

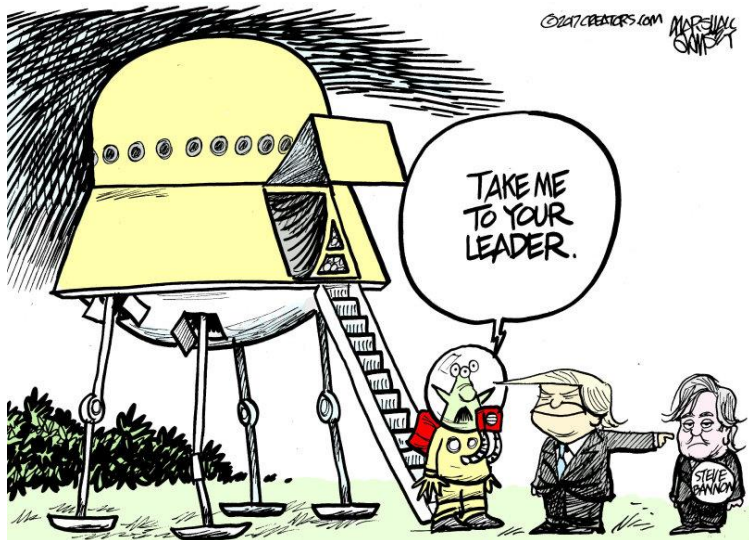
# Revue de presse américaine

**Ambassade de France aux États-Unis**  
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**RÉPUBLIQUE FRANÇAISE**

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# FRANCE - EUROPE



## French Intelligence Agency Braces for Russian Bots to Back Le Pen

By Emily Tamkin

France's spy agency believes Russia intends to try to influence France's upcoming elections in favor of far-right candidate Marine Le Pen.

On Wednesday, *Le Canard Enchaîné* said that France's Directorate-General for External Security (DGSE) believes that Russia will help Le Pen by way of bots that will flood the internet with millions of positive posts about Le Pen — and by publishing her opponents' confidential emails. The level of threat is so high that the next defense meeting at the Élysée, France's presidential palace, will be

on this subject, the paper said.

France has clearly already been bracing for outside interference. French Defense Minister Jean-Yves Le Drian already said France wants "to learn lessons from the future" following American allegations of Russian influence in their elections. WikiLeaks, believed by U.S. Democrats to have worked with Russia in the past presidential election, already promoted documents from its archives tied to center-right candidate François Fillon and center-left candidate Emmanuel Macron. Russian state-sponsored media already suggested Macron is a U.S. agent who is lobbying on behalf of banks and that

he has a secret gay lover, a wholly unsubstantiated claim made by Kremlin-backed propaganda pusher Dmitry Kiselyov. Macron, surging in the polls, is perhaps the candidate most likely to take on Le Pen in the second round of presidential voting this May, which polls, for what they're worth, say he would win.

What is new is the extent to which the French government itself seems to be trying to deal with this perceived threat to its election, now just over two months away.

Le Pen's National Front seems less perturbed. Its vice president, Florian Philippot, told French media outlet *RTL.fr* that they, too, are counting

on the state to preserve the security of the presidential elections.

To be fair, leaks by Russia aren't the only ones hurting Le Pen's opposition. *Le Canard Enchaîné* is the same paper that revealed that François Fillon paid his wife and children almost one million euros from state coffers to serve as his parliamentary aides, and that his wife received 45,000 euros as a severance package.

Despite all the furor, Fillon has said he will not pull out of the race, proving that some political parties, at least, do not need Russian meddling to hurt their chances of winning.



## Fury Rises in France Over Accusations Police Beat and Raped a Black Man

Aurelien Breeden and Benoît Morenne

A similar case in August, when Adama Traoré, a 24-year-old black man, died of asphyxiation in custody after fleeing a police identification check, set off days of violent clashes in another town north of Paris, Beaumont-sur-Oise.

In a sign that the authorities were eager to defuse this week's unrest, President François Hollande paid a hospital visit on Tuesday to the 22-year-old man whose arrest ignited the protests. In video filmed by the newspaper *Le Parisien*, Mr. Hollande said the young man was known by the local authorities for his "exemplary conduct."

"The judiciary has taken up the matter; it must be trusted," Mr. Hollande said, adding that it would "ensure that the truth is known."

The young man and his family have urged protesters to avoid violence.

Police officers arrested him as they were checking the identification of a dozen young men they suspected of dealing drugs; there is security camera footage of part of the encounter. Speaking to the BFM TV news channel in the days that followed, the

young man said that the police officers had insulted and hit him and that one of them "took his baton and shoved it into my buttocks."

The man was hospitalized with serious injuries to his rectum and bruises on his face and skull.

The four officers, all in their 20s and 30s, were suspended and placed under formal investigation, but were not detained. All four were charged with assault, and one was charged with rape.

Advocacy groups say the authorities have been slow to prosecute police officers accused of using excessive violence. According to a report published by one group last year, 63 people were injured and 26 died from police violence in France from 2005 to 2015, but only seven officers were convicted in those cases.

France's defender of rights, an independent ombudsman whose office monitors civil and human rights, has also opened an investigation of the episode last week.

The defender's office and civil rights groups have complained for years that the police conduct ID checks without keeping records to show

whether they were done for "objective and verifiable reasons." In a recent study, the defender's office found that the probability of being stopped by the police for an ID check was 20 times as high for young men who were "perceived as black or Arab" as it was for the general population. Advocates have called for making the police more accountable, and are angry that the Socialist government has dropped one promised measure, to have officers issue receipts when they check IDs.

Luc Poignant, a police union spokesman, said that it had become difficult for officers to work effectively in neighborhoods where they no longer have normal day-to-day interactions with residents. "When we go back there, it's felt as an intrusion," he said.

Still, he said, if the investigation finds that the four officers involved in the arrest last week deliberately did what they are accused of, they have no place on the police force. The officers have said that the young man's injuries were accidental.

Bruno Beschizza, the right-wing mayor of Aulnay-sous-Bois, told France Info radio on Wednesday that it was crucial to "rebuild trust"

between residents and the police, in light of what he called a "serious, intolerable, unacceptable act." Mr. Beschizza, a former police officer and police union representative, said he would install more security cameras around his city.

The arrest last week and the unrest in the days since comes at a time when tensions have also been rising between the police and the government.

Thousands of officers protested across the country in October after two officers were seriously burned by firebombs in Viry-Châtillon, a struggling suburb south of Paris. A bill introduced after that episode to give officers more leeway to use firearms in self-defense was discussed in Parliament on Wednesday.

Police unions have repeatedly called for increased police budgets and have complained of difficult working conditions, especially when dealing with protests or with terrorist attacks.



## Editorial : A model to mend Europe's nationalist cracks?

The Christian Science Monitor

February 8, 2017 —Europe's struggle against ethnic nationalism —

the trigger for too many wars — has long relied on expanding people's

identity beyond bloodlines or the land of one's birth. The struggle has

lately intensified, reflected in Britain's decision to exit the European Union (driven by English nationalism) and the rise of nationalist parties from Italy to Poland.

The most violent example is Ukraine's war over its ethnic-Russian east. Overall in the EU, a median of 58 percent of people believe that a national of their country is only someone born there, according to a 2016 Pew survey.

Europe, in other words, could use an example of two peoples who, while sharply divided by ethnicity, are trying to define a civic nationalism that binds them. That example could be Cyprus, the only divided country in Europe.



## Worries Grow Over Euro's Fate as Debts Smolder in Italy and Greece

Landon Thomas Jr.

The yield on Italy's benchmark 10-year note — which moves in the opposite direction of its price — has doubled to 2.3 percent since late last fall. The yield on the equivalent Greek note has jumped to nearly 8 percent from 6.7 percent at the beginning of the year.

Mario Draghi, the European Central Bank's president, promised in summer 2012 to do whatever it took to save the euro, but the debt burdens of Italy and Greece have become progressively worse amid the stagnation of their economies.

Italy's debt as a share of its economic output has risen to 133 percent from 123 percent during that period. In Greece, debt has increased to an expected 183 percent of the country's total economy from 159 percent.

These figures highlight a harsh economic reality: Just as an individual will struggle to pay off a punishing credit card bill if her salary stays flat or falls, a country cannot reduce its debt pile without expanding its economy.

And with Italy and Greece held back by the fiscal constraints that the euro's rules require and not expected to generate sufficient growth in the future, the only alternatives are a restructuring of debt or an exit from the common currency.

"The common themes here are high debt, low growth and dysfunctional banking systems," said Ashoka Mody, a former top economist at the International Monetary Fund who is writing a book about the birth of the currency pact.

Talks to reunite the Mediterranean island between its ethnic Greeks in the south and ethnic Turks in the north — divided since 1974 — are in an advanced stage. Even if this attempt to form a unified government fails — as it has in the past — the fact that two peoples in the European sphere are searching for a common identity to end a forced estrangement could act as a counterpoint to the nationalist trend.

The talks have progressed in part because of trust between Greek Cypriot President Nicos Anastasiades and Mustafa Akinci, his Turkish Cypriot counterpart. They hail from the same village. They have been able to work together on details over sovereignty,

"Now these problems are not only Europe's problem; they are a global problem."

While these issues have not been secret — they were at the heart of the eurozone's debt crisis in 2010 and 2011 — they are drawing closer now scrutiny because of reports making the rounds among traders and economists.

For investors interested in making specific bets against Italy, two studies that conclude the country is unlikely to be able to repay its debts in full have attracted the most attention.

Astellon Capital, a hedge fund based in London, argues in its analysis that some form of restructuring is essential for Italy, given the inability of the country's economy to grow. The Astellon study highlights the fact that most of Italy's debt is governed by local law, which, in theory, would make it easier to restructure.

As Greece proved in 2011, having your debt governed by local law — rather than by courts in London and New York — makes it easier to achieve terms in a debt restructuring that favor the government instead of international investors.

The Astellon report also notes that the E.C.B. and sickly Italian banks have been the main buyers of Italian government bonds over the past three years. That buying has driven prices higher, sending yields tumbling to a low of 1 percent from 6 percent.

Many American investors got in on the buying, too, and for a period, Italian bonds were among the more popular investment plays for yield-

refugees, property, and the presence of foreign troops — especially Turkey's 35,000 soldiers. The United Nations, Britain, and the EU are assisting on the sidelines.

Below the surface, however, social changes and economic demands, especially by young people, may be favoring reunification. "For a lot of us born after 1974, hope of a future in which our government is finally free to focus on education, technology, culture and social welfare is one of the few things that keeps us around," writes a young filmmaker, Argyro Nicolaou, in the Cyprus Mail.

In 2003, Cypriot Greeks were allowed to travel to the north, where they were surprised by the warm reception of Cypriot Turks. "For so

hungry mutual funds in the United States.

Now, even with the recent rise in yields, a view is taking hold that a yield of 2 percent is not sufficient given the risk that Italy may be forced in the future to impose a haircut on its private sector creditors — or, in a more extreme scenario, have to exit the euro.

"There is only one buyer of these bonds, and that is the E.C.B.," said Bernd Ondruch, Astellon's managing partner. "The risk-reward scenario to owning Italian bonds right now is just dreadful."

Also drawing the attention of investors with skeptical views toward the eurozone is a paper issued by Mediobanca, the Italian investment bank.

Like the Astellon study, the Mediobanca report highlights just how little Italy has benefited from being in the euro: Growth has been literally zero, and the economy's competitiveness as an exporter has deteriorated.

In the meantime, Italy's debts have ballooned, with only Greece paying out more to creditors as a share of its broader economy (6.1 percent compared with 5.5 percent for Italy).

"Our conclusion is that a voluntary debt re-profiling, an Italexit scenario, or a combination of the two will inevitably gain traction with investors given the lack of growth and/or significant discontinuity in the eurozone macro-economic politics," the report's authors write in a summary of their findings.

The International Monetary Fund also weighed in this week, publishing a long-awaited analysis

of the challenges the Greek economy still faces.

A liberation of thought must precede the liberation of the Greek and Turkish Cypriots from their mutual victimhood and fears. Living on the same island, with a shared history of coexistence over centuries, they have too much to gain to still cling to ethnic antagonism. And they could find a common purpose in setting a model for the rest of Europe, which is cracking along ethnic lines.

The report has been the focal point of heated disagreement between the fund and Europe in terms of what Greece needs to do to get back on track. The fund has argued that, in addition to needed reforms, European governments must provide debt relief to Greece for the country's economy to recover fully.

"Growth, competitiveness and debt sustainability have not been restored," the fund concludes in its evaluation — a powerful indictment given that it has now been seven years since the first Greek bailout.

The Europeans, and Germany in particular, have rejected this notion, contending that Greece's economy is improving and that as long it keeps spending tight, the government will be able to make good on its debts.

But Marcello Minenna, a financial economist and one of the authors of the Mediobanca report, says the dispute between Europe and the I.M.F. misses a larger point.

As he and his colleagues lay out in their study, it is a historic inability of poorer countries in the currency bloc to grow and reach their full potential that lies at the root of the continuing drama over Italian and Greek debt.

"These countries are not growing due to lack of investments — they are caught in a mouse trap," Mr. Minenna said. "Without a major restructuring of eurozone, there is just nothing you can do under these rules."



## Gilbert : Don't Let the U.K.'s Bar Tab Stall Brexit Talks

Mark Gilbert

The issue of what the U.K. does or doesn't owe the European Union risks becoming a landmine in the Brexit negotiations. Britain should pay what it legitimately owes for EU services it signed up to. Divorce is never cheap. But by seeking to maximize payment, and by making payment a precondition for the rest of the talks, the EU risks getting less from Britain and hurting the chances of a productive negotiation.

QuickTake Why Britain Voted to Leave the EU

The potential amounts involved are not small. They stem from what's owed to EU civil servants for their pensions -- which are, staggeringly, funded on a pay-as-you-go basis -- budget commitments and structural funds already promised, and contingent liabilities (those that may arise in the future).

A figure as high as 60 billion euros (\$64 billion) has been mentioned, although a paper published last week by the Centre for European Reform came up with scenarios that

ranged from 24.5 billion euros to almost 73 billion euros. The divergence depends on whether the U.K. share is 12 percent (its average post-rebate budget contribution in recent years) or 15 percent (based on gross national income), whether contingent liabilities are paid up front, and how rebates are dealt with.

Ivan Rogers, the former British envoy to the EU, says a dispute over money could be an "immensely complex part" of the exit negotiations. "The total financial liability might be in the order of 40 to 60 billion euros," he told U.K. lawmakers last month. "I can see how they get to that figure."

The news service Politico reported that the issue was "one of the main items for discussion" between chief EU negotiator Michel Barnier and his officials on Monday. On Tuesday, European Commission spokesman Margaritis Schinas explained why the U.K. should honor its financial commitments in language beer-loving Brits can relate to:

It is like going to the pub with 27 friends. You order a round of beer, but then you cannot leave while the party continues; you still need to pay for the round you ordered.

Britain will balk at footing the bar bill. Even if Prime Minister Theresa May did not campaign for Brexit, the idea that Britain will save money in leaving Europe has become an article of faith for Brexiters. The government will struggle to sell a big transfer payment. But it's worth remembering that this is a one-time settlement. Britain and Europe both have long-term economic interests in a fair Brexit deal that includes a wide range of relations from trade to financial services. Both sides have an interest in those negotiations proceeding smoothly.

For Britain, that means dropping the rhetoric that an exit cost is "bizarre" or "absurd," the words used by Trade Secretary Liam Fox last month. The U.K. has had the benefit of the EU civil service for more than 40 years, for example; clearly it has an ongoing liability to those civil servants for as long as they draw a pension.

For the EU, letting the headline number drop by ignoring contingent liabilities for now probably makes sense. It would also be good politics to allow the U.K. to spread the payments over several years rather than trying to impose a lump-sum cost. And, perhaps most importantly, insisting that the U.K. reaches an agreement on the amount due before the rest of the divorce proceedings can take place risks over-dramatizing the issue.

"The days of Britain making vast contributions to the European Union every year will end," May said in her Jan. 17 speech outlining her government's Brexit priorities. Well, yes, they will. But there's a bill to settle first.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

**THE WALL  
STREET  
JOURNAL.**

## British Parliament Gives Brexit Go-Ahead

Jason Douglas  
and Nicholas

Winning

Updated Feb. 8, 2017 4:09 p.m. ET

LONDON—Members of the British Parliament's lower house overwhelmingly gave Prime Minister Theresa May a green light to begin the country's formal withdrawal from the European Union, leaving the government on course to begin Brexit as planned by the end of March.

The House of Commons voted 494 to 122 on Wednesday to approve a government bill authorizing it to start the divorce process. The proposals now must go before the unelected upper house, which is also expected to pass it.

"We are a democracy and we are going to do what the people voted for," said John Penrose, a Conservative lawmaker who initially favored staying in the EU, referring to a June referendum in which Britons decided, 52% to 48%, to leave the bloc.

A parliamentary vote was once seen as so potentially contentious that the government fought against holding it, acquiescing only after the Supreme Court so ordered in a case brought by anti-Brexit activists.

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Brexit Coverage

But the political landscape has shifted considerably since that lawsuit was filed in July, with strong U.K. economic growth and public support for Mrs. May's plans for a decisive break from the EU. She has said she intends to trigger exit negotiations next month.

A poll published by YouGov PLC in January found 55% of Britons broadly supported Mrs. May's Brexit objectives. Another YouGov survey earlier this month found that Mrs. May's Conservatives would get 40% of votes in a general election, compared with 26% for the main opposition Labour Party.

Mrs. May's position has been strengthened by the performance of the British economy, which ended 2016 as the fastest-growing member of the Group of Seven advanced countries, defying predictions that a vote for Brexit would damp growth.

Wednesday's win for Mrs. May in the House of Commons followed months of sparring between the government and those who oppose Brexit or want Mrs. May to cut a deal that keeps the U.K. more closely tied to the continent and the EU's single market.

The prime minister initially insisted she didn't need Parliament's backing to invoke Article 50 of the EU's Lisbon Treaty, the formal withdrawal mechanism, arguing that major foreign-policy decisions rested with the government.

In January, Britain's Supreme Court ruled Mrs. May needed to seek Parliament's approval to go ahead. But even before that, lawmakers in December passed a resolution saying they wouldn't try to hinder Brexit efforts after Mrs. May promised to give them an up-or-

down vote on the deal once negotiations are over.

Mrs. May has outlined a plan for a clear break from the EU, saying she intends to take the country out of the EU's single market for goods and services, while working to secure the best possible trade deal with the group.

After the Supreme Court ruling, her government responded with a terse bill granting it authority to trigger Article 50 and scheduled only a few weeks of debate. Labour politicians, mindful of the support for Brexit in its working-class heartlands, decided not to stand in the way.

