude treatment of an Australian leader, unprecedented in the contact between Australian leadership and American leadership."

While abandoning the refugee deal might not see security ties downgraded, it could draw Canberra nearer to Beijing in trade and economic spheres, especially when tied with Mr. Trump's withdrawal from the Trans-Pacific Partnership, or TPP, a trade pact supported by Canberra, said Michael Clarke, an associate professor at Australia's National Security College.

"It doesn't really augur well on issues to do with trust and credibility of American guarantees," Mr. Clarke said. "It could be the first chink in a deterioration in relations between Australia and the United States."

Asked if there was a "Plan B" if Mr. Trump backed out, Mr. Turnbull said his government was still working on agreements with other unspecified nations, but Australia wouldn't back down on its border-security laws, which bar asylum seekers arriving by boat from settling in the country.

"Our expectation naturally, given the commitments that have been made, is that it will go ahead," he said. "The only option that isn't available to [the refugees] is bringing them to Australia for the obvious reasons that that would provide a signal to the people smugglers to get back into business."

Under laws first put in place in 2001, successive Australian governments have required asylum seekers coming by boat to be intercepted. The conservatives, on winning power in 2013, set up a maritime blockade that Mr. Turnbull has offered as a model for Europe.

But the system began to unravel after Papua New Guinea's highest court last year ordered the closure of the Australian-operated immigration center on Manus Island, ruling asylum seekers were being held illegally. Soon after the United Nations documented serious problems on Nauru, including mental and sexual abuse.

The deal for resettlement in the U.S. was meant to be a solution that allowed Mr. Turnbull to uphold a promise to voters in elections this past July, which left his conservatives with a precarious majority.

—Damian Paletta in Washington contributed to this article.

Write to Rob Taylor at rob.taylor@wsj.com

THE WALL STREET JOURNAL

Trump Says He Wants to 'Kick-Start' Nafta Negotiations

William Mauldin

Updated Feb. 2, 2017 5:41 p.m. ET

WASHINGTON—President Donald Trump met with key lawmakers Thursday in an effort to win crucial support from a divided Congress on plans to overhaul North America's economic ties and reshape U.S. trade policy.

Mr. Trump said he wanted to move quickly on retooling the 23-year-old North American Free Trade Agreement, or Nafta. The meeting came a day after the Mexican government said it was beginning a 90-day period to consult with the country's private sector and prepare a negotiating position on Nafta.

The Trump administration hasn't given its own necessary 90-day notice to Congress that the U.S. intends to seek a revamped accord, and Canadian Foreign Minister Chrystia Freeland said a formal renegotiation of Nafta hasn't begun.

Thursday at the White House, Mr. Trump told the top Republicans and Democrats of the congressional committees that drive trade policy that he wanted to "kick-start" the Nafta renegotiation process.

"I would like to speed it up if possible," Mr. Trump said he told the lawmakers, criticizing unspecified "statutory limits" on the timing imposed by Congress. Even if Mr. Trump clinches deals with Mexico and Canada, lawmakers could be his hardest sell. Any final agreement would need majority approval by both the Senate and House, where lawmakers are likely to assert themselves on economic priorities and procedural safeguards.

Lawmakers have long been divided on trade issues, but the fault lines have shifted in recent years as rank-and-file Republicans have grown more skeptical of free trade.

The 2016 presidential campaign showed the negative feelings of

voters on the left and right toward previous trade deals, which leading candidates blamed for the movement of jobs overseas. But Congress still includes many free-traders, mostly Republicans, who are skeptical of Mr. Trump's ambitious plan to upend U.S. trade deals around the world and focus on bilateral rather than the multilateral agreements favored by former President Barack Obama.

Among those meeting with Mr. Trump Thursday was Senate Finance Committee Chairman Orrin Hatch (R., Utah), who was lead author of the 2015 legislation that would give the White House what is known as trade-promotion, or fast-track, authority: the ability to negotiate accords and submit them to Congress for up-or-down votes without amendments.

Republicans provided most of the support for that legislation, which was aimed at paving the way for the 12-nation Trans-Pacific Partnership. Mr. Trump formally pulled the U.S.

out of that deal, but the fast-track authority carries over to his term and could expedite a renegotiated Nafta or other agreements.

Lawmakers have referred in recent days to Congress's role in the trade process. Mr. Hatch told business leaders Wednesday he would insist that any deal Mr. Trump brought to Congress follow the fast-track law closely, especially in areas such as intellectual-property protection.

After meeting with Mr. Trump on Thursday Mr. Hatch said in a statement: "Ultimately, major shifts in policy are decisions that should be made with the consultation of Congress which, under the U.S. Constitution, has authority over tariffs."

Trade lawyers say it can be especially difficult to negotiate with full-fledged democracies such as Canada, Mexico and Australia because the presidents and prime ministers have to worry about striking a deal that would concede

too much to the U.S. and thereby boost opposition political leaders.

But the concerns of U.S. lawmakers also can't be ignored. The Obama administration in 2015 faced a revolt over fast-track legislation, from Democratic lawmakers who were mostly supportive of its trade policy.

Sen. Ron Wyden (D., Ore.), the top Democrat on the Finance Committee, and other Democrats wanted strong enforcement measures in the 2015 legislation to punish trading partners if they violated trade rules.

Mr. Wyden, who attended Thursday's meeting, also backed a provision in the fast-track law to allow Congress to exclude an

agreement from expedited consideration in Congress if it didn't measure up to their negotiating objectives.

That provision could allow lawmakers in pivotal committees to torpedo any new Nafta.

Some Democratic lawmakers skeptical of the benefits of trade liberalization have shown the most interest in working with Mr. Trump on trade policy. But Democrats are unlikely to embrace a final deal unless it substantially strengthens the labor and environmental provisions former President Bill Clinton added to Nafta.

Labor leaders insist that countries that trade freely with the U.S.

should have tough labor and environmental standards to prevent companies from moving abroad to cut corners.

And some lawmakers have expressed concerns about how Mr. Trump will negotiate with partner countries and keep Congress informed. The new president said Thursday that Wilbur Ross, his pick for commerce secretary, would be "representing us in negotiations, along with—along with a lot of other great people."

But most lawmakers who oversee trade prefer to deal with the U.S. trade representative, a special cabinet-level office designed to serve as a bridge between the White House and Capitol Hill. Mr.

Trump's pick for trade representative, Robert Lighthizer, hasn't had a confirmation hearing yet.

"I got the impression that there's a bit of a learning curve for everybody," said Rep. Richard Neal (D., Mass.), the top Democrat on the House's trade committee, after the White House meeting.

—Michael C. Bender, Richard Rubin and Paul Vieira contributed to this article.

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THE WALL STREET JOURNAL

7:18 p.m. ET

Excitement crackled through the environmental movement when China's National Energy Administration announced last month that the country will spend at least \$360 billion on green energy through 2020. Green elites are now toasting the communist country: While President Trump threatens to end costly climate policies, Chinese President Xi Jinping promises his nation will continue to fight climate change.

It's an interesting narrative, but the facts tell a different story. China's announced investment works out to around \$72 billion a year, much less than the \$103 billion the country spent in 2015. When China's high growth rate is factored in, the green spending appears even less impressive.

But this also glosses over the reality of how hard the transition will actually be. China is a coal-reliant nation, and renewable energy is only a tiny component of the country's economy. There is also something absurd about asserting the green credentials of a nation where, according to Pew Research, 75% of people feel air and water pollution is a moderate or very big problem.

More than 40% of China's 2015 spending on renewable energy went to wind power. Wind turbines were once associated with Denmark, but

Lomborg : A 'Green Leap Forward' in China? What a Load of Biomass

Bjorn Lomborg

Feb. 2, 2017

China has become the fastest and biggest adopter. It leads the world even as production slacked slightly in 2016.

The country has invested so heavily that it has an oversupply of wind turbines, though last year it went from installing two wind turbines an hour to around one. They're highly inefficient, partly because grid development has lagged behind the number of wind farms being built. In 2014 Chinese wind-energy capacity outstripped the U.S. by some 75%, according to a 2016 study by researchers at Carnegie Mellon University. Yet China generated less electricity with its turbines than the U.S. did. What happened?

In one Chinese province, 39% of wind energy had to be curtailed, meaning it was turned off and unused around three days a week. In the regions of the U.S. where curtailment occurs, wind farms only have to turn off around 4% of the time, according to a 2014 National Renewable Energy Laboratory study.

The National Energy Administration even instructed authorities in Gansu, Inner Mongolia, Jilin, Heilongjiang, Ningxia and Xinjiang to stop approving wind-power projects until the country's infrastructure can keep pace with the new form of energy production.

Wind power is also expensive. The International Energy Agency documents that electricity from currently completed renewables is

80% to 250% more expensive than coal power. The Carnegie Mellon study also found that the cost of wind electricity can be 50% to 200% more expensive than predicted. The academics say that drops in demand, utilization rates, and coal prices in recent years may lead to even higher prices.

The focus on China's big renewable-energy investment diverts attention away from actions that are less in keeping with its green image. China installed record numbers of coal plants in 2015 and the first half of 2016, according to the International Energy Agency. For all of the talk about China's huge investments in wind and solar energy, the agency found that in 2014, the latest year for which data are available, 66% of Chinese energy needs were met by coal power. Wind energy supplied 0.4%. Wind will grow, but coal will remain a dominant energy source for China in the decades to come.

It is peculiar—though unsurprising given the sensibilities of Western environmentalists—that those who celebrate China's "Green Leap Forward" almost always focus on wind and solar technology. By far the largest source of renewable energy used in China is traditional biomass—that is, people burning charcoal, firewood and dung, as China's poor do to stay warm. Biomass is the biggest source of killer air pollution in the world.

The next-biggest renewable energy source after biomass is neither solar

nor wind but hydropower, electricity produced by the energy from water.

Talking about capacity is much more impressive than looking at actual contributions to a country's energy mix. You will often hear that China outstrips the world in hydropower capacity. You're less likely to be told that this supplies only 3% of China's energy needs. By 2040, if China does everything it promised in the Paris Agreement on climate change, the renewable share will increase only four percentage points, with the majority still coming from biomass and hydro.

Living up to the Paris climate promise of reducing carbon dioxide per economic unit will likely cost at least \$200 billion or more a year in lost production, according to my analysis using Asian economic models. China's bold talk notwithstanding, it remains to be seen whether future leaders will tolerate such a substantial economic loss.

Judged on today's reality—and not simply rhetoric—China is less of a green success, and more of a warning tale. Switching to green energy before it is competitive is hard. Very hard.

Mr. Lomborg, director of the Copenhagen Consensus Center, is the author of "The Skeptical Environmentalist" (Cambridge Press, 2001) and "Cool It" (Knopf, 2007).

The New York Times

Angelina Jolie: Refugee Policy Should Be Based on Facts, Not Fear

Angelina Jolie

It is simply not true that our borders are overrun or that refugees are admitted to the United States without close scrutiny.

Refugees are in fact subject to the highest level of screening of any category of traveler to the United States. This includes months of interviews, and security checks carried out by the F.B.I., the

National Counterterrorism Center, the Department of Homeland Security and the State Department.

Furthermore, only the most vulnerable people are put forward

for resettlement in the first place: survivors of torture, and women and children at risk or who might not survive without urgent, specialized medical assistance. I have visited countless camps and cities where

hundreds of thousands of refugees are barely surviving and every family has suffered. When the United Nations Refugee Agency identifies those among them who are most in need of protection, we can be sure that they deserve the safety, shelter and fresh start that countries like ours can offer.

Angelina Jolie at a camp for Syrian refugees in Jordan, in September. Jordan Pix/Getty Images

And in fact only a minuscule fraction — less than 1 percent — of all refugees in the world are ever resettled in the United States or any other country. There are more than 65 million refugees and displaced people worldwide. Nine out of 10 refugees live in poor and middle-income countries, not in rich Western nations. There are 2.8 million Syrian refugees in Turkey alone. Only about 18,000 Syrians have been resettled in America since 2011.