Some of its lawmakers proposed amendments aimed at giving Parliament more of a role in the coming negotiations with the EU. So, too, did the Scottish National Party, which has voiced frustration at Mrs. May's advocacy of a clean break with the EU instead of the closer ties Edinburgh would prefer.

But Mrs. May's majority in the House of Commons meant all such amendments were defeated.

The result sends "a very clear message" to the House of Lords "that they shouldn't mess around with it," said Mr. Penrose, the Conservative lawmaker. "It will make it harder for them to create a moral or compelling case for adding amendments."

Andrew Hawkins, chairman of polling firm ComRes, said while there was little appetite among elected lawmakers to go against the referendum result, the Lords were likely to be more pro-EU. Still, he said, there were limits.

"[The Lords] might tinker around the edges but they are not going to put any fundamental blocks in the way,"

## The New York Times

LONDON — Boris Johnson, Britain's colorful and blustery foreign secretary, who is perhaps best known for his leading role in campaigning for his country's departure from the European Union, has given up his American citizenship, a United States Treasury Department list showed Wednesday.

Born in New York, Mr. Johnson, 52, held dual citizenship until last year. He had long complained about having to pay taxes in the United States even though he was 5 when he last lived there. Unlike most countries, the United States taxes nationals who live abroad on their worldwide income.

## THE WALL STREET JOURNAL

Walker

Updated Feb. 8, 2017 12:09 p.m. ET

ATHENS—The Greek government is split over how to break a deadlock with creditors that has revived bond-market jitters and talk of "Grexit."

Some aides to Prime Minister Alexis Tsipras are pressing for immediate fiscal concessions, while others are pushing for a tough stance toward the government's creditors and the International Monetary Fund, Greek officials said.

The debate within the government, which is led by the Syriza party, comes as the IMF haggles behind the scenes with the German-led eurozone over the duration of Greek austerity and the cost of debt relief.

Amid the wrangling, doubts are mounting in financial markets about whether Greece can fulfill the tough terms of its latest, €86 billion (\$91.9 billion) bailout plan, signed in 2015. The bailout was Greece's third since 2010 and is encountering the same problems as the others: Repeated fiscal retrenchment is straining Greek politics without restoring confidence that the country can grow and recover.

Mr. Hawkins predicted.

Parliament will get an up-or-down vote on the divorce terms Mrs. May negotiates with the EU, Brexit minister David Jones said Tuesday. The prime minister has said she intends to conclude the talks by 2019.

According to British news reports, as recently as 2015, he settled a hefty capital gains tax bill on the sale of his north London home — after claiming that he wouldn't pay.

In an interview with National Public Radio in 2014, he described the "doctrine of global taxation" applied by the United States as "incredible."

With a disheveled shock of blond hair, sharp wit and clipped accent, Mr. Johnson sometimes seems like a caricature of the private-school-educated Briton. Although he did indeed graduate from Eton and Oxford, he has Turkish and Russian ancestors, and his early education took place in Brussels. He was appointed foreign secretary last summer after Britain voted to leave the European Union in a referendum.

## Boris Johnson, British Foreign Secretary, Drops Dual U.S. Citizenship

Katrin Bennhold

Some potential bumps in the road to Brexit remain. A handful of other court cases aimed at maintaining closer ties with Europe are in train, but analysts say they have limited chances of success.

Voters' enthusiasm for Brexit could also wane in the face of economic headwinds. A slump in the British pound since the Brexit vote is

fueling inflation, which hurts consumer spending power.

The Bank of England expects annual price-growth to overshoot its 2% goal by the middle of the year, squeezing household incomes and potentially slowing the economy.

during his tenure that London hosted the 2012 Olympic Games.

He has known former Prime Minister David Cameron since they were schoolboys, and many were surprised that he swung behind the so-called Brexit campaign, opposing Mr. Cameron.

Mr. Johnson's name appeared on a Treasury Department list of 5,411 people who gave up their American citizenship in 2016. As The Wall Street Journal reported, he is listed as Alexander Boris Johnson, a shortened version of his full birth name, Alexander Boris de Pfeffel Johnson.

Mr. Johnson, a Conservative, has not been known for his diplomatic skills. His relations with Donald J. Trump took a blow in December 2015, when he accused Mr. Trump, then a presidential candidate, of being "out of his mind" and of "a quite stupefying ignorance" that made him unfit for the presidency.

After Mr. Trump's election, Mr. Johnson swiftly changed course, suggesting in November that "there's a lot to be positive about." He added, "It's very important not to prejudge the president-elect or his administration."

As mayor of London, Mr. Johnson cultivated the image of an endearing bumbler and came across like a comedian. But underneath that image was a quick mind with a shrewd political acumen. It was

## Greek Government Divided Over Deadlock in Creditor Talks

Nektaria Stamouli and Marcus Walker

With Germany's support, the IMF is now pressing Athens to broaden its income-tax base and cut pension spending to hit its agreed target of a primary budget surplus, excluding debt service, of 3.5% of gross domestic product next year.

The government has balked so far at the IMF's demand that it legislate the measures immediately rather than wait to determine if the steps are needed.

But key economic advisers to Mr. Tsipras fear a lengthy confrontation with creditors could undermine confidence in Greece's hoped-for recovery, several government officials said. These advisers, including Finance Minister Euclid Tsakalotos, believe Greece has only a few weeks left to cut a deal before Europe's attention shifts to its packed domestic political calendar, which includes elections in the Netherlands, France and Germany, the officials said.

Other political aides fear the fallout from unpopular austerity measures and want to resist the IMF's demands, in hope of a compromise supported by European Union institutions in Brussels, which are more sympathetic with Mr. Tsipras's political difficulties at home. Greece doesn't need money from its

international creditors until large debts fall due in July.

The two camps in the governing Syriza party have had heated arguments in the past week, people familiar with the debate said. The tensions spilled into Greece's parliament last week when, in an unusual outburst between fellow party members, Mr. Tsakalotos erupted in anger at the speaker of Parliament.

Mr. Tsakalotos fears some colleagues are seeking to pin the blame on him for coming concessions to the IMF, party insiders said.

Meanwhile, IMF and EU officials reiterated their clashing official positions on Greece at Monday's IMF board meeting in Washington. The real negotiations among the creditors, however, are happening elsewhere.

German Finance Minister Wolfgang Schäuble held talks in Berlin last week with the head of the IMF's European department, Poul Thomsen, at which Greece's two most powerful creditors discussed the next steps, people familiar with the matter said.

Eager for the IMF to rejoin the Greek bailout after a two-year

hiatus, Germany supports the fund's demands for stringent Greek overhauls. But Berlin and the fund differ over how to split the burden.

The German finance ministry wants Athens to run large primary surpluses of 3.5% of GDP for 10 years, which would reduce the amount of debt relief that Greece needs. The IMF has argued that such a long period of austere fiscal policies is neither politically realistic nor economically ideal, given Greece's depressed economy and fragile politics. Greek officials have so far indicated they are willing to accept the 3.5% target only for three years.

The IMF wants to see a combination of stronger Greek policy overhauls and clearer European debt commitments before the fund gives Greece a new loan program of its own.

Mr. Tsipras hasn't reached a decision on how far to move toward satisfying the IMF's fiscal demands. In recent weeks, he has also considered the option of calling snap elections if creditors don't show him some flexibility, Athens officials said privately.

Elections, which are currently not the favored option, would likely lead

to Syriza becoming an antiausterity opposition party while the conservative New Democracy party leads the next government and faces the creditors.

Above all, Mr. Tsipras want a clear promise of debt relief from Europe in return for inflicting fresh fiscal pain on weary Greek households. His problem: Mr. Schäuble is insisting on a two-step sequence, in which Greece first signs up to more

austerity before Berlin sits down with the IMF to see how much debt relief is still necessary.

Some officials on the creditors' side warn that Mr. Tsipras can expect only warm words from Europe about debt relief until he has delivered the fiscal measures. That could make the deal hard to swallow for Syriza, which has lost much of the voter support that swept it to victory twice in 2015.

The IMF's view, contested by Athens and EU officials in Brussels, is that Greece's current policies will achieve a primary surplus of only 1.5% next year. To find an extra €4 billion (\$4.7 billion) or so to reach 3.5%, Greece needs to lower the threshold for paying personal income tax and to reduce pension levels, the IMF believes, and it wants those measures passed into law now.

In addition, the IMF argues Greece needs to make its labor laws more flexible and business-friendly, while Syriza wants to strengthen labor unions' bargaining power—an ideological difference that could prove as hard to bridge as the fiscal gap.

## Los Angeles Times

### Heilbrunn : Will Pax Germania replace Pax Americana?

Jacob Heilbrunn

German Chancellor

Angela Merkel is the very model of Teutonic stolidness. She doesn't always smile in photo ops. She's not constantly tweeting; she doesn't traffic in outrage. Instead, she simply gets on with leading the most powerful country in the European Union.

With bombast and bluster in ascendance on the world stage, her manners seem almost quaint. In her workmanlike way, however, Merkel could oversee a truly consequential change in foreign affairs, a shift from Pax Americana to Pax Germania. The role of guardian of the "liberal world order" — tamping down national egoism, promoting peace — isn't one Germany has sought, but it may be one it can't avoid.

Merkel and the EU face enormous challenges. She is up for reelection in September, as opposition parties in Germany gain ground and a corrosive nationalism rises across the continent. Germany is grappling with 1 million refugees from the fractured Middle East. Britain is "Brexiting." Russian President Vladimir Putin looms on Europe's eastern flank, and in the West, President Trump rarely misses an opportunity to signal his disdain for the chancellor and what she represents. But don't count Merkel out.

For more than 50 years, Germany and Europe in general have operated in America's international shadow, building the EU and cooperating with the U.S. on trade and defense. On Sunday, however,

the weekly Der Spiegel editorialized that Germans had to prepare for a "painful" reality: standing "in opposition to the 45th president of the United States and his government."

Trump has forced the issue. He seems to view the EU as a kind of German economic racket, and he has repeatedly referred to the NATO defense alliance as "obsolete." During the campaign, he deliberately chose the past tense to describe Merkel: "I felt she was a great, great leader." He calls her refugee policy a "catastrophic mistake," and his top trade advisor, Peter Navarro, recently accused Germany of exploiting the U.S. and the rest of Europe by "grossly undervaluing" the euro.

Instead of a close relationship with a unified Europe, Trump appears to prefer the map rearranged along the lines of the "grand alliance" during World War II — Russia, Britain and the United States, with America first, of course.

Merkel isn't blinking. After Trump's victory, the chancellor sent him a lukewarm message of congratulations and a not-so-veiled warning that the U.S. should honor its agreements and base its ties to Germany on "a common platform of democracy, freedom, advocacy for human rights all over the world and championing the open and liberal world order."

In direct opposition to Trump, Merkel has become Putin's foremost public challenger, insisting that sanctions levied against Russia for invading Crimea and fostering war in Ukraine stay in place. A Tuesday phone call

between them yielded a joint appeal for an immediate truce in eastern Ukraine. She and Putin continue to circle each other warily.

She is steadfast in her support for the more than 1 million refugees — "illegals" in Trump's eyes — seeking resettlement in Germany. That policy caused an uproar last year, but recent German poll results show that it hasn't dimmed Merkel's chances for reelection. Despite a December terrorist attack in Berlin, in which a refugee killed 12 people, her popularity and that of her party rose slightly in January.

Merkel hasn't been shy about turning up the heat on Trump. At a recent public reception, she stated that politicians should employ "facts, not fakes" to persuade their electorates. After Trump's refugee and travel ban, she issued a statement: "The necessary and resolute fight against terrorism in no way justifies a general suspicion against all people who share a certain faith."

Politically, Trump appears to be making Merkel look better and better at home. Malte Lehming, opinion editor of the Berlin daily Der Tagesspiegel, told me many Germans are convinced that the U.S. is hopelessly adrift: "Merkel is perceived as being the antipode to all of that — reliable, steadfast, knowledgeable, polite."

The German yearning for such qualities is rooted in the memory of World War II and the Holocaust, which renders overt displays of nationalism and assertions of Teutonic might taboo. Indeed, Merkel has tried to lower her power

profile: "No human being on his own ... can manage to give the world a positive direction for everything, not even a German chancellor," she said as she announced her reelection bid in late November.

But that isn't stopping Merkel from adopting a leadership role. She is taking a hard line with Britain, demanding that London accede to the principle of freedom of movement for workers in its Brexit agreement. At the same time, her economic minister, Sigmar Gabriel, is touting opportunities for collaboration with Asia and China. (Chinese Premier Li Keqiang responded quickly: Berlin and Beijing, he said, should "safeguard the existing international system through trade and investment liberalization.")

Merkel's chancellorship so far embodies the stability Germans have craved since the end of the Nazi era and the founding of the Federal Republic in 1949. If she succeeds in defying her political adversaries this fall, and if Trump really does pull back from Europe, she is likely to preside over the creation of a newly powerful Germany.

It is no small irony that the nation the U.S. transformed after 1945 may emerge as the primary standard bearer for universal values its mentor is in danger of leaving behind.

*Jacob Heilbrunn is the editor of the foreign policy magazine the National Interest.*

## INTERNATIONAL



### Al Qaeda Urges Followers to Hit Back at U.S. Following Yemen Raid



## Battle to Retake Syrian City Turns Into a Geopolitical Test of the War (UNE)

Anne Barnard

Russia and Turkey have swerved in recent months from outright hostility to working more closely in a diplomatic effort aimed at resolving the conflict, after fitful and repeated failures led by the United Nations and the United States.

But in the battle for Al Bab, Russia and Turkey must transform their newfound understanding into results on the ground, with the ambitious goal of pushing their Syrian partners into de facto military cooperation. Otherwise they risk creating a new flash point.

The coming days will show if the Syrian foes, who do not always obey their patrons, will work together for the first time against the Islamic State, or drive out the extremists and then try to kill one another.

The answers could shed light on whether Russia and Turkey have the leverage to push the opposing Syrian sides into substantive negotiations and real change.

As of Wednesday, they appeared to be partly succeeding. Russian and Turkish state-affiliated news media said that Turkey and Russia had been coordinating to prevent clashes outside Al Bab, and Syrian fighters on the ground confirmed the coordination.

These developments come amid a broader geopolitical reordering of the participants in the tangled Syria conflict. After the government's crushing victory over rebel fighters in the city of Aleppo late last year, and the election of President Trump, who has called for closer American-Russian coordination, Russia has accelerated efforts to lead international diplomacy on Syria.

There are high hopes in Damascus that the United States will move closer to a de facto alliance with Russia in Syria and abandon its military support for groups seeking the ouster of President Bashar al-Assad.

But major questions remain, particularly concerning Mr. Trump, who has sent conflicting signals. He has suggested he will pay less attention to what many rights advocates have described as Mr. Assad's brutality, and more on working with Russia on counterterrorism. At the same time

Mr. Trump has begun to escalate tensions with Iran, the Syrian government's other main backer and closest ally.

Turkish statements on Wednesday suggested the prospect of increased, if indirect, coordination between the United States and Russia, given the increased cooperation between Turkey and Russia.

Turkey's state-run Anadolu news agency reported that President Recep Tayyip Erdogan of Turkey and Mr. Trump had agreed in a phone call on Tuesday night to "act together" in the Al Bab battle as well as in a coming fight for Raqqa.

But the White House — on the eve of a visit to Turkey by the new C.I.A. director, Mike Pompeo — did not emphasize Al Bab, saying only that Mr. Trump had promised Mr. Erdogan that the United States would continue cooperating against the Islamic State.

Either way, the tempo of airstrikes by the American-led coalition against Islamic State targets around Al Bab has increased in recent days, with six strikes reported by the military on Tuesday alone, and 35 since Jan. 1.

Both pro- and anti-government forces expect to take advantage, vowing to seize Al Bab within days, fighters and supporters say.

Russia and Turkey have agreed that the pro-government forces, not the rebels, will enter the city, according to two government supporters with knowledge of the plans. Otherwise, they said, the rebels — who have pressed Al Bab on three sides for months — would have seized it long ago.

One of these people is an army soldier fighting there. The other is a pro-government informant from Al Bab, who now lives outside Syria but has relayed information to the Syrian military from his contacts in the city. Both were reached via internet chat and requested anonymity because they were not authorized to communicate with reporters.

Russia insisted on the terms for occupying Al Bab in a deal reached last month in Astana, Kazakhstan, according to the informant, who said Russia wanted pro-government

forces to take the city in part to seize water facilities that could help alleviate shortages.

But it remains unclear if all rebel forces backed by Turkey in the Al Bab siege have accepted those terms. Some stepped up their assault on Wednesday and vowed to take the city first.

Allowing pro-government forces to occupy Al Bab could be humiliating for the rebels before a new round of peace talks scheduled to start on Feb. 20 in Geneva. But with shrinking options, the rebels are increasingly wedded to the wishes of their Turkish backers.

Other military moves offer more clues to how the United States and others are approaching the battleground shifts.

To the east of Al Bab, a mix of Kurdish and Arab militias have been advancing in an attempt to encircle Raqqa. In anticipation of an assault on the city, the United States said it would add 200 American military advisers aiding the forces dominated by Kurds. The addition, approved under Mr. Trump, has reinforced an Obama administration policy that infuriated Turkey — which sees the Kurds as its main enemy — even as Mr. Trump seeks to improve relations with Mr. Erdogan.

A high-level Turkish delegation is expected to visit Washington next week to discuss military options for recapturing Raqqa. A senior Turkish official, who disclosed the visit, suggested one option would be reassigning many of the Syrian Army troops in the Al Bab siege to the fight in Raqqa instead. The official, who spoke on the condition of anonymity to discuss military strategy, reiterated Turkey's strong objection to the American plan for Kurds to be part of a Raqqa offensive.

To the southeast, in Deir al-Zour, the Islamic State's other Syrian territory, both the government and the opposition are trying to organize new Arab forces to fight the extremist group, with Russia and the United States maneuvering for leadership.

American-led airstrikes appear to be increasing in Idlib, the northwestern province where non-Islamic State fighters and opposition activists

have cloistered, after being displaced elsewhere by government advances.

Airstrikes in recent months have hit not only fighters linked to Al Qaeda but also some members of rebel groups working with them, a practice long followed by Russia but opposed by the United States. While it is not clear whose warplanes carried out every strike, they are seen as blurring the distinction between American and Russian air operations.

On Tuesday, an aerial assault that residents described as a mix of ballistic missiles and airstrikes destroyed a residential building, killing 30 people, including women and children.

In southern Syria, American-backed rebels have agreed to a new truce with government forces. The agreement followed the Astana talks, where rebel leaders expanded their discussions with Russian officials, with some later visiting Moscow.

Taken together, the developments point toward a gradual albeit unsteady reconciliation between the American and Russian objectives in Syria. But major diplomatic obstacles remain.

Mr. Assad will not necessarily agree with what Russia wants of him — some power sharing and a constitution that diminishes presidential authority. His main backer, Iran, takes a harder line in favor of preserving his power.