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This disparity points to another, more sobering reality. If we send

a message that it is acceptable to close the door to refugees, or to discriminate among them on the basis of religion, we are playing with fire. We are lighting a fuse that will burn across continents, inviting the very instability we seek to protect ourselves against.

We are already living through the worst refugee crisis since World War II. There are countries in Africa and the Middle East bursting at the seams with refugees. For generations American diplomats have joined the United Nations in urging those countries to keep their borders open, and to uphold international standards on the treatment of refugees. Many do just that with exemplary generosity.

What will be our response if other countries use national security as an excuse to start turning people away, or deny rights on the basis of religion? What could this mean for the Rohingya from Myanmar, or for Somali refugees, or millions of other displaced people who happen to be Muslim? And what does this do to the absolute prohibition in international law against

discrimination on the grounds of faith or religion?

The truth is that even if the numbers of refugees we take in are small, and we do the bare minimum, we do it to uphold the United Nations conventions and standards we fought so hard to build after World War II, for the sake of our own security.

If we Americans say that these obligations are no longer important, we risk a free-for-all in which even more refugees are denied a home, guaranteeing more instability, hatred and violence.

If we create a tier of second-class refugees, implying Muslims are less worthy of protection, we fuel extremism abroad, and at home we undermine the ideal of diversity cherished by Democrats and Republicans alike: "America is committed to the world because so much of the world is inside America," in the words of Ronald Reagan. If we divide people beyond our borders, we divide ourselves.

The lesson of the years we have spent fighting terrorism since Sept.

11 is that every time we depart from our values we worsen the very problem we are trying to contain. We must never allow our values to become the collateral damage of a search for greater security. Shutting our door to refugees or discriminating among them is not our way, and does not make us safer. Acting out of fear is not our way. Targeting the weakest does not show strength.

We all want to keep our country safe. So we must look to the sources of the terrorist threat — to the conflicts that give space and oxygen to groups like the Islamic State, and the despair and lawlessness on which they feed. We have to make common cause with people of all faiths and backgrounds fighting the same threat and seeking the same security. This is where I would hope any president of our great nation would lead on behalf of all Americans.

ETATS-UNIS

Donald Trump Plans to Undo Dodd-Frank Law, Fiduciary Rule

Michael C. Bender and Damian Paletta

Updated Feb. 3, 2017 7:44 a.m. ET

WASHINGTON—President Donald Trump on Friday plans to sign an executive action that establishes a framework for scaling back the 2010 Dodd-Frank financial-overhaul law, part of a sweeping plan to dismantle much of the regulatory system put in place after the financial crisis.

Mr. Trump also plans another executive action aimed at rolling back a controversial regulation scheduled to take effect in April that critics have said would upend the retirement-account advisory business.

"Americans are going to have better choices and Americans are going to have better products because we're not going to burden the banks with literally hundreds of billions of dollars of regulatory costs every year," White House National Economic Council Director Gary Cohn said in an interview with The Wall Street Journal. "The banks are going to be able to price product more efficiently and more effectively to consumers."

Mr. Trump will use a memorandum to ask the labor secretary to consider rescinding a rule set to go

into effect in April that orders retirement advisers, overseeing about \$3 trillion in assets, to act in the best interest of their clients, Mr. Cohn said in the White House interview. He said the rule limits consumer choice.

Mr. Trump also will sign an executive order that directs the Treasury secretary and financial regulators to come up with a plan to revise rules the Dodd-Frank law put in place.

Mr. Cohn said the actions are intended to pave the way for additional orders that would affect the postcrisis Financial Stability Oversight Council, the mechanism for winding down a giant faltering financial company, and the way the government supervises big financial firms that aren't traditional banks, often referred to as systemically important financial institutions.

"This is a table setter for a bunch of stuff that is coming," he said.

The changes Mr. Cohn described are sure to face a fight from consumer groups and Democrats, who say postcrisis regulations are protecting average borrowers and investors from abusive practices, while making the financial system more resilient and bailouts less likely.

This path also may create political problems for Mr. Trump, whose populist campaign was successful in swaths of the Midwest where homeowners were hit hardest by the housing crash sparked by the financial crisis.

Mr. Trump blamed the political establishment and Wall Street banks for leaving behind many Americans and vowed to break up both. Those promises have already been called into question as he has filled his administration with members of Congress and Wall Street executives, including Mr. Cohn, who retired as president of Goldman Sachs Group Inc. to join the Trump administration.

Adding to the potentially difficult optics for Mr. Trump, he will sign the actions on the same day he meets with a group of business executives, including J.P. Morgan Chase & Co. Chief Executive James Dimon and BlackRock Inc. CEO Laurence Fink.

Asked about the potential political pushback because of his Wall Street past, Mr. Cohn said the administration's goal of deregulating financial markets "has nothing to do with Goldman Sachs."

"It has nothing to do with J.P. Morgan," he said. "It has nothing to do with Citigroup. It has nothing to

do with Bank of America. It has to do with being a player in a global market where we should, could and will have a dominant position as long as we don't regulate ourselves out of that."

Mr. Cohn said existing regulations put in place by Dodd-Frank are so sweeping that it is too hard for banks to lend, and consumers' choice of financial products is too limited.

Democrats and consumer groups have pushed for tighter controls on banks and other lenders, particularly after the subprime mortgage crisis that helped fuel the global financial crisis.

But Mr. Cohn said that many of the postcrisis rules haven't solved the problems they were supposed to be addressing. He said, for example, that there still isn't a solid process to safely wind down the collapse of a giant faltering financial company or to ensure that those firms have access to short-term liquidity.

"I'm not sitting here saying we want to go back to the good old days," Mr. Cohn said.

"We have the best, most highly capitalized banks in the world, and we should use that to our competitive advantage," he added.

"But on the flip side, we also have the most highly regulated, overburdened banks in the world."

Mr. Cohn laid out a road map for how the Trump administration plans to target new financial rules. He said the Treasury Department would lead an effort to overhaul mortgage-finance giants Fannie Mae and Freddie Mac, which were put into government conservatorship after the crisis.

He also said that the White House wouldn't need a change in the law to redirect the mission of the Consumer Financial Protection Bureau, created by the 2010 law and which governs things like mortgage and credit-card rules. (Please see related article on B10.)

He suggested the White House could influence the mission of the bureau, set up as an independent agency, by putting a new person at its helm to replace Richard Cordray, the agency's director.

Asked about potential changes at the agency, he said, "Personnel is policy."

Mr. Cordray has declined to say what he might do if Mr. Trump

attempts to remove him. He told The Wall Street Journal in January the arrival of the Trump administration "shouldn't change the job at all."

Mr. Cohn has emerged as one of the top economic and strategic thinkers within the White House, as the Senate hasn't yet confirmed Mr. Trump's pick for Treasury secretary, Steven Mnuchin, and the Trump administration also hasn't named any members of the Council of Economic Advisers.

Mr. Cohn did say, though, that a Federal Reserve post, the vice chairman of supervision, is "a very important job to be filled." This slot was created by the Dodd-Frank law but has been left vacant.

On the fiduciary rule change, the Friday memorandum will ask the Labor Department to revise or rescind the rule.

Mr. Trump has nominated Andrew Puzder to run the department, but he hasn't been confirmed by the Senate.

Asked if the rule would be eliminated, Mr. Cohn nodded his

head. "It's a bad rule for consumers," he said.

The fiduciary rule, unveiled last spring and set to go into effect in April, would restrict how brokers can provide retirement advice by forcing them to work in the best interest of their clients and generally avoid conflicts, which can come about with commission-based compensation. It stands to affect about \$3 trillion of retirement assets in the U.S., according to research firm Morningstar Inc.

Mr. Cohn said to comply with the rule, companies would be forced to offer retirement products with the lowest fees even if it isn't best for their client.

Mr. Trump said repeatedly during the presidential campaign that the Dodd-Frank overhaul law was preventing banks from lending, which he said made it harder for consumers to access credit and get the economy to grow. Financial analysts have had mixed views on this assessment.

Some believe that low demand from consumers has hurt the ability of banks to lend, and low interest rates have hurt the returns banks make

on these loans. But smaller banks have said they are dealing with a crush of new regulations spurred by Dodd-Frank, something regulators have struggled to address.

Mr. Cohn didn't specify how all of these regulations should be rewritten, but he said that financial markets have made their own corrections and that the environment that fueled the financial crisis no longer existed. He said, for example, that even if mortgage restrictions are rolled back, it doesn't mean that there would be another boom in the subprime lending market. That is because, he said, those loans can't be securitized and sold like they were before the financial crisis because the market for those products isn't the same.

"We don't want to do it an unregulated way," he said. "We want to do it in a smart, regulated way."

—Ryan Tracy and Lisa Beifuss contributed to this article

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Trump vows to 'totally destroy' restrictions on churches' support of candidates

<https://www.facebook.com/julie.zauzmer>

President Trump vowed Thursday to "totally destroy" a law passed more than 60 years ago that bans tax-exempt churches from supporting political candidates, a nod to the religious right that helped sweep him into office.

Speaking at the National Prayer Breakfast in Washington, Trump said he would seek to overturn the Johnson Amendment, which prohibits tax-exempt nonprofits — including churches and other houses of worship — from "directly or indirectly" participating in a political candidate's campaign.

Repeal of the amendment — which is part of the tax code and would require action by Congress — has been sought primarily by conservative Christian leaders, who argue that it is used selectively to keep them from speaking out freely.

But several experts said Thursday that the effect of a repeal could be far broader, allowing churches of any political leaning to pour their financial resources into campaigns of like-minded candidates.

"It's less about a minister speaking out from the pulpit, and more about deep church coffers," said Beth

Gazley, a professor of public affairs at Indiana University.

David Herzig, a Valparaiso University tax law professor, said repeal of the amendment has the potential to turn houses of worship "into super PACs."

[\[What is the Johnson Amendment and why should people care?\]](#)

While prospects for congressional action remain uncertain, legislation consistent with Trump's aims has already been introduced in both chambers of Congress.

House Speaker Paul D. Ryan (R-Wis.) suggested Thursday that he is open to repeal. "I've long believed that," Ryan said when asked at a news conference about Trump's call. "Yeah, I've always supported that."

The amendment is named for Lyndon B. Johnson, who introduced it in the Senate in 1954, nine years before he became president.

During his remarks Thursday, Trump cast the issue as one of free speech and free exercise of religion.

"I will get rid of and totally destroy the Johnson Amendment and allow our representatives of faith to speak freely and without fear of

retribution," Trump said. "I will do that, remember."

The renewed promise, which Trump first made as a candidate, was applauded by evangelical Christian leaders who endorsed his Republican presidential bid, including Jerry Falwell Jr., president of Liberty University.

"It's a law that restricts free speech, and it never should have been passed in the first place," Falwell said.

In reality, the Internal Revenue Service rarely punishes churches for political statements. For several years, more than 2,000 pastors have joined what they call "Pulpit Freedom Sunday" to test the ban by speaking their political views in their sermons. The IRS only investigated once and did not punish in that case, according to the conservative organization that organizes the annual effort.

Falwell argued, however, that the law remains a threat and that "it's enforced selectively" by the IRS.

[\[Donald Trump gave a doozy of a speech at the National Prayer Breakfast\]](#)

Exit polls showed Trump defeating Democratic nominee Hillary Clinton

80 percent to 16 percent among white evangelical Christians.

A repeal of the Johnson Amendment, however, would affect not only conservative churches aligned more closely with Republicans but also open new avenues of support for liberal African American churches and others more in sync with Democrats.

Houses of worship make up just a fraction of the universe of so-called 501(c)(3) organizations in the United States, all of which are restricted by the Johnson Amendment. A range of other educational and charitable organizations also bear that designation, including the Clinton Foundation and the Donald J. Trump Foundation.

Under current law, churches are free to engage in political activity; the restrictions under the Johnson Amendment are triggered by their receipt of tax-exempt status.

Several legal experts, including Herzig, noted a potential downside to allowing churches to operate like political action committees: Because churches are not required to make the same disclosures as PACs, campaign funding funneled

through churches could be less transparent.

"The repeal of the Johnson Amendment would unleash a new wave of dark money into the political system," Larry T. Decker, president of the Secular Coalition for America, said in a statement.

Trump made no mention Thursday of when he might ask Congress to overturn the law or what restrictions would remain under such a proposal.

A spokesman for Rep. Steve Scalise (R-La.), the House majority whip and sponsor of the House version of the bill, said Trump's support provides a boost for repeal efforts. Spokesman Chris Bond said Scalise will work with GOP lawmakers and the White House "to move the ball forward and protect free speech."

Even short of congressional action, however, Trump has "tremendous power" to keep the IRS from enforcing the Johnson Amendment,

**THE WALL
STREET
JOURNAL.**

Ian Lovett, Jacob Gershan and Louise Radnofsky

Feb. 2, 2017 4:31 p.m. ET

President Donald Trump vowed Thursday to repeal a ban on churches engaging in political campaigning, while his administration also was exploring other steps to expand religious rights, including increased protections for individuals, organizations and employers acting on their faith.

Mr. Trump said at the National Prayer Breakfast on Thursday morning that his administration "will do everything in its power to defend and protect religious liberty." He said he would seek the repeal of the Johnson Amendment passed by Congress in 1954, which prohibits many nonprofit organizations, including churches and charities, from endorsing political candidates.

Meanwhile, a draft executive order circulating in the administration would dramatically expand legal exemptions on the grounds of religious beliefs. That would potentially allow discrimination against gay, transgender and other people, as well as the denial of contraception coverage for some workers. It also would likely trigger legal and political battles.

The draft order, a copy of which was reviewed by The Wall Street Journal, hasn't been signed, and it may never reach Mr. Trump's desk.

Herzig said.

Lifeway, a Christian polling firm, found in 2015 that 79 percent of Americans thought pastors should not endorse candidates during worship services. Evangelicals were more likely to say pastors should be able to do so — 25 percent compared with 16 percent of all respondents — but support for clergy endorsements was low across the board.

Trump's broadside against the Johnson Amendment has found eager supporters, though, including Falwell and other evangelicals who supported his campaign.

[During the campaign: Why so many evangelicals had faith in Donald Trump](#)

On the other hand, many religious groups say they like their nonpolitical status just fine the way it is. After Trump spoke Thursday morning, for example, the Baptist Joint Committee for Religious Liberty quickly issued a statement saying repealing the Johnson

Amendment would not further the religious liberty that they stand for.

"Politicizing churches does them no favors," the organization said. "The promised repeal is an attack on the integrity of both our charitable organizations and campaign finance system."

Trump voiced his opposition to the Johnson Amendment during a speech in June to a group of hundreds of conservative Christian faith leaders who met with him in New York.

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He also noted his opposition during his acceptance speech at the Republican National Convention in Cleveland, where the party made the repeal part of its platform.

During his speech, Trump also spoke about the importance of

evangelicals, saying: "They have so much to contribute to our politics, yet our laws prevent you from speaking your minds from your own pulpits."

On the Sunday before the election, Trump's running mate, Mike Pence, was featured in a video played in evangelical churches, citing two reasons to support his ticket: the appointment of pro-life Supreme Court justices and the promise to repeal the Johnson Amendment.

Mary Anne Marsh, a Democratic consultant, said Trump's reiteration of the latter pledge on Thursday was emblematic of the course he's charted since taking office.

"It's clear Trump has spent the first two weeks appealing to his base," she said. "He's doubled down on that rather than appealing to all Americans."

Donald Trump Signals He'll Push to Expand Religious Rights

Press Secretary Sean Spicer, asked Thursday about the draft order, said, "There's right now no executive orders that are official or able to read out. We maintain that there's nothing new on that front," adding that there "are a lot of ideas being floated out" but "until the President makes up his mind and gives feedback and decides that that's final, there's nothing to announce."

"We have freedom of religion in this country, and I think people should be able to practice their religion, express their religion, express areas of their faith without reprisal," Mr. Spicer said. "And I think that pendulum sometimes swings the other way in the name of political correctness."

Still, advocates on both the right and the left saw the draft order as a statement of intent from a president who courted conservative Christian voters by promising to expand the place of religion in public life.

It presented a sharp reversal from the rapid expansion under President Barack Obama and by the Supreme Court of legal protections for gay and transgender people, which many religious groups said put them in the difficult of position either violating their faith or the law.

"It's an attempt to say to religious-minded persons that Trump has their back," said Robin Fretwell Wilson, a professor at the University of Illinois College of Law, of the draft order.

It wasn't immediately clear on Thursday exactly what the effects of the order would be if it were enacted as written. The order would likely unleash legal challenges, and could prompt backlash from corporations that have objected to moves by state legislators to enact religious protection laws they view as discriminatory.

But all sides agreed that, as written, its implications would be far-reaching, affecting the health-care industry, employment regulation and policy about who could receive government grants and contracts.

"If the White House did even a fraction of the things that are in this draft executive order, that would be an unprecedented rollback of LGBT equality and rights," said David Stacy, director of government affairs for the Human Rights Campaign. "This would provide a blanket exemption for religious organizations not to have to follow any statute that they say violates their religious beliefs."

Legal experts also questioned whether the order itself would be legal, or whether it could be viewed by a court as overreach by the executive branch.

The draft order immediately plunges Mr. Trump into a debate over religious freedom, gay rights and reproductive rights that has churned through states and courts for years—most recently with the disputes over transgender people's use of bathrooms.

Some religious groups—including business owners and educators—have argued that being forced to hire openly gay or transgender employees, or provide contraception coverage, violates their beliefs.

As gay marriage became legal, first across individual states and then nationwide, some private businesses balked when asked to provide services to gay couples.

In Utah, baker Jack Phillips argued in courts for years that his religious freedom entitled him to refuse to sell a cake to two gay men. He lost in two courts, and last year Colorado's highest court declined to hear the case. Similar issues played out at bakeries, florists and other wedding-services businesses in Texas, Oregon, Washington and other states.

New Mexico's high court in 2013 ruled that the owners of an Albuquerque wedding photography business violated a state antidiscrimination law when it turned away a lesbian couple who wanted to hire the company to take pictures of their commitment ceremony. The photographer cited both religious freedom and free-speech concerns.

A Kentucky county clerk who said she opposed gay marriage for religious reasons garnered national attention in 2015 when she refused to issue marriage licenses to gay couples after the U.S. Supreme Court cleared the way for same-sex marriage. She was jailed for five

days for refusing a federal judge's order to issue the licenses.

Some states passed blanket "religious freedom" laws that faced fierce opposition from critics, including major businesses, who said they were a license to discriminate against gays and lesbians. Arkansas and Indiana tweaked proposed laws in 2015 after receiving such pushback.

Corporations and professional athletic leagues have tended to side with gay-rights advocates, with many pulling out of states, such as North Carolina, that passed laws specifically restricting gay or transgender rights.

The draft order offers reassurance to a variety of religious faiths, including Sikhs and Mormons, that have wrangled with the government over the place of faith in schools, hospitals, charities and private businesses.

Members of the Sikh faith have sought religious exemptions from the U.S. military in order to wear turbans and beards. The U.S. Army recently relaxed its rules to allow for articles of faith, making it easier for Sikhs and others to adhere to religious belief.

The Church of Jesus Christ of

Latter-day Saints, or the Mormons, have struggled to strike a compromise with gay-rights groups over discrimination in housing and employment.

William E. Lori, the Catholic archbishop of Baltimore and chairman of the U.S. Conference of Catholic Bishops' committee on religious liberty, said in an email Thursday that it is "critically important to the Catholic community that protections for religious freedom are provided by the federal government."

The draft includes a provision aimed squarely at ending a five-year fight over requirements that most employers cover contraception in workers' health plans, a rule that stems from the 2010 Affordable Care Act and that was opposed in the courts almost immediately by religiously affiliated charities and companies arguing they would be forced to violate their conscience by facilitating access to some or all forms of birth control, which they considered immoral.

The language in the draft order is almost identical to the outcome sought by plaintiffs who twice pursued their cases to the Supreme Court: an outright exemption to the requirement to cover preventive

care such as contraception without out-of-pocket costs for plan enrollees for any person or organization that had a religious or moral objection.

In the first Supreme Court case, private companies headed by religious families such as the arts-and-crafts chain Hobby Lobby argued that their owners had a right to assert such beliefs and have them be considered by the federal government as akin to individuals.

In the second case, brought by religiously affiliated nonprofits such as Catholic Charities and the Little Sisters of the Poor, an order of nuns who run a chain of nursing homes, the court punted on deciding whether a proposed compromise arrangement from the Obama administration was sufficient to address their concerns and sent the issue back to the lower courts.

"I look at this order and think, 'Wow, if this issues, this could be the beginning of the end of this long national scandal of the government fighting the Little Sisters of the Poor,'" said Mark Rienzi, senior counsel at Becket, the law firm that represented them.

As he tries to balance religious liberty against LGBT rights, Mr. Trump cuts a more complex figure

than many other Republicans, including some prominent members of his administration, who openly oppose gay marriage.

Just Tuesday, the White House said Mr. Trump would leave in place a 2014 Obama administration executive order, which established new workplace protections for gay, lesbian, bisexual and transgender people—prompting complaints from some Catholic and Protestant leaders.

The draft executive order would add a requirement that federal contractors, as well as grantees, can't be retaliated against for making their employees follow certain religious conditions. Gay-rights advocates said the provision would effectively gut the 2014 executive order, offering a loophole to anyone who claimed a religious objection.

—Sara Randazzo contributed to this article.

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Rampell : Sharia law may be coming to America. But it's Christians who are bringing it.

<https://www.facebook.com/crampell>

Much-dreaded "sharia law," or something resembling it, may well be coming to the United States.

Just not in the form many Americans expected.

That is, the religiously motivated laws creeping into public policymaking aren't based on the Koran, and they aren't coming from mythical hard-line Islamists in, say, Dearborn, Mich. They're coming from the White House, which wants to make it easier for hard-line Christians to impose their beliefs and practices on the rest of us.

Politics newsletter

The big stories and commentary shaping the day.

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A few days after declaring his intention to impose a religious test upon refugees so that Christians would be given priority, President Trump gave a bizarre speech at the National Prayer Breakfast. In between a plug for "The Apprentice" and boasts about his disastrous

calls with heads of allied states, he made some less-noticed policy news.

He vowed to help blur the line between church and state by repealing the Johnson Amendment.

(The Washington Post)

President Trump, speaking at the National Prayer Breakfast, promised to "get rid of and totally destroy the Johnson Amendment," which prohibits some tax-exempt organizations like churches from supporting political candidates, on Feb. 2. Trump promises to 'get rid of and totally destroy the Johnson Amendment' (The Washington Post)

For those unfamiliar, this tax code provision bars tax-exempt entities such as churches and charitable organizations from participating in campaigns for or against political candidates. It dates to 1954, when it was signed by Republican President Dwight D. Eisenhower. It was not terribly controversial at the time.

The provision basically says that if you want to be exempted from paying taxes — meaning you are effectively subsidized by other

taxpayers, who pay for your access to emergency services, roads and other government functions — you can't be involved in partisan politics. You can't, among other things, take tax-deductible donations from your worshippers and turn around and spend them on political campaigns.

That's just the trade-off you agree to make.

Certain religious organizations, in particular those from the evangelical Christian community, have opposed this law in recent years. And during the campaign, Trump indicated he'd do his darnedest to get them what they really want: not the ability to endorse candidates from the pulpit — a practice that the IRS has already been ignoring — but the ability to funnel taxpayer-subsidized funds into the political process.

The president can't "totally destroy" the law unilaterally, despite Trump's pledge to do so; he'll need action from Congress, but that may not be hard to secure these days. Republicans control both houses of Congress, and the most recent Republican platform included a commitment to repeal the Johnson Amendment.

Also this week, the Nation's Sarah Posner published a leaked draft of an executive order that would require federal agencies to look the other way when private organizations discriminate based on religious beliefs. Coincidentally, these seem to primarily be religious beliefs held by conservative Christians.