And as the Trump administration moves closer to Russia's Syria policy, rights groups and other critics say the United States risks complicity with Syrian government abuses.

This week, Amnesty International released a report saying that thousands had been summarily executed in Syrian prisons, and international weapons inspectors reported a new instance of chlorine bomb use by the government, despite its 2013 agreement to renounce such weapons.

Still, some analysts say Russia appears to be the only participant willing and able to even try to bring the conflict to a resolution.

Cliff Kupchan, chairman of the Eurasia Group, a political risk



assessment firm in Washington, and a former State Department official, said Russia's approach was "the

worst conceivable plan, except for any other."



## No decision yet on arming Kurds to fight Islamic State, Trump tells Turkish leader

By Kareem Fahim and Adam Entous

ISTANBUL — Turkish President Recep Tayyip Erdogan sought to convince President Trump in a telephone call that arming Kurdish fighters in Syria to fight the Islamic State would be counterproductive to the military effort and damaging to already strained ties between the United States and Turkey, American and Turkish officials said Wednesday.

One of Erdogan's objectives in the call was to try to persuade Trump to abandon a military-backed proposal to arm Kurdish fighters for an assault on the militants' self-proclaimed capital, the city of Raqqa. But Trump was noncommittal in Tuesday's conversation, saying that additional consultations were needed on the Kurdish question, the officials said.

Senior Trump advisers have expressed doubts about the wisdom of arming the Kurds but have not

ruled it out.

Today's WorldView

What's most important from where the world meets Washington

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Turkey sees the Syrian Kurdish fighters as part of its own Kurdistan Workers' Party, or PKK, a group the United States and Turkey have labeled a terrorist entity. U.S. support for the Syrian Kurds soured ties between the Obama administration and Turkey and could also complicate the nascent relationship between Trump and Erdogan, which has so far been free of the rancor that characterized Obama's exchanges with the Turkish leader.

Officials said the call was cordial and notably free of fireworks, amid strong indications that both leaders were trying to turn the page. Trump spoke broadly about the importance of strengthening ties with Ankara,

U.S. officials said. Hours after the call, Turkey's semi-official state news agency announced that CIA Director Mike Pompeo was flying to Turkey this week in what amounted to a high-level sign of U.S. concern for the relationship.

The CIA declined to confirm Pompeo's visit. Turkish officials made a point of telling local media outlets that it was Pompeo's first trip abroad since he became director.

Erdogan has tried to convince the United States that Turkish-backed Arab fighters in Syria and Turkish troops can carry out the offensive on Raqqa instead of the Kurds.

Early Wednesday, Turkish-backed forces made significant advances toward al-Bab, a Syrian border town occupied by the Islamic State that Turkish forces have struggled to capture for months, Turkish officials and rebel commanders said.

The Turkish forces and their Arab allies in Syria — part of Turkey's overall Syria intervention, known as

Euphrates Shield — captured areas west and southwest of the town, including a hospital and a strategically important hill, the commanders said.

The timing of the military push close to the phone call appeared to be no accident, said Selim Koru, a political analyst at the Economic Policy Research Foundation of Turkey, an Ankara-based think tank. With the United States watching, a "competition" was underway between the Turkish-backed forces and Syrian Kurdish fighters, who are allied with the Democratic Union Party in Syria, he said.

"Who is the better ground force against ISIS?" Koru said.

Entous reported from Washington. Karen DeYoung in Washington and Zakaria Zakaria in Istanbul contributed to this report.



## Assassins Are Killing Ukraine's Rebel Chiefs, but on Whose Orders?

Andrew E. Kramer

MOSCOW — All died far from the front lines in circumstances unrelated to military action. They died in elaborate ambushes, car bomb attacks and, in one case, a booby-trapped elevator. The latest died on Wednesday in an explosion in his office.

The staccato of about half a dozen assassinations of commanders in the Russian-backed separatist army in eastern Ukraine has become one of the riddles of the war there since 2015, when the first unexplained killings of Cossack militia leaders occurred.

Ukrainian officials have denied any involvement in the killings, while welcoming them for thinning the ranks of the breakaway military. The authorities in Kiev say the deaths point to either infighting in the separatist leadership or efforts by

Russia to consolidate control by eliminating erratic, if popular, local commanders on their own side.

The assassinations could ease peace talks; Ukraine had refused direct negotiations with the rebel leadership as long as men it deemed war criminals held senior posts.

Rebel officials blamed Ukraine for the latest death, of Mikhail Tolstykh, best known by his nom de guerre, Givi. The Kremlin spokesman, Dmitri S. Peskov, denied any Russian role.

Mr. Tolstykh died early Wednesday when a rocket was fired from a portable launcher into the window of his office, a separatist news agency reported. The blast blew out windows and started a fire.

A Ukrainian military spokesman, Aleksandr Motuzyanik, suggested to journalists in Kiev that Mr. Tolstykh's own soldiers might be to blame in a

so-called fragging episode, or the killing of an officer.

His unit, Mr. Motuzyanik said, suffered heavy losses in a recent flare-up of fighting near the town of Avdiivka, creating "many enemies and ill-wishers."

The other victims of the assassinations include Arsen Pavlov, who went by the nickname Motorola and was killed in the elevator bombing; Aleksei Mozgovoy, a former restaurant cook turned commander of a unit called the Ghost Brigade; and Aleksandr Bednov, who went by the nickname Batman.

The European Union placed Mr. Pavlov, a Russian citizen, on sanctions lists after he boasted in an interview of shooting 15 Ukrainian soldiers who were taken prisoner during the fight for the Donetsk city airport in 2015.

Mr. Tolstykh also played a prominent role in that battle and appeared in a video forcing kneeling, captured Ukrainian soldiers to eat the cloth Ukrainian flag insignia from their uniforms.

The assassinations have caused enough worry among rebel commanders that a year ago Aleksandr Khodakovsky, leader of the Vostok battalion, insinuated a Russian role in a post on the social network LiveJournal.

"I ask you again," he wrote in a sarcastic letter addressed to Russian authorities that noted the car bombings and machine gun bursts in earlier attacks, "if it comes to taking measures against me, try to do it in a way that others don't suffer."



## Top Ukraine Rebel Commander Killed in Blast

Alan Cullison Updated Feb. 8, 2017 5:18 p.m. ET

KIEV, Ukraine—A notorious commander of Russian-backed

rebels was killed in an explosion in his office early Wednesday, rebel officials said, the latest insurgent leader to mysteriously perish far from the front lines of the simmering conflict.

Mikhail Tolstykh, more widely known by his nickname Givi, was killed shortly after 6 a.m. in the eastern Ukrainian city of Donetsk, the de facto separatist capital near

Russia's border with Ukraine, a rebel news agency reported.

The news agency called his killing a "terrorist act." Officials in the Ukrainian capital said Mr. Tolstykh

was likely caught in the rivalry between Russian-backed rebels and Moscow.

Mr. Tolstykh is among at least a half dozen rebel leaders that have been killed in ambushes and bombings inside rebel territory, or have gone into hiding since the height of hostilities in 2014. After deaths and disappearances, rebels and officials in Kiev have traded accusations of responsibility.

Last week, a high-ranking police official was killed when a bomb was planted in his car, rebel television reported Wednesday.

Mr. Tolstykh's death comes as renewed fighting and artillery exchanges along the front line in eastern Ukraine have led to the deaths of more than 30 people in the past week.

The Ukrainian government says Russia has stirred up the conflict to pressure Kiev for more concessions in peace talks, including more autonomy for its local allies. Moscow has denied any involvement in the recent flare-up of violence, which began hours after a telephone call between President Donald Trump and Russian leader Vladimir Putin.

A separatist television station said that an assailant launched a portable rocket from the street outside while Mr. Tolstykh was holding an early-morning meeting. Footage from the scene showed firefighters trying to put out flames in a building that was described as on the outskirts of Donetsk.

Rebels and officials in Kiev blamed each other for his death. Donetsk separatists, who have carved out a small quasi-statelet during the three-year conflict, called the bombing "a continuation of the terrorist war launched by the Kiev authorities," according to the separatists' news agency.

While the Kremlin regularly lauds rebel leaders, Ukrainian officials said that Moscow has been replacing or sidelining many who are slow to take orders or are viewed as a hindrance to intermittent four-way talks involving Russia, Ukraine, France and Germany aimed at ending the separatist conflict in eastern Ukraine.

Ukrainian officials have vowed to prosecute rebel commanders for war crimes and have refused to negotiate with them.

Famed in rebel territory for his bravery, Mr. Tolstykh also was infamous for abusing captured Ukrainian soldiers in rebel promotional videos.

He "was out of control," said Dmytro Tymchuk, a deputy in Ukraine's parliament and blogger on military affairs. Mr. Tymchuk called his death "inevitable" as Moscow clears the battlefield of charismatic rebel commanders who were useful at the start of the conflict but are now an obstacle.

Ukrainian commanders say that men such as Mr. Tolstykh were widely lauded on Russian television and internet videos as part of an attempt to cover up the involvement of Russian army units at key moments of the fighting. Russia denies sending army units into Ukraine.

In October, another top rebel commander, Arsen Pavlov, was killed by a bomb planted in a lift of his apartment building. Mr. Pavlov—better known for his nom de guerre "Motorola" because of his fondness for the radio gear—was also famed for his coolness in battle but was seen as a hindrance to any peace negotiations. A native of Russia who

washed cars for a living, he once bragged of shooting Ukrainian prisoners but later retracted the statement.

Mr. Tolstykh also came from modest beginnings, telling journalists that before the war he worked in a rope factory and as a private security guard. He was vaulted to fame by a television interview in which he talked coolly through an artillery barrage as soldiers around him ran for cover.

He said he had survived three assassination attempts, and after the killing of Mr. Pavlov he vowed to take revenge. "I'll rip them to shreds," he said in a video interview. "They can try me in their courts—The Hague and that other European bull---t."

In Moscow, presidential spokesman Dmitry Peskov called Mr. Tolstykh's death an attempt by the Ukrainian government to "destabilize the situation" in eastern Ukraine.

Mr. Peskov ruled out any possibility in Russia's involvement in Mr. Tolstykh's death.

**The  
Washington  
Post**

## Putin foe Alexey Navalny found guilty in retrial, threatening 2018 presidential run

<https://www.facebook.com/roth.andrew?fref=ts>

MOSCOW — A regional Russian court on Wednesday declared opposition leader Alexei Navalny guilty in a retrial of a 2013 embezzlement case, handing him a felony conviction that by Russian law would prevent him from participating in Russia's 2018 presidential elections.

Navalny received a five-year suspended sentence for allegedly siphoning off money from a lumber sale, a charge that he has denied and called politically motivated. It is one of a number of criminal cases brought against the 40-year-old politician since he became the country's best-known critic of President Vladimir Putin.

Bad things tend to happen to those who take part in opposition politics in Russia. Boris Nemtsov, a former deputy prime minister turned opposition politician, was gunned down in sight of the Kremlin walls in 2015. Vladimir Kara-Murza, another opposition activist, is in a medical coma in the hospital after a suspected poisoning, the second since 2015. Others have seen hidden camera videos, including honeytrap stings, aired on state television.

Act Four newsletter

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Russia's treatment of dissenters, whether in the press or in opposition politics, garnered headlines in the United States this week after conservative television anchor Bill O'Reilly in an interview with President Trump called Putin "a killer."

Trump opted not to repeat the statement. "There are a lot of killers. You think our country's so innocent?" he replied. A Kremlin spokesman demanded an apology from Fox News, the channel that airs O'Reilly's show, then said it didn't want to blow the case "out of proportion."

(Reuters)

A court has found a prominent anti-corruption campaigner and Kremlin critic, Alexei Navalny, guilty of embezzlement, now apparently blocked from campaigning in next year's presidential election. Putin critic Navalny likely barred from Russian presidential race (Reuters)

While Navalny will not face jail time, the decision would appear to end his

goal of challenging Putin or another Kremlin-supported candidate in Russia's 2018 presidential elections, a bid he announced in December while the case was in court. According to Russian law, those convicted of "grave crimes," roughly equivalent to felonies in the United States, must wait 10 years or have the conviction expunged to run for president.

Putin has not said whether he will run for reelection.

From the courtroom, wearing a white dress-shirt and jeans, Navalny declared he would ignore the sentence and "continue our campaign."

"Our campaign has nothing to do with the court," he said in video shot in the courtroom. "Tomorrow, the Kremlin will start saying that I do not have to right to participate in the campaign. But I would like to emphasize again that in accordance with the constitution, I do have the right."

The verdict, delivered by a judge in the Russian city of Kirov, was nearly a carbon copy of a decision handed down by the court in 2013. The case was being retried because of criticism by the European Court of Human Rights in Strasbourg.

Navalny, who first came to prominence for uncovering fraud in Russian state corporations, was an active leader during the 2011-2012 "white ribbon" protests that coalesced around Putin's 2012 return to the presidency.

A raft of fraud and embezzlement charges followed, leading to suspended sentences and periods of house arrest. His 2013 sentence was quickly reduced to probation after the verdict ignited protests in central Moscow.

Last year, the European Court of Human Rights declared the 2013 conviction "prejudicial," saying that Navalny and his co-defendant were denied the right to a fair trial. In November, Russia's Supreme Court declared a retrial. The Kremlin has denied interfering in the cases.

Navalny's popularity is largest among the urban middle class in Russia, which represents a minority of the electorate, but has an outsized presence in Russian political life and the media.

Navalny ran in the Moscow 2013 mayoral elections, garnering 27 percent of the vote.

## Russian Opposition Activist Alexei Navalny Found Guilty in Retrial

Thomas Grove

Updated Feb. 8,

2017 1:03 p.m. ET

MOSCOW—A Russian court found opposition politician and anticorruption activist Alexei Navalny guilty of embezzlement, a decision he said was aimed at blocking him from running in next year's presidential election.

The court in Kirov, some 500 miles east of Moscow, on Wednesday handed Mr. Navalny a suspended sentence of five years and a fine of 500,000 rubles (\$8,400) for embezzlement in relation to a timber firm. He denies wrongdoing.

Mr. Navalny, whose Anti-Corruption Foundation aims to expose ill-gotten wealth of Russia's political elite, has launched a grass-roots campaign for the presidency. Polls show he has little chance of ousting President Vladimir Putin; the fragmented opposition is given almost no airtime and is constantly harassed by law enforcers.

"There are those who are interested in pushing me out of politics because of what our anticorruption [foundation] has exposed," Interfax news agency reported him as saying from a courtroom in Kirov.

The Russian criminal code prevents anyone convicted of a serious crime from running for president. Mr. Navalny said he

would appeal to the Constitutional Court, Interfax reported, to be allowed to participate in the 2018 presidential elections when Mr. Putin's six-year term comes to an end. Mr. Putin has yet to announce his decision about running.

The German Foreign Ministry said that it was concerned about the verdict and that it doubted that Mr. Navalny had received a fair trial.

"Alexei Navalny must also have the possibility in the future to participate in political life in Russia," a ministry spokesman said.

Kremlin spokesman Dmitry Peskov declined to comment on the case, saying the decision lay in the hands of the court, Russian news agencies reported.

Mr. Navalny was originally convicted in the case in 2013 and handed a five-year sentence, but the sentence was later suspended and he was allowed to take part in mayoral elections in Moscow, where he finished second.

The European Court of Human Rights last year said Mr. Navalny had been denied the right to a fair trial, ordering that he be paid €56,000 (\$59,830) in damages and legal fees. Russia's Supreme Court annulled the decision following the ECHR pronouncement and sent the case back to the district court in Kirov.

Mr. Navalny said on his Twitter account that the judge's statement was "word-for word" the same one that had been read to him in 2013.

A separate court case saw Mr. Navalny given a suspended 3½-year sentence for fraud. However, his brother was sentenced to prison for the same period and is still serving out his jail term.

The conviction on Wednesday came amid concerns that the administration of President Donald Trump could turn a blind eye to crackdowns on Russia's opposition as the White House seeks to improve relations with the Kremlin.

The desire to warm U.S.-Russian ties has caused dissent among the ranks of the Republican Party, especially as another critic of Mr. Putin was hospitalized last week with organ failure. Vladimir Kara-Murza has been on dialysis and artificial ventilation for nearly a week because of "an unknown toxin," said lawyer Vadim Prokhorov.

Messrs. Kara-Murza and Navalny rose to prominence in street protests against Mr. Putin's rule between 2011 and 2012, but Mr. Navalny, who tried to turn the street protests into political support, has faced two criminal cases he says are politically motivated.

Mr. Kara-Murza had been working as the head of the Boris Nemtsov

Foundation, named after the opposition politician who was shot and killed steps from the Kremlin in 2015.

He had previously been poisoned months after Mr. Nemtsov was shot but managed to recover.

U.S. Senator John McCain cited Mr. Kara-Murza's case Tuesday in comments that struck out at Mr. Trump's criticism of the U.S. this week and his comparison of the U.S. with Russia, where Mr. Putin has been accused of silencing journalists and other democratically minded critics.

"You think our country's so innocent?" Mr. Trump asked Fox News host Bill O'Reilly after the interviewer called Mr. Putin "a killer."

—Anton Troianovski contributed to this article.

Write to Thomas Grove at [thomas.grove@wsj.com](mailto:thomas.grove@wsj.com)

### Corrections & Amplifications

The European Court of Human Rights last year said opposition politician and anticorruption activist Alexei Navalny had been denied the right to a fair trial. An earlier version of this article incorrectly stated the court acted this year. (2/8/17)

## Editorial : Russia Convicts a Democrat

Feb. 8, 2017 6:53 p.m. ET 21

### COMMENTS

A court in Kirov Wednesday convicted Alexei Navalny on dubious embezzlement charges, which means Russia's most popular opposition leader will likely be barred from challenging Vladimir Putin when the Kremlin strongman makes his widely expected presidential rerun in 2018.

The 40-year-old Mr. Navalny rose to prominence a decade ago as an anticorruption blogger shedding light on the ill-gotten gains of the Kremlin oligarchy. Young and charismatic, he extended his appeal beyond the middle-class urbanites who

read his blog. When he called ruling United Russia "the party of crooks and thieves," the label stuck.

Prosecutors in 2011 launched an investigation into Mr. Navalny's work as an unpaid consultant to a state-owned timber company, accusing him of masterminding the theft of some \$520,000 worth of timber. The investigation was procedurally suspect from the start, not least because prosecutors repeatedly closed it for lack of evidence only to reopen it later.

Mr. Navalny was eventually convicted of embezzlement in 2013, but due to his enormous popularity and Western pressure, the authorities suspended his five-year sentence and allowed him to

campaign for mayor of Moscow, where he finished second with 30% of the vote. The Russian Supreme Court overturned his 2013 conviction and ordered a retrial last year, after the Strasbourg-based European Court of Human Rights found procedural irregularities in the original trial.

Now comes the reconviction, and it amounted to a judicial raspberry blown at the European judges in Strasbourg. The Kirov judge reread the original verdict from 2013, Mr. Navalny told reporters. The court reimposed his five-year suspended sentence. With it comes a 10-year ban on running for elective office.

Mr. Navalny's reconviction follows news last week that Vladimir Kara-

Murza, a pro-democracy activist and contributor to these pages, had become ill with poisoning symptoms similar to those he suffered in 2015. Mr. Kara-Murza has now fallen into a coma.

The fashion among some Western politicians, from Donald Trump to François Fillon and Marine Le Pen in France, is to say they want to engage Mr. Putin the way Ronald Reagan did the Soviet Union. One difference is that the Gipper would not have hesitated to speak up for Messrs. Navalny and Kara-Murza.

## Aleksei Navalny, Viable Putin Rival, Is Barred From a Presidential Run

Neil MacFarquhar and Ivan Nechepurenko

Since he first came to power in January 2000, Mr. Putin and his allies have gone to great lengths to silence or undermine all critical

voices in Russia. It has been almost two years since the still-mysterious assassination of Boris Nemtsov, another charismatic opposition figure, on the doorstep of the Kremlin. His is the most recent in a

string of killings of prominent critics — politicians, journalists and human rights activists — that remain unsolved.

Russian television is largely back under government control, as it was

during Soviet times, along with most formerly independent news agencies. More than 100 nongovernmental organizations working on issues including the environment, civic education and

fighting the spread of AIDS have been declared “foreign agents,” forcing many to close.

Mr. Navalny was the driving force behind large street protests in 2011, 2012 and 2013 that unnerved Mr. Putin. He has also repeatedly embarrassed senior officials by accusing them of corruption, exposing their lavish mansions and other perquisites that seem beyond the reach of a public servant earning a modest government salary.

In recent years, Mr. Navalny became the prime example of how the government would use the courts to entangle critics. In addition to the conviction revived on Wednesday, he has been accused of defrauding a French perfume company and stealing a nearly worthless piece of street art, and he was caught up in yet another case involving the death of an elk.

While he spent much of 2014 under house arrest, his younger brother Oleg was sent to jail for three and a half years.

Mr. Navalny, who called the Kirov fraud charges baseless and politically motivated, responded to the latest judgment against him with defiance. “Putin and his gang of thieves are afraid to face us in elections,” he wrote on Twitter. “Rightly so: We will win.”

In a longer statement, he vowed to continue his presidential run. “We do not recognize this verdict. It will be overturned,” he said. “According to the Constitution, I have a full right to take part in elections, and I will do this. I will continue to represent the interests of people who want to see Russia as a normal, honest,

uncorrupt country.”

The Kirov court’s ruling followed almost verbatim the judgment issued against Mr. Navalny in the same case in 2013, which resulted in a five-year suspended sentence. That verdict was overturned by the European Court of Human Rights, and Russia’s Supreme Court ordered a new trial in December.

Although the retrial was organized unusually quickly for Russia, Mr. Navalny announced that he was running for president before his latest conviction.

Russian political analysts suggested that the prospect of Mr. Navalny’s gaining a national platform to further criticize Mr. Putin had proved too much for the Kremlin hierarchy to tolerate.

“The danger associated with Mr. Navalny is easy to explain,” Vladislav L. Inozemtsev, director of the Center for Postindustrial Studies in Moscow, wrote in an email. “If allowed to run, he will disseminate his corruption findings more widely than ever — and this disturbs very much Mr. Putin and his gang.”

Officials figured a predictable campaign against impotent opposition was a safer bet, analysts said.

Some Kremlin insiders were concerned that letting Mr. Navalny run now would improve his standing for the presidential race in 2024, when Mr. Putin cannot run under current laws, analysts said.

Mr. Navalny, 40, is a handsome, telegenic figure with a model family, much more approachable than the

usually dour apparatchiks churned out by the Kremlin bureaucratic mill.

Despite his earlier conviction, Mr. Navalny was allowed to run for mayor of Moscow in 2013. He garnered 27.2 percent of the vote, just short of the threshold needed to force the government-backed candidate into a runoff — and enough to feed the Kremlin’s fears.

Mr. Navalny’s spokeswoman, Kira Yarmysh, announced that he would appeal the verdict and file complaints with Russia’s Constitutional Court and the European Court of Human Rights.

The European Union issued a statement criticizing the latest verdict, noting that its human rights court had already found that Mr. Navalny did not get a fair trial in 2013.

“This latest decision, which effectively excludes Mr. Navalny from the political arena, further constrains political pluralism in Russia and raises serious questions as to the fairness of democratic processes in Russia,” the statement said.

Mr. Navalny and his team pointed out that there was a conflict between the electoral law and the Constitution, which does not list a criminal conviction among the specific reasons to bar a candidate.

Legal analysts said that, just as in the fraud case, any rulings in the other cases against Mr. Navalny would undoubtedly favor the Kremlin.

“You can complain about this, but the result will be clear,” said Andrei Y. Buzin, an expert at Golos, an

independent election monitor. “The Constitutional Court will say that lawmakers have the right to impose the restrictions it deems necessary to protect the freedoms of other citizens.”

In the Kirov case, the court convicted Mr. Navalny of embezzling 16 million rubles, worth about \$500,000 at the time, by purchasing timber from a state-owned company at below-market rates and then reselling it at market value.

The investigators said Mr. Navalny had used his position at the time as an aide to the Kirov regional governor to persuade the company to sign the contract.

Mr. Navalny said the timber was bought at market rates.

As the judge, Aleksei Vtyurin, droned through the familiar decision in a barely audible monotone, reading from nearly the same verdict as four years ago, Mr. Navalny took to Twitter to mock the proceedings.

“This is page 40 now, and there are 77 of them. It’s comfortable to have the verdict in hand,” Mr. Navalny said from the courtroom.

Even before the verdict was announced, the government moved to shut down the logistics for his presidential run. On Tuesday, Russia’s leading information technology company, Yandex, unplugged the online account that Mr. Navalny had used to collect money from supporters.



## Trump’s a Sucker if He Thinks He Can Split Up Putin and the Ayatollahs

Michael Weiss

Moscow and the mullahs are deeply in bed with each other, especially in Syria. But that doesn’t mean Putin won’t play Trump along.

The central contradiction in Donald Trump’s foreign policy, so far as a policy can be divined, has been reconciling his love and hatred for two American enemies. The love, of course, is for Vladimir Putin; a “killer,” sure, but then again, who isn’t? His hatred is for the Islamic Republic of Iran, which was quite rightly described by Defense Secretary James Mattis the other day as the “the single biggest state sponsor of terrorism in the world,” albeit one still enjoying close Russian air and tactical support and intelligence-sharing in Syria, as well as a healthy and growing arms trade with Moscow.

But not to worry. *The Wall Street Journal* reported this week that a budding Trumpist strategy is to try and cleave Putin away from the ayatollahs. “If there’s a wedge to be driven between Russia and Iran, we’re willing to explore that,” one unnamed administration official told the newspaper, which also relied on a number of unnamed European and Arab officials who confirmed that this was indeed the long view coming into focus in a White House where the new tenants still sometimes confer in the dark because they haven’t yet found all the light switches.

One well-known Russian foreign policy analyst, who asked to be quoted anonymously for this story, laughed at the idea that Moscow and Tehran could be broken up, least of all by *this* commander in chief. “I think Trump and Pence are out of their depth on Russia and

Iran,” he told *The Daily Beast*. “Moscow will milk them for everything they’re worth.”

Putin, no surprise, is likely to welcome such an overture from Trump and even subtly encourage it. Not that he’s interested in a good-faith negotiation about swapping allies in his own peculiar war on terror. It’s just that he’s always fond of buying time, extracting concessions and undercutting American interests. So quixotic American efforts to get him to stop are welcome. (Proof of concept: the so-called reset in bilateral relations during the first Obama term, which Republicans excoriated as a mug’s deal before, it seems, forgetting their assessment of the mugger eight years later.) Additionally, Putin and Supreme Leader Ayatollah Ali Khamenei also have a common objective in seeing NATO destroyed and the European Union broken up.

But they don’t even need to bargain with Trump for those goals; his many statements and actions show he shares them already.

Any substantive deal winning Putin away from his Persian embrace would almost certainly entail the lifting of all U.S. sanctions on Russia for the invasion and occupation of Ukraine, plus formally recognizing Crimea as sovereign Russian territory. Such a diplomatic volte-face would put Washington in violation of international law and make it a pariah among Western liberal democracies, or what’s left of them.

Moreover, Iran is the primary ground force in Syria, meaning that whether the Kremlin likes it or not, its military bases and intelligence assets are all at the mercy of Iran’s janissaries. “We are toast without Hezbollah,” the analyst said matter-of-factly, noting that the Russians are

currently trying to “train and equip two Moscow-controlled Syrian Coastal Divisions.” Even assuming these were to come into some semblance of professional existence, they would still be woefully insufficient to hold all the strategic ground retaken from Syrian rebels in the last two years. Other Russian military analysts acidly agree that Assad’s army is barely a paper kitten at this point.

The extent to which Putin and Khamenei’s “facts on the ground” have grown codependent has been outlined in detail by Paul Bucala, an Iran expert at the conservative American Enterprise Institute (PDF). He, too, concludes that “any U.S. appeasement effort to persuade Russia to abandon Iran in Syria will ultimately be unsuccessful.” His evidence is arrayed on the Syrian battlefield.

In the recent campaign to recapture rebel-held east Aleppo, he found, Iran deployed “thousands of soldiers from across its military branches over a 15-month operation,” including from its conventional military, or Artesh, its Basij paramilitary force, and its Islamic Revolutionary Guards Corps Ground Forces and Quds Force, the latter being the foreign expeditionary arm headed by the hardest working man in show business, Maj. Gen. Qassem Soleimani.

The Quds Force is currently a U.S.-designated terrorist entity; Trump is strongly considering that designation for the IRGC as writ large. Perhaps its best non-Persian subsidiary is Lebanese Hezbollah, another U.S.-designated terror group, which, along with the IRGC, has been

training and arming various Afghan and Pakistani and Iraqi Shia militias in northern Syria, which have now been joined by a smaller contingent of Russian Special Forces.

This veritable Benetton advertisement for foreign fighters was intended to compensate for the shortfall in combat-ready Syrian regime soldiers. That it did. The retaking of Aleppo was credited by IRGC Major General Yahya Rahim Safavi, the senior military adviser to the supreme leader, as the spadework of “the Iran-Russia-Syria-Hezbollah coalition.” Safavi wasn’t posturing in his prioritization of the two stars in that constellation.

The least remarked-upon aspect of Russia’s intervention in the Syrian war, which began in September 2015 under the pretext of fighting ISIS (in reality, most of the bombs dropped have been on civilians or anti-ISIS rebels) has been its tutorial role. Iran fights much better now, thanks to Russia.

“High-ranking IRGC Ground Forces officers served as senior advisers in Iran’s military involvement in Syria since at least the middle of 2012, but their involvement was limited to a senior Train, Advise, and Assist (TAA) capacity,” Bucala writes. Their casualties spiked after Russia entered the fray, but only because Iran took that opportunity to send in forces whose remit wasn’t limited to training, advising, and assisting but to engaged in active combat duty. This is likely because state-of-the-art, Russian-manned Sukhois and MiGs, they felt, were felt to be a safer canopy than Syrian-piloted Soviet clunkers.

When Putin’s jets took off from Iran’s Shahid Nojeh Air Base in Hamedan province, Iranian Defense Minister Hossein Deghan assailed the Kremlin’s publicity of the event as “showing off,” adding to belief prevalent among diplomats that there is “daylight” between Moscow and Tehran. Lesser noticed, however, was how gratified one Iranian major general at Shahid Nojeh was that his pilots were now able to observe at close range how these aircraft were operated.

Better integrating ground and air combat à la russe is something of an Iranian fixation, according to Bucala and Genevieve Casagrande, a Russia expert at the Institute for the Study of War. The IRGC Ground Forces, they write, “created a new air assault unit in late February 2016, possibly influenced by observing Russian Special Forces operations around Aleppo earlier that year.” Now Iran wants Russia’s warplanes, too, specifically a fleet of Sukhoi-30 fighter-bombers, which, Bucala and Casagrande note, “would significantly reduce Tehran’s reliance on Russian (and, in Iraq, American) fixed-wing aviation to support its ground operations.”

Putin is also making Khamenei’s hold on power stronger at home. Russia’s delivery last fall of the S-300 anti-aircraft system to Iran—after years of on-again-off-again promises, lawsuits and commitments pegged to U.S. pressure and now-lifted UN sanction—gave Iran a domestic air defense capability similar to what Russia has built up in Syria. In either theater, these missiles are meant primarily to deter one nation. Guess which one.

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OK, but let’s say Trump did actively pick a fight with Iran, or simply responded in kind to another Iranian provocation of the sort Barack Obama used to downplay or ignore. If the U.S. and Iran did find themselves in a state of war in Syria, Iraq, Yemen, or elsewhere, where American forces could be targeted by the IRGC and vice versa, what would Russia do?

First it would deny that Iran was responsible for any wrongdoing, particularly if American soldiers were shot, bombed, or shelled in multidimensional conflict zones. It’d blame al Qaeda or ISIS. If the fighting were less plausibly deniable, say between flagged vessels in the Persian Gulf, Russia would gladly play its traditional role of peacemaker. It stepped up its military footprint and influence-peddling in the Middle East not to further the prospect of having America come calling but to replace America as the linchpin power for the conduct of all major regional business.

By risking a showdown with the mullahs, Trump is only bound to play further into Putin’s hands. Or, as the aforementioned Russian foreign policy analyst put it, “We would love to see the U.S. getting bogged down in a messy little conflict with Iran.”



## Defense, intelligence officials caution White House on terrorist designation for Iran’s Revolutionary Guard (UNE)

By DeYoung

Karen was not designed to sanction government institutions.

The Trump administration is considering declaring Iran’s Islamic Revolutionary Guard Corps as a terrorist organization, a proposal that would boost existing measures against the Islamic Republic’s most powerful security entity. Trump may expand Iranian group to terror list (Reuters)

(Reuters)

Senior defense and intelligence officials have cautioned the White House that a proposal to designate Iran’s Revolutionary Guard Corps as a foreign terrorist organization could endanger U.S. troops in Iraq and the overall fight against the Islamic State, and would be an unprecedented use of a law that

Defense and intelligence concerns have been expressed at the highest levels over the past several days, as the White House was preparing to roll out an executive order dealing with both Iran’s Islamic Revolutionary Guard Corps and the Muslim Brotherhood, according to administration officials who spoke on the condition of anonymity because they were not authorized to discuss the sensitive matter.

The order would direct the State Department — in charge of the designation process — to move toward declaring them terrorist organizations.

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[Trump administration sanctions Iran over missile test]

A senior White House official said the order was still under active consideration as part of the new administration’s determination to take a hard line against Iran, but the official acknowledged concerns. “I don’t think it’s so much Defense and intelligence; I think it’s ourselves,” the official said.

“There are so many second, third and fifth order of facts with every decision, as we see it, and so I think that this is an area where, rightly so, we have to be very smart. . . . This all has to do with [Iran’s] behavior.

What we have to do is figure out what are the right things to consider. We consider a lot of things. What we actually decide to do is different.”

White House enthusiasm for the directives was high at the end of last week, with plans to release them as soon as Tuesday. But since then, national security agencies, still smarting from the White House’s failure to vet last month’s immigration order with them before President Trump signed it, have been concerned about a repeat of the criticism and chaos that ensued.

Asked about the order at Wednesday’s White House briefing, press secretary Sean Spicer declined to make a specific comment, saying that “there is no one who can question the president’s commitment to fully

attacking and addressing the threat that we face from radical Islamic terrorism. . . . The first step is knowing and proclaiming who the enemy is.”

Designating the Revolutionary Guard — a force of more than 100,000 that fields an army, navy and air force, in addition to wielding significant economic power — would mark the first time the Foreign Terrorist Organizations law has been applied to an official government institution. Created by Ayatollah Ruhollah Khomeini after the 1979 Islamic revolution as a counterweight to the suspect loyalties of the Iranian military, the Revolutionary Guard is both the guardian of internal security and a conventional fighting force that has been deployed overseas, including in Iraq and Syria.

*[Iran's supreme leader 'thanks' Trump for revealing the 'real face of the United States']*

The Revolutionary Guard, including its Quds Force, the elite international operations wing, and a number of Guard-affiliated companies and individuals, were placed on a sanctions list by the Treasury Department in 2007 for terrorist activities and support. The proposed Foreign Terrorist Organization designation by the State Department, however, would have far broader impact on the ability of Iranians to travel and access the international financial system.

Although the Obama administration considered taking such action, it ultimately decided it was “not useful,” according to a former senior national security official

This former official and others also noted that Iran is one of three countries, including Syria and Sudan, that the United States has labeled state sponsors of terrorism, a designation that brings its own strict sanctions.

The FTO has until now been applied only to “nonstate actors,” including groups such as al-Qaeda and 60 others on the list. One official said that designating the Revolutionary Guard was comparable in scale and complication to a foreign power declaring the military of another country a terrorist organization.

The designation also prohibits any “material support” or other kinds of contact with the sanctioned entity, an issue that arose when Obama’s State Department attempted to address the problem of the Mujahideen-e Khalq, or MEK, an anti-Khomeini Iranian group that relocated to Iraq after the 1979 revolution and was placed on the FTO list in 1997.

The Shiite-dominated government friendly to Iran that took over Iraq after the U.S.-led invasion there rejected the group, which was then placed under U.S. protection despite its terrorist designation. The MEK was removed from the FTO list in 2012.

A similar effort is underway in Congress to designate the

Revolutionary Guard a terrorist organization, with legislation introduced last month by Sen. Ted Cruz (R-Tex.).

Although there is no love lost between the Defense Department and the Revolutionary Guard, defense officials worry the designation could affect indirect contacts the U.S. military maintains with Quds Force-organized and maintained Shiite militias in Iraq.

Many of those groups include Shiite fighters who regularly attacked U.S. forces occupying Iraq until the end of 2011, when the U.S. military withdrew. Although there were initial problems when the Americans returned, beginning in 2014, to help Iraq combat the Sunni Muslim Islamic State, they have found themselves on the same side against the militants.

Although the two forces now operate in proximity to one another, especially in and around the major offensive underway in Mosul, there has been tacit agreement, negotiated through the Iraqi government, to keep their distance and avoid clashes. The concern is that any upset in that tenuous arrangement could undermine the counterterrorism war, possibly even leading to renewed Shiite attacks against U.S. forces, officials said.