The effect of the order might be to create wholesale exemptions to anti-discrimination law for people, nonprofits and closely held for-profit corporations that claim religious objections to same-sex marriage, premarital sex, abortion and transgender identity. It would also curb women's access to contraception through the Affordable Care Act. (A White House official did not dispute the draft's authenticity.)

This is, of course, all in the name of preserving religious freedom. Except that it allows some people to practice religious freedom by denying jobs, services and potentially public accommodation to those with differing beliefs.

The order, if signed, would seem to exceed the executive branch's authority, Posner notes; moreover,

given that the order's language appears to privilege some religious beliefs over others, it may violate the establishment clause of the First Amendment.

Trump has also chosen personnel who seem keen on muddying the distinction between church and state.

For example, his embattled education secretary nominee, Betsy DeVos, has advocated that

government dollars be channeled to religious schools through relatively expansive voucher programs. (During the campaign, Trump also said that public funds should follow students to the private school of their choice, explicitly including religious schools.)

During her confirmation hearings, DeVos's cryptic comments about supporting science education that encourages "critical thinking" have also been interpreted as well-

established code for supporting the teaching of intelligent design, a sort of dressed-up creationism.

I wish I could say that only a tiny fringe believes Christian practices deserve pride of place in public life and policymaking. But that's not the case.

In a poll released this week by the Pew Research Center, Americans were asked what made someone "truly American." A third of

respondents overall, and 43 percent of Republicans, said you need to be Christian. That would exclude me, as well as about 30 percent of the population.

The far right has done a lot of fear-mongering about the undue influence that religious fanatics may soon exert on the body politic. Seems they better understood what they were talking about than most of us realized.

**The
New York
Times**

G.O.P. Campaign to Repeal Obamacare Stalls on the Details

Robert Pear and
Reed Abelson

WASHINGTON — Congress's rush to dismantle the Affordable Care Act, once seemingly unstoppable, is flagging badly as Republicans struggle to come up with a replacement and a key senator has declared that the effort is more a repair job than a demolition.

"It is more accurate to say 'repair Obamacare,'" Senator Lamar Alexander, Republican of Tennessee and chairman of the Senate health committee, said this week. "We can repair the individual market, and that is a good place to start."

The struggles and false starts have injected more uncertainty into insurance markets that thrive on stability. An aspirational deadline of Jan. 27 for repeal legislation has come and gone. The powerful retirees' lobby AARP is mobilizing to defend key elements of the Affordable Care Act. Republican leaders who once saw a health law repeal as a quick first strike in the Trump era now must at least consider a worst case: unable to move forward with comprehensive health legislation, even as the uncertainty that they helped foster rattles consumers and insurers.

Insurers are threatening to exit the Affordable Care Act's market unless the Trump administration and Congress can quickly clarify their intentions: Will they support the existing public marketplaces, encourage people to sign up and keep federal assistance flowing to insurers, or not?

"We need some certainty around the rules," said Dr. J. Mario Molina, chief executive of Molina Healthcare, which has been a stalwart in the Affordable Care Act market and is making money under the system.

"We have a few months, but we don't have a lot of time," he said.

With the official end on Tuesday of what was supposed to be its final open enrollment season, the

Affordable Care Act is looking more resilient than it seemed just a month ago. It will still be several days before final enrollment figures are released, and although a surge of last-minute signups failed to have materialize amid talk of repeal, early indications did not point to a collapse.

Marilyn Tavenner, chief executive of America's Health Insurance Plans, at a hearing before the Senate health committee on Wednesday. T.J. Kirkpatrick for The New York Times

At their annual retreat last week, in Philadelphia, several congressional Republicans edged away from their powerful promise to "repeal and replace" the Affordable Care Act. It would, they said, be more accurate to say they intend to fix a law that they blame for the cancellation of many insurance policies, soaring premiums and a shrinking choice of health plans in many states.

Many Republicans say their resolve to dismantle the law, a central element of President Barack Obama's legacy, is undiminished. "We are looking to repeal this law, just like we told the voters we were going to do, just like we promised them we would do," said Representative Jim Jordan, Republican of Ohio and a leader of the House's most conservative wing. "After all, there was an election where that was one of the most important issues."

But after waging and winning many elections with a promise to kill it, Republicans still have no agreement on how to replace it. They will, they say, pursue a piecemeal approach because they have no desire to supplant the giant 2010 health law with a single comprehensive Republican plan cooked up in Washington.

When Congress convened this year, Republicans immediately introduced a budget resolution clearing the way for legislation to gut the health law, with strong support from Mr. Trump, who took office 17 days later. But Mr. Trump's

rocky start has slowed the momentum, depleting his political capital and dimming prospects for bipartisan cooperation.

In addition, many senators are preoccupied with fights over the confirmation of Mr. Trump's nominees to the Supreme Court and top jobs in his administration. What was once considered Congress's Job No. 1 is being eclipsed for some lawmakers by more immediate matters.

Insurers say Republicans' mixed messages and slowing pace could send premiums soaring next year while making the market much less stable. The deadline to file rates for 2018 is this spring, and insurers say they need time to decide what kinds of plans to offer and to set prices.

"We need stability and predictability," said Marilyn B. Tavenner, the chief executive of America's Health Insurance Plans, the main lobby for the industry.

Unless Congress continues cost-sharing subsidies, to reduce out-of-pocket costs for low-income people, and a reinsurance program, to help pay large claims, she said, more insurers will pull out of the market.

Insurers are also concerned about signs that the Trump administration may not enforce the so-called individual mandate, which requires people to have insurance or face a tax penalty. The penalty, or some way to encourage more participation, is seen as central to having enough young and healthy people sign up to keep premiums low.

"It's very important to indicate how they are going to stabilize the market," said Karen M. Ignagni, the chief executive of EmblemHealth, who was instrumental in the development of the current law.

At the very least, analysts say the uncertainty for insurers could lead to much higher rates. "2018 is a wild card," said Deep Banerjee, who follows insurers for Standard & Poor's.

Many insurers could simply end up walking away, warned Sabrina Corlette, a research professor at Georgetown University who recently surveyed insurers about what they might do. "At a certain point, you can't price high enough to account for that uncertainty," she said.

The end game is perhaps predictable. In the Senate, Republicans will need help from Democrats to replace the health law because they hold 52 seats but will need 60 votes. Several Republican senators, like Susan Collins of Maine and Bob Corker of Tennessee, say they will not vote to repeal the law unless they have a clear picture of what will replace it. And Democrats will not support any replacement unless Republicans scrap the idea of an outright repeal, which conservatives have been demanding for years.

"We can't repair the roof while Republicans and the president are burning the house down," said Senator Patty Murray, Democrat of Washington.

Republicans have many ideas about how to shore up insurance markets and lower costs. But it is highly unlikely that any of their proposals would be found by the Congressional Budget Office to insure as many people as the Affordable Care Act. Downbeat assessments from the budget office have doomed many proposals in the past, including the health care plan devised by Bill and Hillary Clinton in 1993.

Mr. Trump chose Representative Tom Price, Republican of Georgia, to be his secretary of health and human services, with the expectation that he would work closely with Republicans in Congress on the details of a replacement plan. Democrats have delayed his confirmation, and that in turn has delayed Republican efforts to devise an alternative to the health care law they detest.

Republicans on the Senate Finance Committee voted on Wednesday to recommend confirmation of Mr.

Price, overriding objections by Democrats, who boycotted the proceedings.

All of that turmoil in Washington has left insurers scrambling.

"While the direction in Washington has been positive, we still need certainty about short-term fixes in order to determine the extent of our participation," Joseph R. Swedish, the chief executive of Anthem, one of the nation's largest insurers and

a major player in the market, told investors on Wednesday.

Anthem said it expected to break even or make money selling individual coverage this year but

said the market continued not to work as well as it could.

"We have weighed in considerably, and continue to do so, with all the leadership in Congress," Mr. Swedish said.

**The
Washington
Post**

Zakaria : Sorry, President Trump. I agree with you.

<https://www.facebook.com/fareedzakaria>

After his spat with Mexico, after the travel ban, this week President Trump did something that surprised me. He put in place a policy with which I agreed. He placed a smart check on ever-proliferating federal regulations. His executive action requires any department that wants to add a regulation to get rid of two existing ones. It might seem gimmicky, but the British government instituted just this "one-in, two-out" rule in 2013 and it has worked well. In fact, while I find much of Trump's worldview alarming, I generally agree with some important parts of his program — tax reform, infrastructure investment, deregulation, civil service reform. But the larger question I keep asking myself is: Does Trump want someone like me to agree with him?

The Trump White House has decided that the best way to deal with any institution or group that might stand in its way is to relentlessly try to delegitimize it. This has led to a ferocious strategy of attack on the media, which the president now says is "the opposition party." His chief strategist, Stephen K. Bannon, urges the media to "keep its mouth shut and just listen for a while." Sean Hannity, the Fox News host who has become an unofficial spokesman for the White House, describes the media as "a bunch of

overpaid, out of touch, lazy millionaires that have nothing but contempt for the people that do make this country great."

At this point, one could note that, if we are to listen to America, almost 3 million more Americans voted for Hillary Clinton than for Trump (who received a share of the popular vote that was lower than Mitt Romney's, in fact lower than the share received by most of the losers of recent presidential elections). And as for which of these groups makes America great, I'm not sure what criteria to use, but if it is generating wealth and contributing to gross domestic product, it's not even close. According to the Brookings Institution, the 500 counties won by Clinton produced 64 percent of U.S. economic output, while the 2,600 counties won by Trump produced just 36 percent of GDP. Use any economic measure — employment, start-ups, innovation — and the areas that score highest voted heavily against Trump.

Today's Headlines newsletter

The day's most important stories.

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The much-maligned urban elites may be out of touch with the rest of the country, but they still pay its bills. A few years ago, the Economist compared how much each American state contributed to the federal coffers against the funds they received from Washington. The basic pattern is simple: It is blue

states, which voted against Trump in 2016, that fund the red states that voted for him. From 1990 to 2009, Clinton states collectively paid \$2.4 trillion more in federal taxes than they received in federal spending, while Trump states altogether received \$1.3 trillion more than they paid.

But this is not the way I think we should look at America. It's one country, and different parts and people contribute in different ways. We are living through times in which economics and technology separate us — some people and places prosper while others languish. The goal should be to use politics as a mechanism to bring us together through both public policy and public discourse. The truth is, there are no real Americans and fake Americans (though there is real news and fake news).

(Reuters)

During the White House daily briefing on Jan. 31, NBC's Kristen Welker asked press secretary Sean Spicer why the administration is lashing out against calling President Trump's executive order on immigration a "travel ban," when that's in fact what the president is calling it on Twitter. During the White House daily briefing on Jan. 31, NBC's Kristen Welker asked press secretary Sean Spicer why the administration is lashing out against calling President Trump's executive order on immigration a "travel ban," when that's in fact what

the president is calling it on Twitter. (Photo: Jabin Botsford/Reuters)

Most presidents begin their tenure by trying to reach out to their political opponents, signaling that they want to represent those who didn't vote for them as well as those who did, and generally trying to bring the country together. Trump has made almost no such effort, simply asserting that the country was divided before he was elected and thus absolving himself of any responsibility for unifying it. In office, he has mercilessly attacked anyone who dares to disagree with him, whether senators, prime ministers or student protesters. It might be a good way to play to his base, but it's a terrible way to lead the country.

The challenge for the media must be to ensure that we don't mirror Trump's attitude of hostility. We cannot absorb and reflect that negativity. We are not the opposition. We are a civic institution, explicitly protected by the Constitution, that is meant to hold government accountable and provide real information to the citizenry. I hope to be able to do that. Along the way, when I have to, I will disagree vigorously with Donald Trump. But just as important, when warranted, whether he likes it or not, I will agree with him.

Read more from Fareed Zakaria's archive, follow him on Twitter or subscribe to his updates on Facebook.

**The
New York
Times**

Editorial : Mr. Trump's Bad Two-for-One Deal

The Editorial Board

President Trump surrounded by small business leaders before signing an executive order on federal regulations. Stephen Crowley/The New York Times

President Trump's two-for-one deal — an executive order requiring federal agencies to eliminate at least two regulations for every new one issued — sounds more like a fast-food ad than a plan for governing.