A new move against the Revolutionary Guard would also likely buttress the position of internal Iranian hard-liners against President Hassan Rouhani, whose government negotiated the 2015

Iran nuclear deal with the United States and other world powers. Preserving Rouhani, with a presidential election due in May, is unlikely to be a priority for the Trump administration, however, which has called the agreement a “bad deal” that has encouraged Iran’s malign behavior in other areas. Last week the administration imposed new sanctions against 25 Iranian individuals and entities in response to a ballistic missile test that it said contravened the nuclear agreement.

*[Iran holds military exercises in response to U.S. sanctions]*

Terrorist designation of the Muslim Brotherhood, a religious and social movement founded nearly 100 years ago in Egypt, would pose different problems.

Experts disagree on what this would accomplish, noting that the Brotherhood is not a single organization but a broad, transnational movement of Sunni Muslims whose individual factions differ widely in both goals and activities in various nations.

In Egypt, where Trump is seeking a stronger relationship, the current military government overthrew an elected Muslim Brotherhood government in 2013, calling it a terrorist organization. Other U.S. allies, including Turkey, consider it a legitimate political organization; in Jordan, the Muslim Brotherhood party makes up 10 percent of the parliament.

## THE WALL STREET JOURNAL

# U.S. Weighs Terror Label on Iran Revolutionary Guard, Muslim Brotherhood

Felicia Schwartz and Jay Solomon

Updated Feb. 8, 2017 3:23 p.m. ET

WASHINGTON—The Trump administration is considering executive actions that would designate Iran’s Revolutionary Guard and the Muslim Brotherhood, an influential movement across the Middle East, as terrorist organizations, people familiar with the discussions said.

A decision to target either of the two groups would mark a significant expansion of U.S. sanctions against Islamist organizations in the Middle East. They would join al Qaeda, Islamic State and dozens of other militant organizations currently on the U.S. terrorism list.

The White House is likely to move more quickly on the designation of the Islamic Revolutionary Guard Corps, which could be less of a challenge to implement, one person

familiar with the discussions said. It was unclear when a decision would be made on either designation.

White House Press Secretary Sean Spicer declined Wednesday to say whether the White House would take steps against either the Muslim Brotherhood or the IRGC. But, he said: “There’s no one that can question the president’s commitment to fully attacking and addressing the threat that we face by Islamic terrorists.”

The Revolutionary Guard is Iran’s elite military unit and reports directly to Supreme Leader Ayatollah Ali Khamenei, with a command separate from Iran’s traditional military. It was established following the 1979 Islamic revolution in Iran and over the past decade has also grown to dominate Iran’s economy, with holdings in property, oil and gas and telecommunications. U.S. officials estimate the IRGC controls as much as 50% of Iran’s economy.

Leaders of the Muslim Brotherhood, founded in Egypt in 1928, have said the group opposes political violence and wants to establish Islamic societies through democratic means. The U.S. designated its Palestinian offshoot, Hamas, a terror organization in 1997.

The governments of Egypt, Saudi Arabia and United Arab Emirates consider the Muslim Brotherhood to be a terrorist organization. Though the group’s reputation took a hit during Mohammed Morsi’s rule of Egypt in 2012, it retains millions of followers, and blacklisting the group could spark unrest.

Muslim Brotherhood-affiliated parties hold seats in the parliaments of Jordan and Tunisia.

A move to designate the Muslim Brotherhood faces opposition from some officials in the U.S. as well as some human-rights organizations, who say declaring the group a terror

organization could have wide-ranging impact.

“The Muslim Brotherhood is a large and complex political organization operating in many countries,” said Laura Pitter, senior U.S. national security counsel at Human Rights Watch. “By calling for the entire group to be designated as a terrorist organization, the Trump administration is making an extraordinarily broad policy determination that will harm the participation of Muslim groups in democratic processes.”

Sen. Ben Cardin (D., Md.), the top Democrat on the Senate Foreign Relations Committee, said the Muslim Brotherhood “is a terrorist type organization” but the U.S. must consult with allies to understand possible fallout from designating the group.

“Before we do official action, it’s important that we weigh the

consequences of what we do. The politics of Egypt, the politics of Jordan are connected to that," he said.

Either designation likely would come under an executive order signed by then-President George W. Bush in response to the Sept. 11 attacks.

The Trump administration last week imposed new sanctions on more than two dozen Iranian individuals and entities in retaliation for the country's latest ballistic missile test launch, in January.

Taking the step of designating the Revolutionary Guard as a terrorist

**THE WALL  
STREET  
JOURNAL.**

Saleh al-Batati in Aden, Yemen, and Asa Fitch in Dubai

Updated Feb. 8, 2017 7:17 p.m. ET

Yemeni officials pushed for stronger counterterror cooperation with the U.S. after an American commando raid last month on an al Qaeda stronghold in Yemen resulted in casualties, but denied a report that they had revoked permission to conduct such raids.

Ahmed Bin Mubarak, Yemen's ambassador to Washington, said Wednesday his government hadn't withdrawn permission for the U.S. to carry out ground missions but had "made clear our reservations about the last operation."

"We said that in the future there needs to be more coordination with Yemeni authorities before any operation and that there needs to be consideration for our sovereignty," he added. "We are a partner with the United States in fighting terrorism."

Yemen's foreign minister, Abdul-Malik al-Mekhlafi, told the Associated Press that reports that Yemen has demanded a halt to U.S. special

organization would give the U.S. further latitude to target the IRGC's finances and companies, which would affect large sectors of Iran's economy.

Emanuele Ottolenghi, an expert at the Foundation for Defense of Democracies who supports the move to designate the IRGC, said it would go beyond efforts by the Bush administration to more narrowly target the military group's illicit trade and funding for terrorism.

"The net effect would be more significant. It would cast the net more widely," he said.

operations are "not true."

Two other officials in the internationally recognized government of Yemen's President Abed Rabbo Mansour Hadi said they were looking for closer coordination with the U.S. rather than a suspension of raids.

The New York Times had earlier reported that Yemen withdrew permission for the U.S. to conduct raids on its soil, citing American officials.

"We stand by the story," said Eileen Murphy, a New York Times spokeswoman.

The White House wouldn't say Wednesday whether the U.S. had been asked to halt operations, saying it is working with Yemen "through diplomatic channels."

"Yemen more than most countries fully appreciates the fight that we have against ISIS," White House Press Secretary Sean Spicer said.

Officials with the military's U.S. Central Command, which oversees U.S. forces across the Middle East, said they have received no request to halt operations. "We haven't been told or been ordered from the

Reza Pahlavi, the eldest son of Iran's last monarch and the head of an Iranian opposition movement called the Iran National Council, said Wednesday that he supports targeted sanctions against the Iranian regime, particularly on the Revolutionary Guard.

"We need to weaken the regime as much as possible," he said. "Seriously curtailing the IRGC...we can do a whole bunch of stuff that hurts the regime without necessarily hurting the people."

There is broad bipartisan support in Congress for legislation imposing new sanctions on Iran, include

separate measures that would require the administration to designate the IRGC and Muslim Brotherhood as terrorist organizations.

The sanctions last week targeted officers and business executives tied the IRGC for their suspected role in aiding the Lebanese militia, Hezbollah, and Tehran's defense industries.

## Yemen Seeks Tighter Coordination After U.S. Raid

Pentagon to stop any planning or operations that we have at this time," said Maj. Josh Jacques, a spokesman.

Pentagon officials referred questions to the State Department. Mark Toner, the State Department spokesman, said he was aware of the reports about the suspension and Yemen's denial of those reports.

"The United States conducts operations consistent with international law and in coordination with the government of Yemen," he said.

One American Navy SEAL and at least two dozen Yemenis were killed during a U.S. special operations forces raid on Jan. 29 in the remote village of Yakla in Yemen's al-Bayda province, according to residents and Yemeni officials.

Among the dead were senior leaders of al Qaeda in the Arabian Peninsula, the terror group's potent Yemeni offshoot, according to residents, the U.S. military and AQAP leader Qasim al-Raymi, who urged retaliation after the raid.

It was the first such operation authorized under President Donald

Trump, who put counterterrorism near the top of his agenda after taking office in January. Despite the Navy SEAL's death and the U.S. military's conclusion that civilians were likely killed in the operation, the Trump administration has defended the operation and called it a success.

The U.S. is continuing to carry out operations against AQAP in Yemen, including drone strikes, amid the country's political turbulence.

Mr. Hadi has been fighting a war for almost two years against the country's Shiite Muslim Houthi rebels, who control the capital, San'a. He is backed by a military coalition led by Saudi Arabia, the region's leading Sunni Muslim power.

AQAP and other Sunni extremists oppose the Houthis, but have also carried out attacks targeting Mr. Hadi's government.

—Felicia Schwartz and Carol E. Lee in Washington contributed to this article.

**The  
New York  
Times**

## In Istanbul, Surprise That Trump Towers Complex Is Linked to Trump

Patrick Kingsley

A coincidence, however, it is not. Technically, neither Mr. Trump nor the Trump Organization owns the property (or most of the other buildings featuring the Trump name outside the United States). But in 2010, Mr. Trump allowed the building's Turkish owners, Dogan Holding, to brand it with his name, in exchange for a sizable fee. The total has not been disclosed, but campaign records show that by July 2015, Dogan Holding had paid Mr. Trump between \$1 million and \$5 million for the use of his name.

It was the revelation of that deal that had the Sumeli sisters making for a premature exit. "Why should I respect a president who doesn't respect my veil?" asked the younger Ms. Sumeli, who is studying child development. "We won't be coming here again," her elder sister added.

The sisters were among several visitors to take issue with Mr. Trump's attempts to suspend immigration from seven Muslim-majority countries. While Turks were not subject to the ban, most interviewed at Trump Towers were nevertheless offended by its principle and expressed solidarity

with those from the affected countries.

"It doesn't matter whether Turkey is included or not — I'm against it," the younger Ms. Sumeli said while gathering her things. If "my government banned Christians," she added, "I'd be against that, too."

Trump Towers Istanbul is a two-pronged construct: an office block and an apartment complex that jut skyward from a multistory mall at the bottom.

Though it stands in a country increasingly blighted by terrorism, and though it is named for a man

increasingly at odds with the Muslim world, security is light. As at most malls in this city, there is just a single airport-style X-ray machine at each entrance. The local municipality says it has no plans to increase security, and visitors themselves displayed few signs of concern.

"I really don't care if it's Trump's or not," said Ozan Tung, a 23-year-old actor who was finishing off a chicken curry. "What else am I going to do if I don't come here?"

Yet Mr. Trump has received his fair share of bad publicity in Turkey. In June, President Recep Tayyip

Erdogan even called for the towers to be renamed, in protest of Mr. Trump's Islamophobic remarks during the campaign.

Since Mr. Trump announced his travel ban, Mr. Erdogan has avoided directly condemning Mr. Trump, leaving criticism to colleagues in his government. Analysts speculate that Mr. Erdogan is waiting to see how Mr. Trump approaches Turkey before voicing his disapproval too openly.

Foreign visitors to the mall would recognize many of the shops; Benetton, Burger King, Mango and Lacoste all have a home there. In the basement is a playground and a carousel, among other attractions for children.

And at the very top of the escalators is the most familiar name of all: Trump Cadde, or Trump Avenue. It's a string of upscale cafes clustered around the mall's main attraction, a restaurant called Trumpet.

The mall is full of the city's middle class: hairdressers, students — and at one table, a quartet of female civil servants. They were wary of giving their full names because of the purge of government employees that followed the failed coup last year, but the question of the mall's eponym nevertheless set off a lively discussion.

Ayten B., 45, won't be coming again, she declared, to nods of approval from her friends. If their children didn't like the playground in the basement so much, they said, they wouldn't have come in the first place. But, Ayten said, there's something to Mr. Trump's thought process: Look at all those bad things happening in the seven banned countries.

Hatice E., 43, agreed. Iran is a law unto itself, and there's chaos across Iraq, Somalia and Yemen. Who would want that?

Ayse G., 40, gently constructed a counterargument. Why should Mr. Trump punish a whole religion, she asked, rather than just the few people responsible?

Then the coffees arrived and Hacer N., 43, spoke up. If Mr. Trump is against Muslims, she wondered, why has he built a mall in a Muslim country? He shouldn't be erecting buildings here, Ayse chimed in, if he doesn't like Muslims.

The Sumeli sisters said they were mystified by Mr. Erdogan's approach to Mr. Trump, and by his other recent diplomatic moves, too.

"Actually I can't understand it," Evin said. "He has good relations with someone, and then he breaks that relationship. He has bad relations with Russia, and then he fixes it."

"I just don't get it," Mizgin added.

But elsewhere in the building, not everyone was so concerned. Deep in the bowels of the mall, Umüt

Basalan, a 29-year-old shopkeeper, said there was little wrong with Mr. Trump's travel ban.

"His decision was right — it's not about Muslims, it's about terror," said Mr. Basalan, suggesting that Turkey should copy Mr. Trump's policy. "At first he spoke about Muslims, but then he just referred to these seven countries."

Mr. Basalan fondly remembered a 2012 visit by Mr. Trump's daughter and adviser, Ivanka Trump. "Maybe," Mr. Basalan concluded, "she brings business."

Two floors above, the Sumeli sisters had just made their exit. "We were going to tour around," the elder sister said. "But now we're just going to leave."



## Rights groups ask court to bar Israel from taking Palestinian land for settlements

<https://www.facebook.com/william.booth.5074?fref=ts>

JERUSALEM — Israeli human rights groups representing Arab villages in the West Bank petitioned the country's high court Wednesday to block a contentious new law that would allow Israel to seize private Palestinian land and award it to Jewish settlers.

The first legal challenges to the law came amid especially blunt condemnation by Israel's allies. The country's own attorney general warned that the bill violated international law and was likely to be blocked by the high court.

Germany's Foreign Ministry said Wednesday it was "deeply disappointed" in the bill, which has been called a "land grab" by its critics. "Our trust in the Israeli government's commitment to the two-state solution has been fundamentally shaken," a German Foreign Ministry spokesman said.

Today's WorldView

What's most important from where the world meets Washington

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The German criticism echoed tough language by Britain, France, the European Union and the United Nations.

"As a long-standing friend of Israel, this bill damages Israel's standing with its international partners," said

Tobias Ellwood, Britain's minister for the Middle East.

Israeli settlers say they plan to forcefully resist eviction as Israeli security forces prepare for the eviction of 330 settlers from an outpost in the West Bank. Israeli forces begin operation to evict settlers from illegal outpost (Reuters)

(Reuters)

The bill "crosses a very thick red line," Nikolay Mladenov, the U.N. special coordinator for the Middle East peace process, told Agence France-Presse.

*[Israel passes law to seize Palestinian land for Jewish settlements]*

The White House said the Trump administration was withholding comment until Israel's courts rule on the legality of the bill. That could take weeks or longer.

Israeli Prime Minister Benjamin Netanyahu is scheduled to meet with President Trump at the White House next week.

All eyes in the region will be on the meeting, expecting that it will signal the depth of Trump's support for Netanyahu and Israel, balanced against the United States' Middle East allies.

Netanyahu supported the controversial bill, which passed the parliament along party lines, 62 to 50, late Monday.

In the days before the bill's passage, Netanyahu and his defense minister announced that the state would build more than 6,000 homes in Jewish settlements, branded as illegal by most of the world and as "unhelpful" by the Trump White House.

The promised building boom in the settlements, coupled with the bill that allows the state to seize Palestinian land, has put the Trump administration in a corner.

Either the U.S. president will give a green light to Israel's hard-right government, now more beholden than ever to its religious settlers, or Trump will warn Israel to slow down and will stake out his own position on the future of the Israeli-Palestinian conflict.

*[Trump administration cautions Israel on new West Bank settlements]*

Netanyahu is being pressed by the powerful settler movement, which maintains that the land was promised to Jews by God, to declare that the two-state solution is dead and to tell Trump he should forget about achieving the deal of the century, an Arab-Israeli peace accord that awards the Palestinians their own state.

Netanyahu has vowed he would go no further than a "state-minus" for the Palestinians, but he has not publicly given up on the two-state solution.

The first legal challenge to the law was filed Wednesday by Adalah, an Israeli group that advocates for Israel's Arabs, who make up 20 percent of the population, and by Jerusalem-based Al Mezan Center for Human Rights.

In their petition, the groups' lawyers argued that the Israeli parliament cannot legislate land issues for private Palestinians in the West Bank, who live under Israeli military occupation and military authority and are not Israeli citizens. The brief asserts that the new Israeli legislation violates international law and international treaties on human rights.

The legislation is designed to protect homes in Jewish settlements, built on private Palestinian property "in good faith or at the state's instruction," from possible court-ordered evacuation and demolition.

*[Israeli police remove Amona settlers in West Bank]*

Privately owned Palestinian land would be seized by the government and held until there is a final resolution of the decades-long Israeli-Palestinian conflict. Palestinian landowners could apply to the state for annual rents or be given other parcels.

Thousands of Jewish homes in dozens of settlements and outposts may now be protected unless the Israeli high court blocks the bill.

Netanyahu has been quiet about the bill's passage.



Israel's deputy foreign minister, Tzipi Hotovely, said: "Israel has both historic and legal rights to this land, and the law reaches the right balance between the rights of the

Jewish families to their homes and the right of the owners of these plots of land to get compensation."

Israeli lawmaker Bezalel Smotrich, who sponsored the bill, told the

newspaper Maariv: "We are finished with beseeching legal advisers and judges. We will decide what will happen in the settlements. We will define the goals. If the legal system

is able to tell us how to do this using the existing tools, very good. If it doesn't know how to do this, we will change the tools."

## The New York Times

### Former Prime Minister Is Elected President of Struggling Somalia

Jeffrey Gettleman

A man everyone calls Cheese won Somalia's presidency on Wednesday, and the streets of the beleaguered capital, Mogadishu, exploded in cheers.

Mohamed Abdullahi Mohamed, a former prime minister, was chosen for the top job, capping a clan-based electoral process that had been widely criticized as corrupt even by Somali politicians who participated in it.

Mr. Mohamed, better known in Somalia by his nickname, Farmajo (from formaggio, the Italian word for cheese, for which his father was said to have acquired a taste when Somalia was an Italian colony), was considered the protest candidate and less manipulated by foreign interests than the departing president, Hassan Sheikh Mohamud.

Mr. Mohamed enjoys wide support within Somalia's army. The moment his victory was announced, celebratory gunfire rang out in Mogadishu as soldiers across the city sprayed bullets into the sky.

Mr. Mohamed is rare on the Somali political scene for one reason: He is popular. Crowds of ordinary people

poured into Mogadishu's streets to cheer and whistle on Wednesday night.

As one Somalia analyst put it: The least corrupt and most-well-liked candidate won Somalia's most corrupt and least democratic election. Go figure.

Somalia, which has lurched from crisis to crisis since the central government collapsed in 1991, did not hold direct elections.

Instead, Western donors helped set up a complicated indirect election in which Somalia's regions and its myriad clans, subclans and subsubclans chose 329 members of Parliament, and those members of Parliament then voted for a president.

Western officials thought it too dangerous to hold direct elections because of the persistent threat from the Shabab militant group, which has killed thousands across East Africa. On Tuesday, the Shabab fired mortar rounds into the area in Mogadishu where the election was being held.

Mr. Mohamud, the incumbent, handily won the first round of voting, leading Mr. Mohamed by 88 to 72 votes in a field of more than 20

candidates. Many analysts said that Mr. Mohamud had built a huge war chest by receiving secret payments from Turkey, the United Arab Emirates and other countries, and that he used that money to line up votes ahead of time in Parliament. Many analysts considered it his election to lose.

But Mr. Mohamed seems to have tapped into growing resentment about corruption, or possibly, some analysts said, he had his own ways to win over lawmakers. In the last few years, Somali government officials have been steadily enriching themselves, analysts said, while much of the population has sunk deeper into poverty.

Aid workers are now worried that millions of Somalis will soon face a famine; it would be the third one in 25 years.

In the second round of voting, the other presidential contenders threw their weight behind Mr. Mohamed. He won, 184 to 97.

Western diplomats quietly cheered on Mr. Mohamed, seeing him as the most organized — and least crooked — of the contenders.

But just about everyone agrees that Somalia still has a long way to go.

The government provides few services and controls only small slices of territory. The only reason it controls any territory is the presence of thousands of African Union peacekeepers who have been battling the Shabab for years, taking heavy casualties.

Mr. Mohamed, who was born in 1962, had a good reputation as prime minister. As soon as he took office in 2010, he set up a payroll system for soldiers, shrank a bloated cabinet and spoke out against corruption, even though graft continued to blossom on his watch.

When he was pushed out less than a year later, as part of a bitter power struggle within the government, protests exploded.

Before entering politics, Mr. Mohamed worked as a diplomat for the Somali government and later for the New York State Department of Transportation in Buffalo. He holds American and Somali citizenship, and when he returned to his cubicle in Buffalo after his short stint as prime minister, his co-workers baked him a cake.

## THE WALL STREET JOURNAL

### Former Prime Minister Elected as President of Somalia

Matina Stevis

Updated Feb. 8, 2017 2:54 p.m. ET

NAIROBI, Kenya—Mohamed Abdullahi Mohamed, a former Somali prime minister and dual Somalia-U.S. citizen, was elected president of Somalia after two rounds of voting by the country's newly selected parliament.

The departing president, Hassan Sheikh Mohamud, conceded defeat on Wednesday, in a sign that the war-ravaged nation can hope for a smooth transition of power.

Celebratory gunfire rang around the capital Mogadishu, which had been under security lockdown throughout the day to ensure the voting took place without the risk of a violent attack from al-Shabaab, the al Qaeda-affiliated terrorist group.

Still, an attack claimed four lives in Puntland, and mortar fire was heard in Mogadishu throughout the day, a reminder that the threat of violence

and destabilization from al-Shabaab is never too far away.

The 55-year-old Mr. Mohamed, known widely by his nickname "Farmajo," is faced with an unenviable set of problems, including U.S. President Donald Trump's travel ban on Somalia's citizens and refugees, a famine threatening six million of his people, al-Shabaab's violent Islamist insurgency and an isolated and impoverished economy.

He completed his undergraduate and graduate studies at the University of Buffalo, and was resident of Buffalo for much of his adult life. He was briefly prime minister of Somalia between 2010 and 2011, and had a record of establishing payment systems for the army, one of the biggest challenges to boosting Somalia's security and a key area of cooperation between the U.S. and the Horn of Africa nation.

Mr. Mohamed focused on the U.S.-Somalia relationship as an academic, and is seen as a leader who can help put that relationship back on track after Mr. Trump's recent inclusion of the nation of more than 10 million on a blacklist of seven majority-Muslim countries the new White House believes pose a terrorist threat to the U.S.

After his short stint as prime minister, Mr. Mohamed worked as a civil servant at the State Transportation Department in Buffalo. He is one of many highly educated Somalis who fled to the U.S. during the civil war, and have been increasingly drawn back to their motherland despite its many troubles.

Mr. Mohamed enjoys popular support in Somalia, which was evident on Wednesday as hundreds took the streets of Mogadishu, defying security concerns, to celebrate his victory. In Nairobi's Eastleigh neighborhood, known as "Little Mogadishu" because of its

almost entirely Somali population, celebrations flooded the streets.

Yet there was little doubt that Mr. Mohamed will have to work to establish his legitimacy as a leader in what has been a fraught electoral process, criticized by Somalis and Western aid donors as corrupt.

The long-delayed presidential election is the penultimate step in the country's quasi-democratic attempt at electing representatives, which started in October.

The electoral process, which was based on the country's traditional clan system but was more inclusive than previous attempts at democracy, was supported and funded by the international community, but marred by allegations of vote-buying and candidate intimidation.

Mr. Mohamed will need to move quickly to show he is devoted to combating corruption, as he had done in his short time as premier.

"Not keeping the rampant corruption in check will continue to erode public support for the government and lose it the little legitimacy it now has," said Mohamed Mubarak of Marqaati, a Somalia-based anticorruption nongovernmental

organization.

The departing Somali president, Mr. Mohamud, had originally enjoyed Western support but in more recent years was widely criticized for failing to curb al-Shabaab, and for allowing

corruption to take root, both allegations he denied.

The U.S., the U.K., the European Union and other countries have contributed dozens of billions of dollars to Somalia since the country collapsed in 1991 following a coup.

The nation is regarded as a key hub for Islamic extremism, and is vulnerable to infiltration by Islamic State, which has, for now, only made very small gains there.

## THE WALL STREET JOURNAL

COMMENTS

### Editorial : Obsessing Over the Yen

Feb. 8, 2017 6:52 p.m. ET 7

Investors worried about Trumpian trade disruption will be watching the U.S. President's Friday summit with Japanese Prime Minister Shinzo Abe to see whether Mr. Trump broaches provisions against currency manipulation in trade deals. Mr. Abe brings tribute in the form of job-creating investment, clearly hoping he can deflect Mr. Trump from discussion of the weakening yen. A better solution to trade friction as well as Japan's deflation would be a pivot away from reliance on monetary policy and toward deregulation of the domestic economy.

Mr. Trump threw Tokyo into a tizzy last week when he said that China and Japan "play the devaluation market and we sit there like a bunch of dummies." Cabinet Secretary Yoshihide Suga retorted that Japan was "not targeting exchange rates

but is aimed at attaining a domestic price target."

That is technically true. But when Mr. Abe launched his economic program in 2013, a weaker yen was an explicit target. And the conventional wisdom on exchange rates within Japan's corridors of power is very close to Mr. Trump's view. Bureaucrats, politicians and executive alike believe a strong yen is a drag on the economy while a weak yen promotes competitiveness.

Yet there's little evidence to support this. Japan has a history of export success amid a strong yen, while economic weakness often accompanies a falling yen. Exchange-rate shifts are driven by comparative monetary policies but also by the relative strengths of the U.S. and Japanese economies through the mechanism of savings rates and investment flows.

Since Mr. Trump's election, the yen has fallen to 112 to the dollar from

102. This reflects investor bets that U.S. economic prospects are brighter, while Japan is still mired in stagnation. U.S. Treasury yields have been rising, prompting investors to unwind bets that last year's stronger yen would continue.

After Mr. Trump's comments, the yen briefly strengthened and the yield on Japanese bonds rose. Some investors wondered if the Bank of Japan would scale back its bond-buying to appease the U.S. The BOJ countered with more bond purchases last Friday, and yields fell back.

But there is no reason to believe that the BOJ's program is working. Inflation expectations remain around 1%, and domestic Japanese investment and consumption are weak. Wages continue to stagnate, even with a shortage of workers. If Japanese exports to the U.S. pick up, the reason will be faster U.S. growth, not a weak yen. American animal spirits have been unleashed

by the prospect of Trump-Republican deregulation and tax cuts.

Japan's prospects for faster growth depend on Mr. Abe pursuing a similar policy mix. Labor laws need to be more flexible. Retail laws should allow big box stores to compete and invest in more efficient distribution. Agriculture and land reforms would let Japanese spend less income on food. Fewer trade barriers would break up domestic cartels, increase productivity and lower prices—which is one reason Messrs. Abe and Trump should use their meeting to launch bilateral free-trade talks.

Faster Japanese growth combined with an aging population would likely lead to investment inflows, a stronger yen and a significant trade deficit. This is the path to mutual prosperity and lower trade tension, not brawling over currencies that will make everyone a loser.

## THE WALL STREET JOURNAL

### Hollywood Seeks New Business Terms With China (UNE)

Erich Schwartzel

Updated Feb. 8,

2017 1:28 p.m. ET

LOS ANGELES—Hollywood will soon have its first chance in five years to change the terms of doing business in China, a politically fraught opportunity for studios to reap billions more from their most important foreign market.

The current U.S. agreement on releasing films in China—a sweeping set of terms dictating the number of releases, marketing restrictions and the percentage of ticket sales that flows back to the studios—was announced on Feb. 17, 2012, with authorities agreeing to renegotiate the terms in five years.

Any deal struck this year will likely cover a period in which China surpasses North America as the world's No.1 movie market. The stakes couldn't be higher for Hollywood, which is counting on China's growth to pick up the slack of a stagnating domestic market and falling home-entertainment revenue.

Government officials and industry representatives have begun

preliminary work on the negotiations, which come amid mounting political uncertainty between the U.S. and China. During the last negotiation, studio chiefs focused on increasing the number of movies let into China each year. This time around, they are looking beyond that quota to Chinese marketing restrictions, distribution rules and ticket-revenue splits that they say have kneecapped their ability to make money in the market.

In the past five years, China has become a first-tier theatrical marketplace that still adheres to developing-market terms, said Jean Prewitt, chief executive of the Independent Film and Television Alliance, a trade association for independent production companies.

"I think it's time it opened up," she said.

U.S. studios' top priority in the talks, according to several executives, is increasing their share of Chinese box-office receipts from the current 25%. The rest goes to state-backed distributors and theaters. Most other markets offer studios more generous splits, with 40% being the international average.

The 2012 agreement raised the number of foreign movies that could be imported on a revenue-sharing basis to 34 in any given year, from 20. Those 34 slots have been enough to cover most high-profile studio releases, said several executives who don't see raising the quota as a top priority of the renegotiation.

Besides, they said, Chinese authorities have already been flexible with the quota when the pressure is on to show year-over-year growth. Last year, the country let in 39 titles on a revenue-sharing basis, a majority of which came from Hollywood's six major studios, adding five extra movies toward the end of the year to boost the box office. Analysts in China say an expansion this year is likely, too.

No other major foreign market's box-office terms are negotiated by top-ranking government officials, but China has become so dominant that studios have no choice but to play by its rules. China's box office grew to about \$6.6 billion last year from \$2.7 billion in 2012. The North American box office has stayed relatively flat in recent years and reached \$11.4 billion in 2016.

To tap the Chinese market, Hollywood must submit films for approval by state censors, sometimes editing out objectionable content at their request, and wait to hear when a movie will be released, sometimes receiving only a couple of weeks' notice.

The IFTA has been working with the United States Trade Representative office on the 2017 review since last summer, in preparation of formal talks between the U.S. and Chinese authorities starting in late spring or early summer, said Ms. Prewitt.

The Motion Picture Association of America, which represents the six major studios and weighs in on the USTR talks, said in a statement that the 2012 agreement "provided American businesses with greater access to the Chinese market." The MPAA added: "We look forward to working with the administration to continue building on this progress."

President Donald Trump's election put the negotiation work on pause, since a number of top-ranking USTR jobs remain unfilled.

Mr. Trump's pledge to review China trade policies casts a long shadow

on the talks. Some executives are worried that Chinese President Xi Jinping's representatives could use the Hollywood negotiations as retaliation for Mr. Trump's rhetoric against longstanding political and economic deals between the two countries.

Mr. Xi negotiated the current quota when he visited the U.S. as China's vice president in 2012. His trip, which included taking in a Los Angeles Lakers game with California Gov. Jerry Brown and Hollywood power broker Jeffrey Katzenberg, doubled as an introduction for U.S. authorities. Vice President Joe

Biden represented the U.S. in the talks.

China's efforts to expand its own film industry will also play a role in the negotiations. The country recently passed a "film industry promotion law" that goes into effect on March 1. The legislation promotes investment in movies, instructs actors to follow a strict moral code and says foreign films that "[hurt] national feelings" won't be accepted for release.

China enforces several other requirements to give its local productions an upper hand, and

studios want those strictures re-examined in the trade negotiations.

For starters, studios have their eye on changing rules that allow Chinese authorities to "stack" Western movies and release several on the same day, which can cannibalize ticket sales.

Studios have also grown annoyed with blackout periods that forbid Hollywood movies during holidays and other popular moviegoing times in China, and executives said they want more advance notice when Chinese authorities date a film for release.

The rise in online streaming since the last negotiations makes it likely that China's restrictions on television and video-on-demand services will also be on the table, said Ms. Prewitt.

Among her organization's concerns: China requires producers to censor an entire television season at once, which encourages piracy since it eliminates the chance to air individual episodes in China soon after they premiere in the U.S.

**The  
Washington  
Post**

## Will : Trump tweets a red line for North Korea

The Cold War was waged and won in many places, including this beach city, home to the Rand Corp. Created in 1948 to think about research and development as it effects military planning and procurement, Rand pioneered strategic thinking about nuclear weapons in the context of the U.S.-Soviet competition. Seven decades later, it is thinking about the nuclear threat from a nation created in 1948.

When Defense Secretary Jim Mattis said that any North Korean use of nuclear weapons would draw an "effective and overwhelming" U.S. response, he did not, according to Rand's Bruce W. Bennett, "overcommit" the president by saying that the response would be nuclear. But an overwhelming response could be.

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On Jan. 1, North Korea's 33-year-old leader, Kim Jong Un, said that his regime was at "the final stage in preparations to test-launch" an intercontinental ballistic missile, perhaps one capable of reaching the United States' West Coast. On Jan. 2, Donald Trump tweeted: "It won't happen!" He thereby drew a red line comparable to his predecessor's concerning Syrian chemical weapons. So Trump, who excoriated

Barack Obama for ignoring that red line, must, Bennett believes, be prepared to threaten actions that would prevent North Korea from learning from its test, actions such as shooting down the missile.

The United States has 30-some ground-based interceptor missiles at Fort Greely in Alaska and others at Vandenberg Air Force Base in California. This small capability is intended to cope with an accidental firing by an adversary, or an intentional firing by a rogue general, or to deter or defeat a deliberate attack by an adversary with a small nuclear arsenal, such as North Korea. Will the U.S. anti-ballistic-missile system work? Bennett says technologies can go wrong, so this would be an opportunity to fix any failures. And unless we then are prepared to shoot down theater-range ballistic missiles, we will signal less-than-convincing commitment to South Korea and Japan. To those who say it is premature to conclude that Kim is capable of delivering a nuclear warhead, Bennett says: In 1966, China, in its fourth nuclear test, just two years after its first, had a missile carry a nuclear weapon to its detonation over its western desert.

(Video: Reuters / Photo: AFP)

New Secretary of Defense James Mattis warned North Korea of an "effective and overwhelming" response from the U.S. if they use nuclear weapons, at a news conference during his first overseas trip as defense secretary on Feb. 3.

Secretary of Defense James Mattis warned North Korea of an "effective and overwhelming" response from the U.S. if they use nuclear weapons. (Video: Reuters / Photo: AFP)

In 2006, William Perry, who had been defense secretary for Bill Clinton, and Ashton Carter, who would be Obama's final defense secretary, recommended U.S. action to destroy any ICBM set for testing on a North Korean launch pad. But that nation's conventional retaliatory capabilities, including artillery and rockets capable of inflicting considerable damage on at least Seoul's northern suburbs, forestalled this. And North Korea has perhaps 1,000 tactical-range ballistic missiles capable of striking throughout South Korea and Japan. Furthermore, North Korea has cyberwar, commando and sabotage capabilities.

Today, U.S. surface ships and submarines alone could deliver dozens of cruise missiles, and each of up to 10 B-2 bombers could carry two Massive Ordnance Penetrators to destroy underground leadership or missile bunkers. But as soon as Kim has one or more ICBMs (probably road-mobile) capable of delivering, on short notice, a nuclear payload to, say, Santa Monica, preemptive U.S. action, even just against his nuclear infrastructure, might be too risky.

Furthermore, preparations for a more ambitious strike — against North Korean artillery and rockets,

ports, airfields, command-and-control centers, leadership bunkers and forward-positioned forces — might be apparent and might provoke Kim to strike first against Seoul and U.S. forces in South Korea. South Korea talks openly of creating, this year, a "decapitation brigade" involving perhaps as many as 2,000 troops whose mission would be to eliminate North Korea's leadership in the event of war.

Kim recently dismissed the head of his secret police, the latest sign of insecurity. Bennett believes Kim, undeterred by tweets, might test his ICBM for internal purposes — to impress restive North Korean elites. Bennett suggests that the threat to shoot down the test flight would constructively exacerbate Kim's problems. As might U.S. propaganda, for example by reminding North Korean elites that China's president has had eight summits with South Korea's president in the past four years but never has had one with Kim, whom China apparently considers not important.

North Korea, which has been run opaquely for the Kim family's benefit since 1953, is approaching a red line. Although the line was drawn before Trump took office, perhaps it represents continuity. It prefigured the kind of improvisational governance that has made his early weeks so interesting.

**THE WALL  
STREET  
JOURNAL.**

## Companies Plow Ahead With Moves to Mexico, Despite Trump's Pressure (UNE)

Andrew Tangel

Updated Feb. 8, 2017 3:19 p.m. ET

INDIANAPOLIS—President Donald Trump boosted the hopes of employees at Rexnord Corp.'s

factory here in December when he castigated the company for "viciously firing" workers and planning to move their jobs to Mexico.

Two months later, Rexnord is still planning to close the industrial-bearings factory, which employs about 350 people, despite Mr. Trump's shaming and his earlier intervention to stop a nearby Carrier Corp. furnace factory from closing.

Rexnord says moving the plant to Mexico is part of a plan to save \$30 million annually. Workers say they have been packing up machines while their replacements, visiting from Mexico, learn how to do their jobs.

"That's a real kick in the ass to be asked to train your replacement," said machinist Tim Mathis, who has worked at Rexnord for 12 years. "To train the man that's going to eat your bread."

Milwaukee-based Rexnord is one of many companies plowing ahead with plans to invest in Mexico despite Mr. Trump's vows to cajole companies into keeping their assembly lines in the U.S. Some, including heavy-equipment maker Caterpillar Inc. and steelmaker Nucor Corp., are overseen by officials who belong to a panel advising Mr. Trump on manufacturing policy. Executives at Peoria, Ill.-based Caterpillar are moving ahead with a restructuring that includes shifting jobs from a Joliet, Ill., factory to Monterrey, Mexico. "We're just going to have to wait and see how this plays," Caterpillar Chief Financial Officer Brad Halverson said in a January interview, referring to potential Trump-era shifts in trade policy.