There are sound ways to streamline regulations, but boxing in regulators this way is neither advisable nor

necessary. Since 2011, federal agencies have been systematically reviewing rules on the books, under a governmentwide effort begun by President Barack Obama to revise and eliminate duplicative or outdated rules and to identify regulatory gaps where new rules are needed. The "look-back" program — which brought net savings of some \$37 billion over five years — makes Mr. Trump's order all the more worrisome, because many unneeded rules have already been purged. Regulations that are necessary to protect the public, including environmental rules that safeguard health, are now at risk.

For example, the Environmental Protection Agency would have to repeal limitations on some pollutants — mercury, perhaps — in order to impose new regulations, like the updated limits on lead in drinking water that are on the agency's agenda this year. The nation's environmental laws do not instruct the E.P.A. to make such trade-offs, but, in effect, the executive order does. Similarly, Congress never told the Food and Drug Administration to choose among food-label accuracy, drug safety and the purity of cosmetics in carrying out the nation's product safety laws. Mr. Trump's executive

order would force the agency to make such choices.

The order's heavy-handedness puts environmentalists and consumer advocates on solid ground to argue in court that the two-for-one repeal formula is arbitrary and capricious, and thus illegal. But as long as the order is in force, rulemaking — a basic function of governance — will be greatly impaired.

Mr. Trump has said that the order will reduce out-of-control regulatory burdens. But as part of the look-back program, the Obama administration successfully prodded some federal agencies to make automatic review of regulations a

standard practice. For instance, the E.P.A. and the Transportation Department have committed to review recent rules on fuel economy and emissions standards for light trucks in the

coming years. Similarly, speed limits on large ships, renewed in 2013 by the National Oceanic and Atmospheric Administration to reduce collisions with endangered whales, will be re-evaluated within

five years and modified or repealed as needed.

Ensuring that systematic reviews continue would help keep regulations up-to-date. And unlike

Mr. Trump's two-for-one deal, it wouldn't impose an arbitrary formula.



Editorial : Tillerson and Mattis speak up for the right values of leadership

<https://www.facebook.com/washingtonpostopinions>

"I WANT us to be honest with one another," a new leader on the national stage said Thursday. "We're on the same team. We share the same mission. Honesty will undergird our foreign policy, and we'll start by making it the basis of how we interact with each other. . . . Let us extend respect to each other, especially when we may disagree." The leader in question was Secretary of State Rex Tillerson, and his audience consisted of State Department employees assembled at Foggy Bottom to meet their new boss.

Wise as they were, Mr. Tillerson's comments stood out for their rationality and evenhandedness only because they were uttered amid the rapid deterioration of such formerly commonplace standards of political culture. The president of the United States, in particular, continues to operate according to a different standard: insulting allies, intimidating civil servants, improperly threatening recipients of federal funds. Such behavior can only hurt the United States' standing

and undermine the peace abroad while damaging democratic norms at home.

Mr. Tillerson's remarks may reassure State's professionals, who were told by President Trump's spokesman to "get with the program" or quit after hundreds of them signed a letter of dissent over Mr. Trump's harsh executive order on immigration. Alas, cleaning up after Mr. Trump could be a full-time job for Mr. Tillerson; the president's penchant for verbal excess apparently extends even to the prime minister of a close ally, Australia, with whom he had cross words on the phone the other day. He followed that gratuitous clash with a tweet berating a U.S. commitment, inherited from the Obama administration, to resettle up to 1,250 refugees at Australia's request as a "dumb deal." Closer to home, the University of California at Berkeley attempted in good faith to give right-wing provocateur Milo Yiannopoulos an opportunity to speak — and to give peaceful opponents an opportunity to protest — on its campus. When violent interlopers spoiled the peace with arson and vandalism, Mr. Trump

bizarrely blamed the school and threateningly tweeted: "If U.C. Berkeley does not allow free speech and practices violence on innocent people with a different point of view — NO FEDERAL FUNDS?" Even if Berkeley were at fault, federal grants are not Mr. Trump's to award or withhold on a whim.

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It is hard to keep up, but at last check Mr. Trump had treated the audience at the National Prayer Breakfast to musings about low ratings for "The Apprentice" — followed by a defense of his brusqueness toward the Australian prime minister and other world leaders. "Believe me. When you hear about the tough phone calls I'm having — don't worry about it," Mr. Trump said. "We're going to be a little tough, folks. We're taken advantage of by every nation in the world, virtually."

This is wrong, spectacularly so. The United States occupies a privileged position atop the world's power pyramid, and it benefits from well-designed mutual relationships such as the alliance with Australia — relationships that demand constant tending as China aims to expand its influence in the western Pacific region. As Defense Secretary Jim Mattis said in his first message to his department, "Recognizing that no nation is secure without friends, we will work with the State Department to strengthen our alliances."

Like Mr. Tillerson, Mr. Mattis took the opportunity of his arrival to recognize a brightness in America that Mr. Trump too often misses. "You represent an America committed to the common good," Mr. Mattis told the uniformed and civilian members of his department and their families, "an America that is never complacent about defending its freedoms; and an America that remains a steady beacon of hope for all mankind." He was right, but that beacon remains steady only with constant vigilance and work.



Bernie Sanders: Will Trump have the guts to stand up to drug companies?

By Bernie Sanders

By Bernie Sanders February 2 at 4:25 PM

Bernie Sanders, an independent, represents Vermont in the U.S. Senate.

President Trump and other Republicans have talked about the greed of the pharmaceutical industry. Recently, Trump said (rightly) that Big Pharma is "getting away with murder." But talk is cheap. The question is: Will Republicans really have the guts to join me and many of my colleagues in standing up to the drug companies to fight for American consumers and end the disgrace of having our country pay by far the highest prescription drug prices in the world? If Trump believes what he has said about the industry, he will rally his party to help save American lives. Here's why.

The five largest drug manufacturers made more than \$50 billion in profits in 2015. Meanwhile, nearly 1 out of 5 Americans could not afford the medicine they were prescribed. The result: Millions of Americans became sicker, and some ended up in emergency rooms at great cost. Others unnecessarily lost their lives.

It is beyond comprehension that while Americans are suffering and dying because they cannot afford the medications they need, the 10 highest-paid chief executives in the pharmaceutical industry collectively made \$327 million in 2015. These executives get richer while Americans die. That's not acceptable.

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The root of this problem is that we are the only major country not to negotiate drug prices with the pharmaceutical industry. You can walk into a pharmacy today and the price could be double or even triple what you paid for the same medicine a year ago, and there are no legal barriers in place to stop these arbitrary increases. Pharmaceutical corporations can raise prices as high as the market allows. If people die, it is not their concern. If people get sicker, it is not a problem for them.

Yet, 50 miles from my home in Vermont, the same medications manufactured by the same companies in the same factories are available for a fraction of the price. A 90-day supply of Januvia, which treats diabetes, is \$505 in the United States but \$204 across the northern border. A 90-day supply of Advair, used in asthma inhalers, costs about \$222 in Canada and approximately \$464 in the United

States. A year's supply of one of the most important treatments for advanced prostate cancer, Xtandi, is sold for about \$30,000 in Canada. Patients here pay about \$130,000.

Outrageously, our government, and therefore U.S. taxpayers, paid for research that led to Xtandi's discovery.

This state of affairs is unacceptable. Until recently, Trump agreed. Yet after one meeting with pharmaceutical lobbyists, the president started reversing course. Instead of negotiating drug prices down, he talked about cutting taxes for drug companies that already make billions on the backs of American consumers.

Again, this cannot continue. That is why I am introducing legislation to end this insanity, allowing Americans to buy the same drugs they receive now, but from Canada, at far lower prices.

The drug companies, with nearly 1,400 D.C. lobbyists and enormous amounts for campaign contributions, will fight back. Recipients of their contributions in Congress will tell us that allowing the importation of prescription drugs would compromise the safety of Americans. This is absurd: We can eat fish and vegetables from all over the world but somehow cannot import brand-name prescription drugs, manufactured by some of the largest companies in the world, from an advanced country such as Canada? It's nonsense.

But you don't have to take it from me: Members of the pharmaceutical

industry say the exact same thing. Peter Rost, a former vice president of Pfizer, said in 2004 that it was "outright derogatory to claim that Americans would not be able to handle reimportation of drugs, when the rest of the educated world can do this."

Furthermore, the United States already imports roughly 80 percent of the key ingredients in its medicines from other countries, including developing countries such as India and China. According to Kaiser Health, 19 million Americans have bought cheaper prescription drugs from other countries. To afford their vital medications, they

shop online, sometimes from pharmacies that haven't been properly regulated. Our bill will in fact improve safety by ensuring that only prescription drugs sold by Food and Drug Administration-certified foreign sellers, such as pharmacies regulated by Canada's health system, will be permitted to be imported, protecting Americans from the snake oil some are buying right now.

The bill will also deal with the most critical safety issue: Drugs don't work at all if patients can't afford them.

Drug companies won't surrender the billions in profits they receive

from U.S. consumers easily. The pharmaceutical industry is one of the most powerful political forces in this country. Drug companies have spent more than \$3 billion lobbying since 1998 and have many members of Congress defending their interests; during the 2016 election alone, the industry made more than \$58 million in political contributions.

So we will need to fight together to get Americans the medications they need at prices they can afford. If the president meant what he said during the campaign, he will join me in this fight. It can't wait any longer.



Chen and Troy : Trump wants health 'insurance for everybody.' Here's how the GOP can make it happen.

By Lanhee J. Chen and Tevi D. Troy

By Lanhee J. Chen and Tevi D. Troy February 2 at 3:26 PM

Lanhee J. Chen is a research fellow at the Hoover Institution and director of domestic policy studies in the public policy program at Stanford University. Tevi D. Troy is chief executive of the American Health Policy Institute and was deputy secretary of health and human services from 2007 to 2009.

Donald Trump's statement that his preferred replacement for the Affordable Care Act (ACA) would provide health "insurance for everybody" surprised those who have followed the contentious debate over the health-care law since its passage in 2010. Rep. Tom Price (R-Ga.), Trump's nominee for health and human services secretary, signaled agreement with the president when he said during his confirmation hearing that a Republican replacement for the ACA should cover more people.

In recent years, though, Republicans have emphasized that gains in insurance coverage should not be the sole barometer by which health-care reform is measured. Rather, they have said, the affordability of that coverage is the key to a better health-care system with fewer uninsured Americans. The ACA's cardinal sin is its focus on access first, while doing little to address cost.

As a general matter, the conservative focus on lowering health-care costs first is exactly right. Yet Trump was also right to argue that the ACA's replacement ought to have universal coverage as a goal. Democrats should not be

allowed to claim this health-care moral high ground uncontested.

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For too long, Republicans have shied away from calling for "universal coverage" because they've equated it with the Democratic push for a government-run, single-payer health-care system. But that simply isn't the case. Market-based reforms can both lower costs and lead to health insurance coverage for more Americans. Indeed, any health-care reform that can't compete with the ACA on coverage is sure to face significant political headwinds. It also would make it far less likely that Democrats can be persuaded to support replacement legislation. Perhaps most important, this is a fight that conservatives can — and should — win.

The starting point for this seemingly audacious claim is the fact that the ACA has been a significant failure even for those who value universal coverage above all else. While the law has unquestionably decreased the number of uninsured people in the United States, the Census Bureau reported last year that 29 million remained without health coverage in 2015. (About a quarter of these were undocumented immigrants or residents of states that opted against the Medicaid expansion.) In 2015, the Internal Revenue Service found that 19.2 million taxpayers either paid the individual-mandate penalty or received hardship exemptions from that mandate — meaning that tens of millions of people went without

health insurance, primarily because it's too expensive.

(Reuters)

Kellyanne Conway, a senior aide to President Trump, told CBS on Jan. 22 that Trump wants to replace "Obamacare with a more patient-centric, free-market solution." Kellyanne Conway, a senior aide to President Trump, tells CBS that Trump wants to replace "Obamacare with a more patient-centric, free-market solution." (Reuters)

Republicans have traditionally been more comfortable talking about the importance of ensuring that every American has access to quality, affordable health insurance. Indeed, "universal access" has been a relatively noncontroversial way for conservatives to avoid making promises about how market-based health-care reform would affect the number of Americans who remain uninsured after the passage.