A Caterpillar spokeswoman said the company has been reducing its workforce world-wide to stay viable "in the longest downturn in our 92-year history."

Charlotte, N.C.-based Nucor is moving forward with Japan's JFE Steel to build a new plant in Mexico to make steel for car makers.

Nucor Chief Executive John Ferriola said those plans could change if new policies penalize U.S. companies that invest in Mexico. "We're watching the situation in Washington very, very closely," he told analysts on Jan. 31.

Mr. Trump hasn't specified what taxes, tariffs or trade deals he might

enact in his effort to boost U.S. manufacturing and factory employment.

In late January, the administration announced the creation of a 28-member group of business and labor leaders to help advise the White House "on how best to promote job growth and get Americans back to work again." Caterpillar Chairman Doug Oberhelman and Nucor's Mr. Ferriola were named as advisers.

On Wednesday, Intel Corp. CEO Brian Krzanich, after a meeting with the president, announced plans to upgrade an existing facility with a \$7 billion investment in Arizona that will employ 3,000 people. Mr. Krzanich, who also is in on the advisory panel, said Intel was encouraged by the new administration's policies to make the U.S. a more attractive place to do business.

However, the continuing investments abroad underscore the scale of the economic forces that confront Mr. Trump's plans. The White House didn't respond to a request for comment.

Manitowoc Foodservice Inc. went ahead with plans to wind down its soft-drink dispenser factory near Sellersburg, Ind., and lay off about 80 employees in the wake of Mr. Trump's election, according to local officials. The company, which in August had announced plans to shift much of the production to facilities in Mexico, declined to comment. Electronic component maker CTS Corp. still plans to phase out production at its Elkhart, Ind., plant by mid-2018 and shift production to China, Mexico and Taiwan, a spokesman said. The company has

said about 230 employees would be affected as part of the restructuring.

Ford Motor Co., which Mr. Trump criticized during his presidential campaign, decided to scrap plans to build a new factory in Mexico and would create 700 new U.S. jobs. But the company said in January it would still shift production of its Focus small car from Michigan to an existing Mexican facility. General Motors Co. is in the process of moving more production to Mexico, despite criticism from Mr. Trump, but has also committed to continue with pre-election plans to add more jobs in the U.S.

Rexnord Chief Executive Todd Adams said in a December letter to employees that U.S. workers still accounted for more than half of its approximately 8,000-employee workforce. The company has operations across the globe, including Europe, Asia and Africa.

While Rexnord hasn't specified how many of the Indianapolis jobs would move to Mexico, it is expected to keep about 25 office jobs there and in Milwaukee, and add 50 jobs in Texas.

Mr. Adams declined interview requests through a spokeswoman, who didn't respond to requests for comment.

In an earnings call with analysts last week, Mr. Adams said the company didn't think the move to Mexico would be "something that we would regret."

"But you know, to be determined, obviously, depending on what happens," he said.

Rexnord workers in Indianapolis weren't optimistic about their

prospects if the sprawling plant in an industrial zone near the airport closes down. Some said they had refused to help train the workers from Mexico who will replace them. Rexnord has said they aren't required to help, and offered extra pay to those that do.

The workers worried about finding jobs that paid as well—about \$25 an hour, excluding overtime, according to their union, the United Steelworkers Local 1999. They fretted about mortgage, car and tuition payments.

At a rally last week attended by workers hoping for a last-minute reprieve, speakers criticized "corporate greed" and trade deals such as the North American Free Trade Agreement with Canada and Mexico. Former Democratic presidential candidate Bernie Sanders addressed the crowd via a prerecorded video message.

"It just puzzles me to think that they have to [reduce costs] by dumping us out," said Gary Canter, a machinist who has worked at the Rexnord factory for eight years. "It's very un-American."

Mr. Canter said he voted for Mr. Trump. He remained hopeful the president would ultimately boost manufacturing, creating new jobs for his colleagues elsewhere even if the Rexnord plant isn't spared.

"We gave this man a chance because it wasn't a typical politician that's done nothing for us," Mr. Canter said.



## Dionne : Steve Bannon vs. Pope Francis?

Stephen K. Bannon disrupted American politics and helped elect Donald Trump as president. Will he disrupt the Roman Catholic Church by joining forces with right-wing Catholics who oppose Pope Francis?

Bannon's dark vision contrasts sharply with the sunny disposition of a pope who has chided "sourpusses" and "querulous and disillusioned pessimists."

Bannon believes that "the Judeo-Christian West is in a crisis." He calls for a return of "the church militant" who will "fight for our beliefs against this new barbarity," which threatens to "completely eradicate everything that we've been bequeathed over the last 2,000, 2,500 years."

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Where Francis has insisted on dialogue with Muslims, Bannon points to "the long history of the Judeo-Christian West struggle against Islam" and reaches as far back as the eighth century to praise "forefathers" who defeated Islam on the battlefield and "kept it out of the world, whether it was at Vienna, or Tours, or other places."

"See what's happening," Bannon insists, "and you will see we're in a war of immense proportions."

(Reuters)

The pope has issued a strong criticism of Burma's treatment of the minority Rohingya people. Pope

issues stinging criticism of Burma's treatment of Rohingyas (Reuters)

Bannon offered these comments in 2014 to the Institute for Human Dignity, an ultra-traditionalist group based in Rome and allied with some of Francis's sharpest internal critics. They include Cardinal Raymond Burke, who has been so tough on Francis that he had to deny he was accusing the pontiff of heresy.

The New York Times' Jason Horowitz put Bannon's Catholic project front and center this week with a Page 1 story reporting that during a 2014 visit to Rome for the canonizations of Popes John Paul II and John XXIII, Bannon met and "bonded" with Burke.

Neither Bannon nor Trump (nor, for that matter, Burke) is likely to dent Francis's immense popularity with American Catholics. But Horowitz's

story brought into relief the struggle inside the church — and particularly within American Catholicism — over the pope's stewardship, his emphasis on battling poverty, his insistence on the importance of welcoming immigrants and refugees, and his relative openness to modernity.

Massimo Faggioli, a professor of theology and religious studies at Villanova University and a close student of the Vatican, argues that Francis has aroused a similar hostility among some on the Catholic right to that Barack Obama called forth on the right end of politics generally. Francis is the first pope from Latin America, and his vision of economics is inflected by his experiences there. Moreover, Francis accepts the reforming Second Vatican Council in the

1960s "in its entirety and is not just paying lip service."

The vast majority of conservative American bishops and Catholic thinkers have, of course, pledged their allegiance to the pope. But Faggioli argues that many of them are often critical of Francis's attitude toward doctrine (the pope, he says, is "pastoral, not ideological") and toward Vatican II's reforms, which shifted church teaching toward a greater respect for religious pluralism.

On the surface, some of Bannon's economic views would seem to match Francis's. In his speech broadcast to the group in Rome, Bannon spoke against "a brutal form of capitalism that is really about creating wealth and creating value

for a very small subset of people."

But as Faggioli notes, Bannon links his criticism of capitalism to nationalism, which makes his views more similar to those of far-right groups in the 1920s and '30s such as Action Francaise, a French nationalist group condemned by the Vatican. Francis's economics, on the other hand, focus on global concerns, including climate change.

Here's what you need to know about the man who went from Breitbart News chairman to Donald Trump's campaign CEO before his appointment as chief White House strategist and senior counselor. Here's what you need to know about the man who went from being Breitbart News's chairman to Trump's campaign CEO and now to

chief White House strategist. (Jenny Starrs/The Washington Post)

(Jenny Starrs/The Washington Post)

Cathleen Kaveny, a professor of law and theology at Boston College, argues that Bannon's view is also at odds with Catholicism's tradition of rejecting an "apocalyptic" take on the world. The church, she said, has taught that "you don't get to God's Kingdom by blowing up what's here."

Trump won overwhelmingly among conservative American Catholics last year, and many of them likely sympathize with aspects of Bannon's nationalist outlook. But the tensions between Trump and Francis are likely to grow. Ironically, given the opposition to him among many American bishops, Obama's

foreign policy was far closer to the Vatican's approach than is Trump's.

And Trump's moves against refugees and immigrants mobilized even conservative bishops to loud condemnations. The fact that about a third of American Catholics are Latino weighs heavily in the church's thinking.

Bannon is unlikely to want Trump to force American Catholics to choose between their president and their pope. But the battle is on to define the meaning of both Americanism and Catholicism. Bannon's worldview could ignite the same showdown in the church that he has already ignited in politics.

## The New York Times Editorial : All of Islam Isn't the Enemy

Is President Trump trying to make enemies of the entire Muslim world? That could well happen if he follows up his primitive ban on refugees and visa holders from seven Muslim nations with an order designating the Muslim Brotherhood — perhaps the most influential Islamist group in the Middle East — as a terrorist organization.

Such an order, now under consideration, would be seen by many Muslims as another attempt to vilify adherents of Islam. It appears to be part of a mission by the president and his closest advisers to heighten fears by promoting a dangerously exaggerated vision of an America under siege by what they call radical Islam.

The struggle against extremism is complex, and solutions must be tailored both to the facts and to an understanding of the likely consequences. Since 1997, the secretary of state has had the power to designate groups as foreign terrorist organizations, thus subjecting them, as well as people

and businesses who deal with them, to sanctions, like freezing their assets. President Barack Obama resisted adding the Brotherhood to that list.

There are good reasons that the Brotherhood, with millions of members, doesn't merit the terrorist designation. Rather than a single organization, it is a collection of groups and movements that can vary widely from country to country. While the Brotherhood calls for a society governed by Islamic law, it renounced violence decades ago, has supported elections and has become a political and social organization. Its branches often have tenuous connections to the original movement founded in Egypt in 1928.

Under State Department guidelines, the "terrorist" designation is intended to punish groups that carry out terrorist attacks. There's no question that some such groups have grown out of the Muslim Brotherhood, like Hamas, the adversary of Israel, which the United States named a terrorist organization in 1997.

Egypt's president, Abdel Fattah el-Sisi, has worked to crush the Brotherhood in his country since he overthrew his predecessor, Mohamed Morsi, a former Brotherhood leader, in 2013. But there is no evidence that senior Brotherhood leaders ordered any violence or carried out any of the recent major terrorist attacks in Egypt, according to the analysts Michele Dunne and Nathan Brown of the Carnegie Endowment for International Peace.

But those advising Mr. Trump seem unwilling to draw distinctions. Stephen Bannon, the chief White House strategist, once called the Brotherhood "the foundation of modern terrorism." And Frank Gaffney Jr., an anti-Muslim analyst who heads a small think tank, recently told The Times that the Brotherhood's goals are "exactly the same" as those of the Islamic State and Al Qaeda.

It is wrongheaded and dangerous to tar all Brotherhood members with one brush. The Brotherhood is associated with political parties in

Indonesia, Pakistan, Morocco, Jordan, Iraq, Kuwait, Yemen and even Israel, and runs schools and hospitals. Many of those parties are America's partners. The governing party in Turkey, a NATO member, also has connections to the Brotherhood. If the group is named to the terrorism list, how will Washington continue these relationships without violating the law?

Another risk is that penalizing people and countries that deal with the Brotherhood could make it impossible for members to continue their involvement in politics and even push some of them into violence.

Mr. Trump made America look cruel and incompetent in the eyes of the world with his sweeping immigration edict. Now talk of branding the Brotherhood as a terrorist group has fueled darker fears of an administration intent on going after not just terrorists but Islam itself.

## ETATS-UNIS



### Editorial : A taxing proposal

A proposal for something called a "border adjustment tax" doesn't get as much attention as President Trump's latest Twitter outburst. But it should.

The border adjustment tax, which House Republicans are pushing as

a centerpiece of their tax reform plan, is yet another troubling indication of how far the GOP has gone in rejecting the sunny globalism of President Reagan in favor of self-defeating protectionism.

The border adjustment concept gets kind of complicated, but the plan essentially taxes imports, including parts used in manufacturing, and exempts exports. More precisely, imports would be taxed at 20% and revenue derived from exports would be deductible. In that regard, the border adjustment plan resembles

similar taxes adopted by other nations and sanctioned by the World Trade Organization.

Here's the catch. Unlike the other nations, the United States does not have a value-added tax (a bit like a national sales tax), and no VAT is contemplated in the Republican

plan. That means domestically made goods would not be subject to the 20% tax. Instead, the profits they generated would be subject to the corporate income tax, which would be cut from 35% to 20%.

You don't need a degree in economics to see the asymmetry of this. An imported product would face a 20% tax on its full value, while a domestic product would face a 20% tax only on the profits it generates.

Call this what it is: blatant protectionism. The authors of the

plan try to hide this disparity with a common form of obfuscation, giving something a new name. The corporate income tax would be renamed the "destination-based cash flow tax."

In theory, taxing imports more than domestically made goods would help the U.S. economy as companies moved to manufacture their wares in the USA to avoid the tax. The plan is certainly preferable to President Trump's threats to slap tariffs on products imported by individual companies and countries

that displease him. And, according to the Tax Foundation, it would raise an estimated \$1.1 trillion over 10 years to offset the revenue lost by slashing the corporate income tax.

That's the upside. The downside is that consumers would pay more because prices would rise to either cover the 20% import tax or pay the additional labor costs of making things in America. That's why retailers, car dealers, oil refiners and other groups are mobilizing to fight the border adjustment tax.

Moreover, any economic boost would undoubtedly be short-lived. Adoption of the border adjustment tax would raise the value of the U.S. dollar, and foreign nations would impose retaliatory tariffs on American-made products, killing U.S. jobs that depend on exports.

Complex tax and trade policy is not as titillating as Trump's latest tweet about a department store and his daughter's product line. But it's going to have much more impact on your life.

## POLITICO Obama's party-building legacy splits Democrats

By Gabriel DeBenedetti

A painful Democratic rift over Barack Obama's political legacy is finally bursting into the open.

For years, the former president's popularity among Democrats stifled any public critiques of his stewardship of the party — a period in which the party suffered tremendous losses at the state and local levels.

Story Continued Below

But now that Obama and the political operation that succeeded his campaign, Organizing For Action, have expressed interest in playing a role in the task of rebuilding, it's sparking pitched debates over how much blame he deserves for the gradual hollowing out of a party that now has less control of state elected positions than at any other time in nearly a century.

That degree of mistrust — rooted in the idea that OFA was always primarily interested in advancing the president's political interests, often at the expense of the party — is already showing signs of hampering Obama's former Labor Secretary Tom Perez as he pursues the chairmanship of the Democratic National Committee. And the wariness — expressed by nearly three dozen Democrats in interviews — also threatens to create a divide between Obama's loyalists and the rest of the party.

"[With] all due respect to President Obama, OFA was created as a shadow party because Obama operatives had no faith in state parties. So I hope the OFA role is none. I hope OFA closes their doors and allows the country and state parties to get to the hard work of rebuilding the party at the local and grassroots level," said Nebraska Democratic Party Chair Jane Kleeb, echoing a sentiment that has dominated private chatter among state party chairs for months. "OFA

had no faith or confidence in the state parties so they created a whole separate organization, they took money away and centralized it in DC. They gave us a great president for eight years, but we lost everywhere else."

While Obama has taken some responsibility for the party's down-ballot failures — Democrats now have unified control over just six states, and 10 fewer governorships than when he took office, while Republicans have taken over the U.S. House and the Senate — his political allies have made clear that he hopes to help the Democratic comeback through his involvement with a redistricting effort. And the groups around him, like OFA, intend to play a role when it comes to organizing, recruiting candidates, and training activists.

That's a reversal from Obama's longtime lack of interest in the party's infrastructure, dating back to when his advisers felt that he had to run against the state party establishments in his challenge to Hillary Clinton in 2008.

The former president's newfound interest in party-building is partly about preserving his White House legacy when it's under attack from Republicans — which is in the interest of his fellow Democrats — but there has thus far been no coordination between Obama's political world and the rest of the party's leadership structure.

"I have not been briefed on the future of OFA and the president's involvement," said Donna Brazile, the DNC chair.

And that silence is what alarms Democrats who resentfully remember a president who for years couldn't be bothered to replace then-DNC chair Debbie Wasserman Schultz, even after she became a source of intra-party controversy. They recall a commander-in-chief whose campaign was seen by state party officials as circumventing

them, rather than working with them. And they think back to a party leader who didn't want to get too closely involved in governor's races ahead of 2010's redistricting, which many of them say is a reason for Democrats' state-level bloodbath in the ensuing years.

Still, there is no consensus over the amount of blame Obama should get for Democrats' woes. To Boyd Brown, a former South Carolina state legislator and until recently a DNC member, the finger-pointing is "a territorial ego game."

"A lot of what happened with regard to the party at every level was the congressional leadership," said former Pennsylvania Rep. Jason Altmire — who lost his seat in 2012 after the state's electoral map was redrawn — deflecting the responsibility from Obama alone. "Democrats as a whole overreached greatly leading up to 2010 and unfortunately for Democrats that was right before redistricting."

"If you look at the organizational work that OFA did, they absolutely knew what they were doing, they were effective, they won two presidential elections, they helped get people like me in 2008 — a 22-year-old — elected to the state legislature because of their organizational efforts. So I think the more the better, I don't have a problem with having 100 different organizations out there," added Brown. "We're still in the stage of a grief period where folks are blaming others, and that appears to be what these folks are doing."

That tension has reached the point where state chairs pitching donors now feel the need to explain what their local committees can legally do that an external effort like OFA cannot. Those state leaders also went out of their way to ensure that the data and supporter lists from Clinton's campaign would revert to the party after the election. OFA's data treasure trove, after all, didn't

settle at the DNC until 2015 — three years after Obama's re-election.

"It created a shadow organization that was recruiting the same volunteers [as the DNC], using resources from a very limited number of donors, and therefore, as a result it weakened the DNC and the impact that the DNC and state parties could have on politics during his tenure," said South Carolina Democratic Party Chairman Jaime Harrison, a candidate for DNC chair. "You've got five organizations knocking on the same door with five different messages. That's not conducive. In the age of Trump we need to be a lean, mean, strategic machine."

Harrison and Adam Parkhomenko, a former Clinton campaign and DNC organizing official who is now running for the party vice-chairmanship, have both raised that problem in the party's public candidate forums in recent weeks. And that public airing has spurred a round of talk between state-level Democrats over the extent to which they wish to see a return of the Obama machine — which, after all, is the only Democratic one to win nationwide since 1996.