The apparent gap between what Trump appears to be proposing (universal coverage) and what Republicans have supported (universal access) isn't nearly as wide as many analysts think. This gap is both narrow and bridgeable: There are policies that can ensure universal access to health insurance while also putting our nation on the path toward universal coverage.

Any market-based replacement for the ACA should include four key elements to move us toward universal coverage.

First, it should expand access to consumer-directed coverage arrangements such as health savings accounts coupled with high-deductible insurance plans. These products not only help reduce costs

but also give consumers greater control over their own care. Such increased control incentivizes individuals to do what consumers do best: make value-based decisions that collectively drive down costs and improve quality.

Second, assistance should go to those who need it but be tailored to their individual situations. Low-income Americans should have access to a more innovative and modern Medicaid program, while the working poor should have access to a tax subsidy to help them afford private plans.

Third, those with preexisting conditions should have access to mechanisms, such as properly funded high-risk pools, to help them both acquire and afford coverage.

Finally, the federal government should allow for alternative pathways to private, tax-preferred coverage, by allowing health plans to be sold across state lines, as well as by giving unions, churches and other civic organizations the opportunity to offer coverage to members.

Taken together, these policies provide a powerful set of tools to both drive down health-care costs and expand coverage to every American. Trump and the Republican Congress have a remarkable opportunity not only to do away with the ACA and all of its shortcomings but also to put in place reforms that will truly improve our health-care system. Republicans in Congress should not hesitate to embrace Trump's call for universal coverage. Indeed, they should work with the new administration to pass legislation to make this goal a reality.

Editorial : Betsy DeVos's School Frenemies

Feb. 2, 2017
7:32 p.m. ET 336

Teachers unions are still hoping to block Betsy DeVos's nomination as Education Secretary on the Senate floor. And they've found some unlikely charter-school allies who hope to buy political protection by throwing Mrs. DeVos to the wolves. The union abettors are self-serving and short-sighted.

Unions are trying a divide-and-conquer strategy by pitting charter-school supporters against vouchers. Mrs. DeVos has championed all forms of school choice because she understands the key to improving schools is to break the union's government monopoly. Yet many charter backers view vouchers as a threat, and some oppose private-school choice for ideological reasons.

On Wednesday philanthropist Eli Broad, one of the nation's biggest charter-school funders, sent a letter to Senate leaders opposing Mrs. DeVos's confirmation. The letter parrots the union talking points about the grave threat Mrs. DeVos poses to public schools.

Proclaiming himself a "big believer in high-quality public schools and strong accountability for all public schools," Mr. Broad expresses "serious concerns about her support for unregulated charter schools and vouchers." He warns that Mrs. DeVos could undo "much of the good work that has been accomplished to

improve public education for all of America's children."

Yet surely Mr. Broad knows that charters have to comply with most of the same rules as traditional public schools including the federal Individuals with Disabilities Education Act, anti-discrimination laws and state standardized testing. Charters are authorized by government entities, and chronically low-performing schools in most states can be forced to close.

Charters have more freedom to innovate because they aren't hemmed in by union collective-bargaining agreements. They can hire and fire teachers at will, base pay on performance and require longer school days. Mr. Broad, this is what unions mean when they accuse Mrs. DeVos of supporting "unregulated" schools.

Voucher and scholarship programs are also tightly regulated, and sometimes more than public schools. In most states, scholarship and voucher recipients must take standardized tests. Louisiana requires a curriculum at least as rigorous as public schools and restricts participation for low-performing private schools. Private schools must submit to independent financial audits.

Mr. Broad's attack on Mrs. DeVos was echoed by the Massachusetts Charter Public School Association in a letter to Senator Elizabeth Warren last month. The group notes that while Massachusetts "by all independent accounts" has the

"best charter school system in the country," charters in Mrs. DeVos's home state of Michigan have "been widely criticized for lax oversight and poor academic performance."

The group adds that "the same researchers from Stanford that declared Massachusetts charter public schools an unqualified success, had mixed reviews for Michigan's charters." In fact, Stanford's Center for Research on Education Outcomes found that Michigan charter students on average gained an additional two months of learning every year over traditional school counterparts and those in Detroit gained three months.

Vouchers and charters can co-exist. Louisiana and Washington both have robust voucher programs. Yet more than 90% of public school students in New Orleans and nearly half in D.C. attend charters. While Ohio and Indiana boast fast-growing voucher programs, charters educate 30% of public-school students in Cleveland and Indianapolis.

If anything, vouchers make it safer for charter schools because they deflect union attacks. Charters are most vulnerable in states that don't have private-school choice programs—such as New York, California and Massachusetts. As soon as the voucher threat is defeated in a state, the unions attack charters with regulations, caps and attempts to unionize.

Mr. Broad and the Massachusetts group may hope that criticizing Mrs.

DeVos will spare them from more union attacks. But Stockholm Syndrome is a lousy political strategy. Last year Ms. Warren helped kill a ballot initiative to lift the Bay State's charter cap, and the group now tells her that "quality, not quantity, should be the guiding principle of charter expansion."

In 2015 the Los Angeles Times reported that Mr. Broad and other charter supporters aimed to raise a half billion dollars to enroll half of Los Angeles's public school students in charters (up from about 16%). Unions then accused the billionaire of trying to destroy public schools. Sound familiar? When charter advocates extended an olive branch to the unions by establishing a grant for high-quality public schools in low-income areas, local teachers union President Alex Caputo-Pearl called it "an insulting billionaire publicity stunt."

After a union barrage, Republicans Lisa Murkowski (Alaska) and Susan Collins (Maine) plan to vote against Mrs. DeVos on the Senate floor. Unions will need to pick off one more Republican to defeat her, and the Broad memo could help them. Mrs. DeVos understands the reform movement is stronger with more voices and varieties of competition, and it's a shame Senators Murkowski and Collins and some charter supporters are falling for this false union front to defeat her.

The
New York
Times

Editorial: Wanted: One Republican With Integrity, to Defeat Betsy DeVos

The Editorial Board

Selman Design

This country needs a few good Republicans — one more would do — to rescue it from Betsy DeVos, one of President Trump's worst cabinet choices and his pick to run the Department of Education.

The vote to confirm Ms. DeVos is expected as soon as Monday, and the Republican senators Lisa Murkowski of Alaska and Susan Collins of Maine now say they'll vote against her, citing hundreds of calls they've received from furious voters. The result would be a tie that Vice President Mike Pence would break in Ms. DeVos's favor. The extra Republican vote could come from one of several independent-minded senators; one candidate is Lamar Alexander, an expert on public schools who actually owes the

country a good turn because of his failure as chairman of the committee vetting Ms. DeVos to question her closely and to give more time to her critics.

There are few more telling examples of Mr. Trump's disdain for the federal government's critical role in lifting up America's schoolchildren than his choice of Ms. DeVos. She has spent years funneling her inherited fortune into a campaign to replace the nation's traditional public schools with federally funded charter schools, regardless of the latter's performance, and supporting vouchers, which help families send children to private or parochial schools and drain funds from public schools that need more, not less, support.

Mr. Alexander didn't give senators much time to question Ms. DeVos,

but it was sufficient to reveal her near-total unfamiliarity with public education law, standards and even problems. A conservative ideologue, she fell back on most policy questions to an assertion that states should make their own rules, even on settled matters of federal law, like access for handicapped children.

She robotically refused to answer whether she would hold charter schools and other public schools equally accountable. She drew national ridicule when she rejected the notion of gun-free zones around schools, saying guns might come in handy for shooting "potential grizzlies" — an answer delivered to Senator Chris Murphy of Connecticut, where the Sandy Hook shooting occurred.

Betsy DeVos's nomination is not about making public education more

effective, or helping publicly schooled children succeed; it's about blowing up the system without a clue as to what comes next. Mr. Alexander was secretary of education himself, from 1991 to 1993, and he ran for president twice, speaking out against the influence of money in politics. And while he went way easy on Ms. DeVos in the hearings, he surely knows better than to place her in a job of such importance to the country's future.

There are other bad cabinet nominees with credentials as dubious as Ms. DeVos's whose possible ascension to high office should terrify any thoughtful Republican. Among those for whom final votes have yet to be held are Scott Pruitt, Tom Price and Steven Mnuchin, Mr. Trump's picks for the Environmental Protection Agency,

the Department of Health and Human Services, and the Treasury. Mr. Pruitt, who as Oklahoma attorney general repeatedly sued the agency he would now lead, showed his contempt for the Senate by repeatedly telling senators to go get the answers they wanted themselves, by filing records

requests with the state of Oklahoma. Mr. Price has shown incredibly poor judgment by investing in health care stocks while writing and promoting legislation that would benefit those investments. Mr. Mnuchin, a Trump fund-raiser and financier, failed to disclose \$100 million in personal

assets as well as his role in an investment fund registered to an offshore tax haven.

The Senate's constitutional duty to "advise and consent" on presidential nominations was intended by the founders to counter the wrong-headed populist impulses of the

House. Voters should remind Republican senators that if they surrender to Mr. Trump on appointees so clearly unfit, they will be relinquishing a historic obligation and tarnishing themselves.

THE WALL STREET JOURNAL

Strassel : This 'Resistance' Is No Tea Party

Kimberley A. Strassel

Feb. 2, 2017 7:27 p.m. ET

Democrats don't like to think about Republicans if they can help it. But for those on the left now contemplating their own "progressive tea party" movement, they'd do well to contemplate one woman in particular: Christine O'Donnell.

In 2010 Republicans had an unusual opportunity to win the deep-blue Delaware Senate seat once held by Joe Biden. The vessel: GOP Rep. Mike Castle, a popular former governor and the front-runner. Enter Ms. O'Donnell. Fueled by tea-party enthusiasm and money, she trashed Mr. Castle as a liberal and beat him in the primary. After a general election that devolved into debates over gay service members, religion, creationism (and even witchcraft), Democrat Chris Coons blew out Ms. O'Donnell by 17 points.

The conservative tea-party phenomenon is overall one of the more successful political movements in modern American history. Even the left acknowledges it now. Still, every movement makes mistakes. The tea party—especially in its early years, and given its decentralized nature—has had its share, including Ms. O'Donnell.

By contrast, the entire concept of a progressive tea party is a mistake. It's doomed at every level—

because it is entirely premised on the O'Donnell model.

Consider the recent rallying cry of progressive star Markos Moulitsas. "The Tea Party didn't really become a force until it started ousting Republicans it didn't feel represented them," he told the New York Times. "Democrats either need to feed, nurture and aggressively champion the resistance, or they need to get out of the way in favor of someone who will."

Message: Get with our agenda, or be purged. The progressives showing up for protests and demanding Supreme Court filibusters are determined to move their party aggressively to the left. Any Democrat who does not sign up for *their* policies and *their* resistance will face a primary.

Perhaps we can forgive Mr. Moulitsas—and much of East and West Coast America—for thinking this is what happened on the right. Democrats never bothered to understand the right's tea-party movement, and it shows.

The tea party erupted for a lot of reasons, but a big one was frustration with Washington business as usual. Activists in the main weren't demanding the Republican Party become something new, or ultra-right-wing. They were demanding the party—beset at that time by logrolling, earmarks and corruption—simply hold true to its stated and longtime principles of free markets and

limited government. It was a quest for a better-quality product, not a different one altogether.

That's evidenced by where tea-party activists accomplished most of their successes. A few high-profile Senate missteps aside, activists targeted much of their fire on reliably conservative or gettable House districts, inhabited by lazy incumbents who cared mostly about staying in office. They focused on recruitment, and their new crop of reformers resulted in 2010 in one of the greatest incumbent turnovers in congressional history. Over the years, they have only gotten better at fielding and supporting winning candidates (see the 2014 Republican Senate takeover).

The Democrats' problem is that all their reliably liberal states and districts are already occupied with good liberals, who take orders. Those members will joyfully boycott and filibuster and protest and obstruct. There will be no need for primaries.

Those in the firing line are instead the Mike Castles of the Democratic Party. Joe Manchin. Heidi Heitkamp. Claire McCaskill. Jon Tester. These are Democrats in red states Mr. Trump won, up for re-election next year. They are the only reason Democrats remain within reach of Senate power. They will be tempted, for the sake of re-election, or their own convictions, to work with Republicans on nominations, health care, tax reform. The left's tea party is

threatening to make them pay for it by fielding ultra-left-wing primary candidates.

The question is how this accomplishes the progressive aim of an electoral wave that puts it back in power—a la tea-party conservatives. The left is banking that Mr. Trump and Republicans will blow this historic moment, and the public will revolt. That's certainly possible. What's less possible is that North Dakota voters—even if they are really mad at Mr. Trump—will vote to put an Elizabeth-Warren-like progressive in the Senate.

Democrats might also remember another woman from 2010: Blanche Lincoln. The two-term Democratic senator from Arkansas caused liberal hysteria in 2009 when she chose to reflect her voters and spoke out against both the public option for health care and a pro-union measure called card check. Left-wing Democrats pummeled her back home and subjected her to a grueling primary. She won that primary, only to lose to Republican John Boozman in a landslide. Even an unsuccessful progressive tea party could be deadly for Democrats.

The original tea party was about making conservatives in this center-right country act like conservatives again. The progressive tea party is about making Democrats in this center-right country act like Bernie Sanders. Have at it.

Write to kim@wsj.com.

THE WALL STREET JOURNAL

Gramm : Replace ObamaCare, Don't Rename It

Phil Gramm

Updated Feb. 2, 2017 7:23 p.m. ET

So powerful is the political appeal of entitlement programs that modern democracies routinely choose bankruptcy over curtailing them. That's even true of ObamaCare. Despite surging premiums, lagging enrollment, the growing burden on the economy, and the enduring opposition of most voters, the debate is about replacing rather than simply repealing it.

If the objective were simply to prove why something as important as health insurance should never be turned over to the government, lawmakers would simply pass a health-care freedom amendment allowing people to buy insurance outside ObamaCare, as they were originally promised, and let the program die of its own weight. But since Republicans have promised to protect Americans from the consequences of ObamaCare's failure, what might have been a valuable learning experience is not a viable option.

ObamaCare subsidized small employers to provide health insurance, funded massive subsidies on the health exchanges, and imposed increasing penalties on the uninsured who did not buy insurance on the exchanges—spending \$67 billion to subsidize the purchase of private insurance in 2016 alone. From its adoption in 2010 through 2016, according to data from the Centers for Disease Control, the number of Americans with private health insurance has risen by 14.6 million, or 8.9%.

That's not as impressive as it sounds. Even though HillaryCare

was defeated, the number of Americans with private insurance rose 7.5% between 1992 and 1998, through wage and job growth alone. Applied to the 2016 population, the growth-induced increase in the percentage of Americans who obtained private health insurance during the comparable stages of the Clinton recovery would have been 12.3 million. To put it another way, compared with what a strong recovery would have been expected to produce without new subsidies, ObamaCare added only 2.3 million people to the private insurance rolls at a cost of \$29,130 each.

The comparison brings home two important points. First, subsidies are a poor substitute for economic growth, even in providing health insurance. Second, the exorbitant cost of ObamaCare shows how inefficient government subsidies are in helping people meet even basic needs.

But ObamaCare's problems are not just the result of poor government engineering. They are the result of the financial physics of massive government overpromising. By allowing people to buy subsidized health insurance after being diagnosed with a major illness, ObamaCare encourages them to delay buying insurance until they are sick. Its massive subsidies pay 75% of premiums for families earning the median household income and provide subsidies to families of four earning as much as \$97,200. It will add 18.6 million people to Medicaid over the next five years, bringing almost a quarter of the U.S. population under the program.

These entitlement expansions come at a time when Medicare faces insolvency in 11 years and Social Security in 17 years. Further, when interest rates simply return to their historic norms, the cost of servicing the post-Obama national debt will more than double, sending the annual federal

deficit permanently over \$1 trillion a year if nothing else changes.

Democrats could have continued providing ObamaCare benefits only by doing three things Republicans don't want to do: First, coerce more relatively young, healthy people into the system to be exploited. Second, suppress the explosion of health insurance premiums by using the powers granted in the Affordable Care Act to ration care—something Mr. Obama delayed out of fear of political blowback before the election. Third, preserve the antigrowth ObamaCare 3.8% dividend and interest tax on investors and small businesses.

The hard truth is that Republicans cannot come close to matching ObamaCare's extraordinary benefit package and its massive expansion of Medicaid while having any hope of avoiding ObamaCare's taxes, rationing, coercion and economic stagnation.

The Republicans' best option is to make good on the Democrats' broken promise by allowing those Americans who believe ObamaCare is a bad deal for their families to leave the program and buy health insurance in the private market, independent of ObamaCare's constraints. As younger, healthier families obtain lower premiums by fleeing ObamaCare, those who

remain in the program would be forced to pay a larger share of the cost of the benefits they receive.

That would re-create some of the same dynamics that existed when Congress repealed the Medicare Catastrophic Act in 1989, a year after its enactment. The MCA was overwhelmingly repealed with no grief or attempt at resuscitation. It died from the rarest of government diseases: honesty. Because it became law during the Gramm-Rudman era of budgetary discipline, the supplement to Medicare had to be fully paid for. President Reagan further insisted that those who benefited should pay for the program. When the beneficiaries had to pay for what they were getting, they revolted—literally chasing the House Ways and Means Committee chairman, Dan Rostenkowski, down a Chicago street.

As beneficiaries pay an ever increasing share of the cost of the benefits they receive, support for ObamaCare will plummet and Democrats will have a strong incentive to negotiate a replacement. Ultimately, Republicans will probably need to use reconciliation—a procedure requiring only 51 Senate votes—to terminate ObamaCare funding. That would follow the precedent Democrats set when they allowed

the Bush tax cuts to expire at the end of 2012 and then negotiated a revision on their own terms in just three days.

ObamaCare could never have survived without forcing many more healthy Americans into the system to subsidize those benefiting from the program—exactly what the single-payer program Bernie Sanders and Hillary Clinton endorsed would have done. In scrapping ObamaCare, Republicans should be careful not to shoulder more than the objectives of finding a cost-efficient way to deal with pre-existing health problems, strengthening Americans' ability to keep their insurance when they get sick or change jobs, and block-granting Medicaid to the states.

If they try to do more, they will be in danger of only changing the name of ObamaCare. They would then own a program that is detrimental to freedom, fiscal responsibility and economic growth.

Mr. Gramm, a former chairman of the Senate Banking Committee, is a visiting scholar at the American Enterprise Institute.

THE WALL STREET JOURNAL

Editorial : Travis Kalanick Drives Away

Feb. 2, 2017
7:30 p.m. ET 56

COMMENTS

President Trump is scheduled to meet with his business advisory council on Friday in Washington, but one CEO will be missing. Uber Technologies' chief Travis Kalanick said Thursday he's resigning from the advisory group lest he appear to be endorsing the President's agenda, in particular last week's executive order on refugees.

"Joining the group was not meant to be an endorsement of the president or his agenda but unfortunately it has been misinterpreted to be exactly that," said the CEO of the ride-sharing app whose drivers include tens of thousands of immigrants. "Families are being separated, people are stranded overseas and there's a growing fear the U.S. is no longer a place that welcomes immigrants."

Uber was also criticized when it suspended surge pricing over the weekend at JFK Airport in New York

after taxi drivers halted work to protest the White House order. The move was seen as undercutting the protests against the refugee suspension, though it was surely intended as a public service. In hyper-politicized America these days, no good capitalist deed goes unpunished.

It's nonetheless a shame that Mr. Kalanick didn't buck up and face Mr. Trump directly on Friday. He could have offered his candid views on the immigration order and its impact on American workers and the

economy. Mr. Trump might have argued back, as he often does, but maybe he'd also respect the CEO for showing up. Now the President and the White House aides who wrote the overbroad order without adequate vetting will conclude they can dismiss Mr. Kalanick's objections as those of the political opposition. We hope the other CEOs on hand Friday don't shrink from telling the President what they really think.

THE WALL STREET JOURNAL

Kessler : Trump Could Be the First Silicon Valley President

Andy Kessler

Feb. 2, 2017 7:18 p.m. ET

Like it or not, Donald Trump has disrupted politics. You might even say he is the first Silicon Valley president. What Amazon did to bookstores, Napster to music and Uber to taxis, Mr. Trump has done to the Republican Party, presidential elections and maybe global governance. "Move Fast and Break Things" posters were plastered all over Facebook. Sound familiar?

On the surface, Mr. Trump and Silicon Valley are oil and water.

He's a real estate guy. Highly leveraged. From a family business. Scorns immigrants. Antitrade. But they definitely share disruptive DNA. No respect for authority. High risk, high return. People think you're crazy, tilting at windmills. Self-driving cars? Trump as president? It's all crazy until it isn't.

Like Silicon Valley, Mr. Trump breaks all the rules. Amazon fought state sales taxes while it grew. Uber ignored cease-and-desist orders. Napster never even heard of copyrights. Mr. Trump insulted opponents, dispensed with a ground

game, and didn't bother with much TV advertising. Every entrepreneur reads the book "The Lean Startup." Mr. Trump could write "The Lean Campaign."

Both view Twitter as a weapon of mass (media) disruption. Like Mr. Trump, many in Silicon Valley speak in sentence fragments—a perfect fit for Twitter's 140-character limitation. Mr. Trump is obsessed with his poll numbers the same way Silicon Valley obsesses with likes and retweets and harvesting followers.

Mr. Trump has a unique relationship with the truth (see Theranos). He appears thin-skinned (see Steve Jobs). And much as Amazon has quietly built a world-beating cloud business and Uber a delivery company, Mr. Trump often says one thing to distract opponents while he does something else.

Mr. Trump wants to make America great again, while Silicon Valley wants to make the world a better place. And life imitates art, which imitates life. On HBO's fictional "Silicon Valley," Gavin Belson, CEO of Google-like Hooli, Trumpingly

declares: "I don't want to live in a world where someone makes the world a better place better than we do."

Being disruptive means failing early and often. Tesla and SpaceX founder Elon Musk was broke in 2009-10. "I ran out of cash," he wrote in a divorce-court filing; he was borrowing from friends and living on their couches. Mr. Trump has been there, with casino failures and borrowing from banker "friends," who even took his yacht away.

What else? Silicon Valley often gets accused of being

filled with tech bros and has had its bouts with "locker room talk"—look up Gamergate.

Silicon Valley has its own form of populism. Technology is for the masses more than the elite. Smartphones, social networks and virtual reality all need billions of users, forcing a populist thinking in products, if not ideology—transferring power "and giving it back to you, the people."

Yes, Silicon Valley destroys jobs Mr. Trump would probably rather save. But over many cycles, technology ends up creating more

jobs than it destroys—wielding more economic power than any president.

No matter. By and large, and apart from Peter Thiel, people in Silicon Valley loathe the Donald Trump. Hillary Clinton outpolled him 85% to 9% in San Francisco and 73% to 21% in Santa Clara County. Techies are having emotional breakdowns that would make Meryl Streep proud. But I think it's because they secretly see a little Donald Trump in themselves. The whole valley may need therapy.

But if I were Donald Trump, I'd be careful. The dirty little secret of Silicon Valley is that nine out of 10

funded investments fail, often spectacularly. So will a Trump presidency be disruptive? The jury hasn't even been selected, but if he follows through on campaign bluster and actually starts closing down obsolete departments and agencies like the FCC, he might earn the label of first Silicon Valley president.

Mr. Kessler, a former hedge-fund manager, is the author of "Eat People" (Portfolio, 2011).

The New York Times

Senator Merkley : Make the Republicans Go Nuclear

Jeff Merkley

of being confirmed.

The Supreme Court building in Washington. Zach Gibson/The New York Times

WASHINGTON — Senate Republicans are in the middle of pulling off one of the great political heists in American history: the theft of a seat on the United States Supreme Court. And this theft, if successful, will have an enormous impact on the integrity of the Supreme Court and major issues from reproductive and labor rights to consumer and environmental protection.

This crime against our Constitution began when Justice Antonin Scalia died nearly a year ago. Senate Republicans decided that day, before President Barack Obama even nominated a candidate to fill the seat, that they would reject their constitutional duty to provide "advice and consent" on any nominee he put forward.

After President Obama nominated Judge Merrick Garland, they refused to hold committee hearings on his nomination or a committee vote. They were determined that his nomination would never reach the Senate floor, where they believed that he would stand an excellent chance

It is important to understand the motivation for this crime. The thing the Republican leadership feared most was that an Obama nominee would rule against the huge influx of "dark" money into political campaigns that is corrupting our system of government. They feared this outcome more than any other because it is that dark money, a vast amount of which came from the Koch brothers and their organization, that has played a huge role in putting the Republicans in the Senate majority.

This crime is going to do enormous damage to the integrity of the Supreme Court for decades to come. Filling this stolen seat with any individual other than Judge Garland will destroy Americans' respect for the court. Rather than being seen as wise keepers of our constitutional values, justices will be viewed as beneficiaries of party patronage. Every 5-4 decision of the court will have a cloud hanging over it.

Moreover, if the strategy of stealing a seat succeeds, it's a precedent that will haunt us each time we have a vacancy on the court. Next time the majority party of the Senate may argue that it is necessary to deny the president any nomination in

order to rectify this wrong. Or it may argue that if one can steal a seat with a year to go in a president's term, it is O.K. to do it for two years. The court will look worse and worse and the battles will grow.

The way to have resolved this debacle would have been for President Trump to renominate Judge Garland. Only in this manner could Mr. Trump have stopped this injustice, protected the integrity of the court and given the Senate the chance to return to some semblance of order on future nominations.

As we know, Mr. Trump chose a different course and nominated Judge Neil Gorsuch, an extreme right-wing jurist who has ruled dozens of times for the powerful and against the less fortunate. Treating this nomination like the others that came before Judge Garland would effectively ratify the theft of the seat. That's why I'm determined to vote against Judge Gorsuch and to maintain the 60-vote threshold met by President Obama's two court nominees, Elena Kagan and Sonia Sotomayor.

Some have argued that insisting on the 60-vote requirement will simply cause the Republicans to exercise the so-called nuclear option, lowering the required support to a

simple majority of 51. This is certainly a possibility, since the Republicans have already shown such disregard for Senate tradition and the integrity of the Supreme Court.

But I see accepting this nomination as going along with a different nuclear option, one the Republicans have already exercised. If Republicans will confirm nominees only of Republican presidents, or if Democrats will confirm nominees only of our own party, the court will be damaged. Furthermore, lowering the required vote threshold will not be such an easy decision for the Republicans, because the day will come when Democrats control both the White House and the Senate. Rest assured Republicans will wish the nuclear option had not been invoked.

Categorical opposition to this nomination is not retribution for the treatment of Judge Garland. It is a refusal to be party to a tactic that will deeply hurt the Supreme Court and, consequently, the rule of law. Yes, the outcome may well be that Senate Republicans strike another blow against our institutions by eliminating the 60-vote rule. But let it be their choice. I am not prepared to be complicit in the undermining of our government.

The Washington Post

Robinson : Fighting Gorsuch is hopeless. Democrats should do it anyway.

<https://www.facebook.com/eugenerobinson.columnist>

Senate Democrats should use any and all means, including the filibuster, to block confirmation of President Trump's Supreme Court nominee. They will almost surely fail. But sometimes you have to lose a battle to win a war.

This is purely about politics. Republicans hold the presidency,

majorities in the House and Senate, 33 governorships and control of the legislatures in 32 states. If the Democratic Party is going to become relevant again outside of its coastal redoubts, it has to start winning some elections — and turning the other cheek on this court fight is not the way to begin.

Trump's pick, Judge Neil Gorsuch, has the résumé required of a Supreme Court justice. But so did

Judge Merrick Garland, President Barack Obama's last nominee, to whom Senate Republicans would not even extend the courtesy of a hearing, let alone a vote. Majority Leader Mitch McConnell (R-Ky.) left the late Antonin Scalia's seat open for nearly a year to keep Obama from filling it. That, too, was purely about politics.

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I'm not counseling eye-for-an-eye revenge. I'm advising Democrats to consider what course of action is most likely to improve their chances of making gains in 2018, at both the state and national levels.

The party's progressive base is angry and mobilized. Many Democrats are convinced that FBI Director James B. Comey and Russian President Vladimir Putin decided the election. The very idea of a Trump presidency sparked vast, unprecedented demonstrations in Washington and other cities the day after the inauguration.

(Bastien Inzaurre, Alice Li/The Washington Post)

President Trump on Feb. 1 endorsed the option for the Republican leadership in the Senate to change rules if necessary to confirm his Supreme Court nominee. President Trump on Feb. 1 endorsed the option for the Republican leadership in the Senate to change rules if necessary to confirm his Supreme Court nominee. (Bastien Inzaurre, Alice Li/The Washington Post)

In the two weeks since, Trump has only piled outrage upon outrage, as far as progressives are concerned. He took the first steps toward building his ridiculous wall along the southern border, but with U.S. taxpayers' dollars, not Mexico's. He squelched government experts who work on climate change. He weakened the Affordable Care Act

in the hope that it would begin to collapse, which would make it easier for Congress to kill it. He displayed comic ignorance of our history. (Somebody please tell him that Frederick Douglass has been dead since 1895.) He signed executive orders banning entry to citizens of seven Muslim-majority countries and refugees from around the world, an action so appalling that enormous numbers of people gathered at major airports in protest.

And Trump is just getting started. Democrats cannot even limit the damage, let alone reverse it, without more power than they have now.

That is the political context into which the Gorsuch nomination arrives. From my reading of the progressive crowds that have recently taken to the streets, the Democratic base is in no mood to hear about the clubby traditions and courtesies of the Senate. The base is itching for a fight.

The way McConnell, et al. treated the Garland nomination was indeed unforgivable. Senators who fail to remember that will get an earful from their constituents — and, potentially, a challenge in the next primary. More importantly, those

senators will be passing up a rare political opportunity.

With just 48 votes, all Senate Democrats can do is filibuster, denying McConnell the 60 votes he needs for a final vote on the nomination. In response, McConnell could employ the "nuclear option" — changing the Senate rules to eliminate the filibuster for Supreme Court confirmations. In the end, Gorsuch would be approved anyway.

But I believe Democrats should wage, and lose, this fight. The 60-vote standard looks more and more like an anachronistic holdover from the time when senators prided themselves on putting the nation ahead of ideology. These days, so many votes hew strictly to party lines that it is difficult to get anything done. The Senate is supposed to be deliberative, not paralyzed.

And I can't help thinking back to 2009. Republicans made an all-out effort to stop the Affordable Care Act. Their motives were purely political; some GOP senators railed against policies they had favored in the past. Ultimately, they failed. Obamacare became law.

President Trump urged Senate Republicans to consider going "nuclear" and changing the Senate

rules. But what does that actually mean, and how would it change the Senate? What is the 'nuclear option,' and how would it change the Senate? (Video: Peter Stevenson/Photo: Jabin Botsford/The Washington Post)

(Peter Stevenson/The Washington Post)

But this losing battle gave tremendous energy and passion to the tea party movement — which propelled Republicans to a sweeping victory in the 2010 midterm election. It is hard not to see an analogous situation on the Democratic side right now.

Democrats cannot stop Gorsuch from being confirmed. But they can hearten and animate the party's base by fighting this nomination tooth and nail, even if it means giving up some of the backslapping comity of the Senate cloakroom. They can inspire grass-roots activists to fight just as hard to win back state legislatures and governorships. They can help make 2018 a Democratic year.

Read more from Eugene Robinson's archive, follow him on Twitter or subscribe to his updates on Facebook. You can also join him Tuesdays at 1 p.m. for a live Q&A.



Gerson : Gorsuch's so-called weakness is really his greatest strength

By Michael Gerson

It is the gist of much Neil Gorsuch coverage that he is a brilliant jurist with one large weakness: being firmly anti-choice. Exhibit A is his book, "The Future of Assisted Suicide and Euthanasia," in which he scandalously defends the "idea that all human beings are intrinsically valuable."

"The intentional taking of human life by private persons is always wrong," he continues, along the same shocking lines.

Gorsuch's detractors see in such statements "an existential threat to legal abortion in the United States" — though nowhere in the book does the judge define "human life" to include developing life in the womb.

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Gorsuch's allies will defend him by saying that the author of the book has no relationship to the judge who punches in at the text-parsing factory. The work of an originalist and textualist is never undone. It consists mainly of consulting the

dictionary to find the plain meaning of words, not applying the principles of moral philosophy. It would not matter if Gorsuch were a utilitarian or a eugenicist; his only duty is to the obvious meaning of laws written by others.

The argument is both useful and absurd. Of course the most basic moral beliefs of a judge matter, in the sense that moral convictions (and upbringing and experience) determine a worldview that none of us can escape. All of us make ethical judgments on the purposes of law and morality that pervade our approach to both.

President Trump has tapped Neil Gorsuch to fill the late Antonin Scalia's seat on the Supreme Court. The Post's Robert Barnes tells you what you need to know. President Trump has tapped Neil Gorsuch to fill the late Antonin Scalia's seat on the Supreme Court. The Post's Robert Barnes tells you what you need to know. (Peter Stevenson, Gillian Brockell/The Washington Post)

(Peter Stevenson, Gillian Brockell/The Washington Post)

The largest changes of our time — with massive legal consequences — have been in the realm of moral

ideas. Legal liberals quote Justice Anthony M. Kennedy more like scripture than precedent: "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life."

The liberalism of Eleanor Roosevelt — a commitment to universal human rights — has largely been replaced by Kennedy's elevation of personal autonomy. The United Nations' Universal Declaration of Human Rights (which Roosevelt helped shape) honored "the inherent dignity and ... the equal and inalienable rights of all members of the human family." In the aftermath of World War II, her emphasis was on defending the vulnerable. Kennedy's version of liberty is the right of competent adults — by definition, the strongest members of the "human family" — to define and pursue their own universal mystery.

Is there really no legal consequence in choosing between these two liberal visions of the good? Gorsuch's fine book is a sustained explanation of how and why our most basic conceptions of liberty matter so much. A legal theory that elevates personal choice, even in matters of life and death, is claiming

a great deal — even more than many of its advocates wish to admit. If a suffering cancer patient can rightfully ask a doctor to end his or her life, why not a depressed 21-year-old? Or a widow in despair? If autonomy is the rule, there can be no limit, save individual will.

On the other hand, if only the hopelessly ill are allowed to receive a doctor's help in killing themselves, a utilitarian social message is unavoidably sent. The general right to life, in this view, is overridden only in cases where people become burdens on themselves and others. How does this not become a social message to the ill and infirm they have a duty to depart? This role also transforms medical providers — making them the means by which a society disposes of life no longer worth living.

There are, as Gorsuch notes, unbelievably difficult choices in the shadow world between life and death. This requires both sensitivity and legal space. But the combination of a personal ethic of absolute autonomy and a social ethic of utilitarianism leads toward some scary territory. The right to die quickly becomes a social duty. And people who should be singled out for particular, loving care are

encouraged to become instruments of their own death, with quick and convenient help. This is not a slippery slope but a logical consequence.

There should be one bright legal and social line here: that, as Gorsuch wrote, “all human beings

are intrinsically valuable,” including those who have lost, or never gained, the ability to determine their own concept of existence.

I want a Supreme Court nominee for whom the promises of the Declaration of Independence are the moral and legal context for

reading the Constitution. A nominee who believes — even when all human care fails — that America’s basic law still stands for the weak and vulnerable. There is no greater good.

Read more from Michael Gerson’s archive, follow him on Twitter or

subscribe to his updates on Facebook .