"Resources that are financial, and other resources like data and ideas that people are trying to bring to fruition in terms of organizing kits and materials: that's what the DNC needs to spend its time doing, so the only outside apparatus we should have in terms of the party is the [state] parties," said Parkhomenko, pointing to years of low investment and attention paid to local Democratic committees. "The lack of party and DNC [capacity] was a big contributing factor to what happened in the last election, [and] hopefully it will be a lesson to our party to never let this happen again."

A major question now confronting DNC members is the extent to which this lingering frustration with Obama's political operation has a

material effect on the race for party chairman: while Perez is widely seen as the Obama-wing candidate due to his praise from the former president and backing from former Obama White House officials like former Vice President Joe Biden, former Attorney General Eric Holder, and former Agriculture Secretary Tom Vilsack, Obama has not formally endorsed him, and Perez was never involved with OFA itself.

The concerns over OFA's role as a parallel organization to the DNC are just as ripe when it comes to Our Revolution, the heir to Bernie Sanders' campaign: a group that has not handed over Sanders' golden email lists to the DNC, and which has endorsed Minnesota

Rep. Keith Ellison, widely seen as the Sanders-wing candidate.

But those questions are operational, and not about the broader issues facing the reeling party. For those questions, Democrats insist, they can't afford to sideline Obama, their most popular and successful figure.

"OFA should fold into the DNC. Having two organizations is redundant, and dilutes and confuses the mission. Given the urgency of the moment, we need laser-like focus, with clear lanes and cohesion, not duplication," said former Michigan Gov. Jennifer Granholm. "President Obama, I hope, will be fully engaged in helping the party rebuild. We need his inspiration, his ability to

fundraise, his brilliant strategic mind and his ability to convene and mobilize. He can also help to engage Millennials and communities of color, in addition to the work he will be doing on redistricting. He is also the best messenger of our generation: we need him."

"People might have differences with some things he did about party issues," added Connecticut Gov. Dannel Malloy. "They all might have wanted him to do something one way or something another way, but clearly he's a gigantic draw in the Democratic Party. He should be heard. He has a voice, and if he's inclined to use that voice, I'm inclined to listen."

As such, even the biggest skeptics of Obama's political organization agree that the former president is likely to be the party's most potent surrogate and potential fundraising tool in combating Trump. They just don't trust his political operation to carry out the groundwork.

"We all welcome President Obama and Vice President Biden, they're heroes and giants in the Democratic world. This has nothing to do with them, this has everything to do with the political operatives in the DC bubble and not out in Nebraska," said Kleeb. "I'm sorry, you had eight years to build us a party, but you failed. So no, sorry, we do not want you. Thanks, but no thanks."

## *the Atlantic* Is the Anti-Trump 'Resistance' the New Tea Party?

Molly Ball

Bob Bennett didn't think the new president was such a bad guy. To be sure, Bennett, a Republican senator from Utah, had a lot of policy differences with Barack Obama, the Democrat who had just won the 2008 election in a landslide. But just because Bennett was a conservative and the president was a liberal didn't mean they couldn't find common ground, or share an interest in governing the country he believed they both loved. Bennett had always worked across the aisle, and he didn't see why that should change.

He was as surprised as anyone by the uprising that followed—and cost him his job. The tea party, a mass movement that hadn't even existed two years earlier, had rallied activists and dealt him a humiliating defeat from within his own party.

Today, a new movement—loosely dubbed "the resistance"—has suddenly arisen in visceral reaction to Donald Trump's election as president, with thousands taking to the streets. For those who remember the tea party, it feels like *deja vu*.

The parallels are striking: a massive grassroots movement, many of its members new to activism, that feeds primarily off fear and reaction. Misunderstood by the media and both parties, it wreaks havoc on its ostensible allies, even as it reenergizes their moribund political prospects; they can ride the wave, but they cannot control it, and they are often at the mercy of its most unreasonable fringe.

There's no telling, in these early days, where the anti-Trump resistance will lead. But looking back at the tea party may hold a clue to what lies ahead, for both the

president and his opponents. It burned hot and, in a few years, burned out, without leaving much in the way of lasting institutions—but not before it had reordered Washington and changed the DNA of the political party in its sights.

"One of the things the activists were upset at my father about was that he was very visible, and looked very happy, during the inauguration," Bennett's son Jim, who worked on his last campaign, told me this week. There was an innocent explanation for this: As ranking member of the Senate Rules Committee, it was Bennett's job to swear in the vice president. He had endorsed and campaigned for Obama's opponent, John McCain. But "my father looked at the peaceful transfer of power as something that transcended party," his son recalled.

"The activists said, 'Why is Senator Bennett up there with Obama looking so happy?'" Jim Bennett added. "He was seen as being complicit."

Obama and the Democrats had won the 2008 election so convincingly that many were convinced the Republican Party was pretty much over. But then something started happening. Scattered local protests sprung up in January 2009, just days after Obama was inaugurated. Then, in February, the CNBC reporter Rick Santelli's call for a "tea party" gave the movement a viral moment—and a name.

The new administration had announced an executive action that wouldn't end up affecting very many people, but its critics were convinced it was tantamount to the worst acts of history's repressive regimes.

That is, Santelli believed the Obama administration's new housing policy was going to put America on the inevitable road to collectivism. "You know, Cuba used to have mansions and a relatively decent economy," he warned.

Eight days later, coordinated protests unfolded in 40 cities. Many participants told reporters they'd never been politically active before, but they were alarmed by what was happening in Washington and felt they had to speak out. Fox News covered the protests to a degree that sometimes seemed like cheerleading—one of its hosts, Glenn Beck, was particularly enthusiastic. The administration, in response, singled out the network and accused it of abandoning journalistic values.

Longtime conservative players such as the brothers Charles and David Koch sought to lend support to the new grassroots energy, which they believed could advance their pet causes. Many liberals believed the protests were "Astroturf": a ginned-up creation of Fox and the Kochs that didn't reflect real grassroots passion. Critics pointed to racist sentiments expressed by some participants as proof the whole movement was extreme. The tea party's self-appointed leaders insisted they were just regular people who'd been galvanized, and that their chief concern was conservative positions on issues. In particular, like the original Boston tea partiers, they were against higher taxes. A backronym, "TEA Party," was said to stand for "Taxed Enough Already."

As mad as they were at Obama, the tea partiers were really mad at Republicans, who claimed to believe the things they did, but seemed to be just letting the

president do whatever he wanted. If the president couldn't be stopped, they reasoned, it must be because no one was trying hard enough to stop him. Their ostensible allies were selling them out.

And so they turned on people like Bob Bennett: a conservative but a realist, a career politician who saw the value of compromise, a Republican who believed working with Democrats was the way to get things done. Bennett's approval rating suddenly tanked in his home state. Throughout his career, he'd been rated one of the Senate's most conservative members, but now his opponents argued he wasn't conservative enough. One of several tea partiers challenging him was a political newcomer named Mike Lee who called himself a "constitutional conservative."

No senator in Utah's history had ever failed to advance to the general election. But at the Utah Republican convention in May 2010, Bennett failed to get the 60 percent of delegates he needed to win renomination on the first ballot. In the second round, he finished third. Lee won the nomination, and is still a senator today.

The defeat of a sitting senator by his own party was an astonishing feat. It would repeat itself later that year in Alaska, where Lisa Murkowski lost the GOP primary to another no-name political novice. (She later won the general election as a write-in candidate.) Candidates bearing the tea party mantle defeated "establishment" politicians in open primaries across the country for House, Senate, and governor, championed by talk radio and blogs like RedState. To survive, sitting Republican officeholders scrambled to prove their tea party bona fides.

For the Obama administration, meanwhile, this was all very puzzling. As a Democratic senator, Obama had gotten along with Republican colleagues like Bennett and Indiana's Richard Lugar (who would be defeated by a tea party primary challenger in 2012). Obama thought of himself as a bridge-builder, and he figured Republicans would continue to support policies they'd advocated in the past—the market-based approach to universal health care championed by the Republican governor of Massachusetts; the cap-and-trade plan to address climate change that Republicans had supported; infrastructure spending that liberal and conservative economists believed was needed to stimulate the economy. But Republicans' near-total resistance meant Obama could only rely on members of his own party, and couldn't get much done at all once his party no longer had 60 seats in the Senate.

The mainstream media covered this fight as largely ideological: The Republican Party was moving to the right; conservatives were looking to purge "moderates" from their ranks; "anti-incumbent" rage was in the air. The roots of the tea party were said to extend back before Obama was elected, to conservatives' anger at the Bush administration's bipartisan bank bailouts, or to the libertarian followers of former Representative Ron Paul.

People like Glenn Beck, Mike Lee, and Ron Paul's son Rand, who defeated an establishment-backed incumbent to win a Senate seat in 2012, did believe in a conservative ideology of small government and lower taxes. But it was Obama's election that had brought the masses out into the streets. And they were willing to believe almost anything that confirmed their worst fears about the president: He was a secret Muslim, not born in the U.S., whose fist-bump of greeting was a secret terrorist

signal. The rumors raced around online, impervious to debunking.

It's too soon to tell if the current resistance movement will follow the tea party's pattern. But there are already many parallels. It has arisen spontaneously and en masse. Many Republicans believe it's not real: The protests, they tell me, are Astroturf funded by George Soros; the opposition to Betsy DeVos as education secretary, which jammed Senate switchboards, was merely manufactured by the teachers' unions. But the unions and Soros didn't start this fire any more than the Kochs started the tea party—they're merely riding the wave in hopes it will advance their goals.

Second, Trump's election appears to have galvanized a lot of people who weren't previously Democratic activists or politically minded at all. They may have voted Democrat, they may consider themselves "progressive," but they're not the Democratic base that donated to politicians and knocked on doors in years past. Commentators on the right have seized on the violent sentiments expressed by some participants as proof the whole movement is composed of frightening extremists.

Third, while Trump's Cabinet, executive actions, and Supreme Court nominee are sharply and traditionally right-wing, he has an agenda his team believes is truly cross-partisan. Senior White House officials say he is serious about pursuing policies Democrats have supported in the past, like negotiating Medicare prescription-drug prices, a big-spending infrastructure bill, and a more protectionist trade policy. Trump's team sincerely believes at least some Democrats will put governing above partisanship and go along with these initiatives.

But the movement is already urging Democrats to massively resist, and they are listening. Viral rumors that

flatter people's worst assumptions—that Russia hacked the voting machines, that Trump is invading Mexico, that a picture was doctored to make his hands look bigger—catch fire with a credulous audience before they can be debunked (and persist long afterward). Nancy Pelosi and Bernie Sanders, previously considered pretty left-wing, have been attacked for suggesting they could work with Trump. Senate Minority Leader Chuck Schumer drew left-wing protesters at his offices in Brooklyn. When Delaware Senator Tom Carper hugged Trump's attorney general nominee, Jeff Sessions, *after voting against him*, anti-Trumpers demanded a primary challenge.

The surge of energy from the tea party terrorized Republicans, but it also boosted them. Brian Walsh, a Republican Senate campaign staffer at the time, recalled welcoming the sudden burst of passion. "When the tea party first started, I thought it was great," he told me this week. "We had just lost the White House and a lot of Senate races. It was great to see the grassroots fired up."

Tea party primaries were a headache for Walsh's committee, but when the party did well in the midterms, the primary challenges seemed a small price to pay. "I actually thought on balance the tea party movement was a net positive for us," Walsh said. "Though I think, ultimately, it led to Trump." (Now a partner in a D.C. consulting firm, Walsh opposed Trump in 2016, in part because the now-president had stiffed his father in a business deal.)

In early 2009, experts predicted Democrats would gain even more Senate seats in 2010 and could not possibly lose the House; Republicans won seven Senate seats and took the House in a wave. Pundits kept saying the tea party pushing the GOP to the right

would hurt its electoral prospects, but the party gained throughout Obama's presidency, with the notable exception of the presidential election.

Meanwhile, some liberals perpetually tried to start a parallel left-wing tea party movement to purge the Democratic Party of compromisers, but they mostly lost Democratic primaries. Without a president in office who scared the living crap out of rank-and-file voters, the ideologues never had the numbers to prevail.

In retrospect, no one understood what really made tea party voters tick better than Donald Trump. He didn't embrace conservative positions, but as a doubter of the president's legitimacy, he had no peer, spouting birtherism long after reporters had investigated and debunked it. Conservatives like Mike Lee, Rand Paul, and Glenn Beck watched in horror as he made a mockery of their principles—but the base ate it up. And despite the GOP establishment's—and mainstream media's, and Hillary Clinton campaign's—certainty that general-election voters would reject Trump and punish the GOP, the party swept to unprecedented power at all levels.

As for Bob Bennett, he didn't live to see the last chapter. He died in May of 2016. On his deathbed, in the hospital, he turned to his wife and son.

"He asked, 'Are there any Muslims in this hospital?' We thought it might have been confusion from the stroke," Jim Bennett recalled. "And then he said, 'I'd like to go up to every one of them and apologize on behalf of the Republican Party for Donald Trump.'"



## Bergen : White House's own terrorism list torpedoed the case for travel ban

Peter Bergen, CNN National Security Analyst

(CNN)The White House's list of 78 "major terrorist attacks targeting the West" is strikingly devoid of evidence to support President Trump's halt to immigration from seven Muslim-majority nations.

Conspicuous by their absence on the White House list of terrorists carrying out major attacks against Western targets were Iraqis, Libyans, Somalis, Sudanese and Yemenis, who are from five of the seven Muslim countries that the

Trump administration is seeking to suspend travel from.

Instead, the incidents listed on the White House terrorism list identified France, the United States and Belgium as the countries supplying the most anti-Western terrorists.

With great fanfare on Monday the White House released a list of 78 terrorist attacks since September 2014. A White House official described them as "major terrorist attacks targeting the West."

The list was released after President Trump's claim that the media is under-covering terrorist attacks, a contention that

is not borne out by the evidence.

The White House's own terrorism list underlines the arbitrary nature of the travel ban because, by the White House's own account, the countries that are generating the most significant number of terrorists threatening the West are from the West.

The list also underlines the fact that it is American citizens who largely foment terrorism in the United States. This is also the case in countries such as France and Belgium, where it is French and Belgian citizens who are often the ones conducting significant acts of terrorism.

Of the total of 90 terrorists on the White House list, only four are from travel ban countries.

Indeed, 50 of the terrorists — more than half — are from Christian-majority countries in the West.



On the list, which includes the identities of attackers where they are known, France leads the way with 16 French terrorists, followed by the United States with 13 American terrorists, 11 of whom are US citizens and two of whom are legal permanent residents.

Of these 29 American and French terrorists, only two even have family origins in travel ban countries and they are both from Somalia.

Belgium comes in third place with seven terrorists.

In descending order after that are:

--Tunisians (6),

--Libyans and Bengalis are tied with 5,

--Saudis (4),

--Syrians, Algerians and Indonesians are tied with 3 each;

--Afghans, Australians, Bosnians, Canadians, Danes, Germans, Russians and Turks are tied with two each and

--One each from Chad, Egypt, the Emirates, Iran, Morocco, the Palestinian Territories, Pakistan, Sweden, and the United Kingdom.

These findings may cause a problem for the White House as it makes the argument that citizens of Iran, Iraq, Libya, Somalia, Syria, Sudan and Yemen are particularly likely to foment anti-Western terrorism, when the White House's own terrorism list demonstrates that this is not the case.

For example, an unspecified number of Filipinos participated in a botched attempt to blow up a bomb outside the US embassy in Manila last year.

In 15 of the 78 attacks the perpetrators have not been identified.

I took the White House terrorism list and grouped it by nationalities below. The countries with the largest number of identified terrorists are at the beginning, while attacks where the perpetrator was not identified are listed at the end. The wording added by me is in boldface.

## The Washington Post

# Amid deep partisan rancor, Senate confirms Sessions for attorney general (UNE)

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A sharply divided Senate confirmed President Trump's nominee for attorney general Wednesday, capping an ugly partisan fight and revealing how deep the discord has grown between Republicans and Democrats at the dawn of Trump's presidency.

The day after an unusually tense conflict on the Senate floor, the chamber voted 52 to 47 on Wednesday evening to clear Sen. Jeff Sessions (R-Ala.), whose record on civil and voting rights as a federal prosecutor and state attorney general has long been criticized. Sessions won confirmation almost exclusively along party lines. Sen. Joe Manchin III (W.Va.) was the only Democrat who supported him, and no Republican voted against him. Sessions voted present.

In remarks after his confirmation, Sessions mentioned the "heated debate" surrounding him and said he hoped "the intensity of the last few weeks" would give way to better relations in the Senate.

Trump's victory came after a bruising confirmation process for Sessions and other Cabinet nominees, which Democrats have used to amplify their concerns about the president's agenda even as they have fallen short of derailing any nominees.

These proxy battles have generated friction in the traditionally cordial upper chamber, as revealed Tuesday evening when Majority Leader Mitch McConnell (R-Ky.) rebuked Sen. Elizabeth Warren (D-Mass.), accusing her of breaking a Senate rule against impugning a fellow senator's character and blocking her from speaking for the remainder of the Sessions debate.

(Jenny Starrs/The Washington Post)

Senate Democrats criticized Republicans for "twisting the rules of the U.S. Senate" by using a little-known senate rule to silence Sen. Elizabeth Warren (D-Mass) during debate over attorney general nominee Jeff Sessions. Senate Democrats criticized Republicans for "twisting the rules of the U.S. Senate" for using a little-known senate rule to silence Sen. Warren (D-Mass). (Jenny Starrs/The Washington Post)

In doing so, McConnell asserted his control over a legislative body that is increasingly at risk of veering from normal protocol. But he also sparked a backlash, with accusations of sexism and selective use of an obscure Senate rule bouncing around social media for much of Wednesday.

Ahead of the final vote, Democratic senators arrived one after another in the chamber Wednesday to criticize McConnell, particularly for this statement late Tuesday: "She was warned. She was given an explanation. Nevertheless, she persisted." Outside the Senate, liberals gleefully thanked McConnell for elevating Warren, one of the Democratic Party's biggest stars, and handing her a slogan for a potential 2020 presidential bid.

"I think Leader McConnell owes Senator Warren an apology," Sen. Bernie Sanders (I-Vt.) said in a floor speech Wednesday. He and Democrats were particularly chagrined that a Senate rule could be invoked to block criticism of someone who is up for confirmation before the body.

*[McConnell gives Warren's 2020 presidential campaign a boost]*

Warren unleashed a tweetstorm of displeasure following Sessions's confirmation Wednesday night,

saying the senator — and the GOP senators who supported him — will hear from her and "all of us" if Sessions makes "the tiniest attempt" to bring "his racism, sexism & bigotry" to the Justice Department. She said all senators who voted to put Sessions's "radical hatred" into power would hear from the opposition. "Consider this MY warning: We won't be silent," Warren tweeted. "We will persist."

While Democrats couldn't block Sessions's confirmation, there may have been other upsides to the fireworks: rallying their liberal base by demonstrating a willingness to fight Republicans and publicly scrutinize Trump's team.

"We didn't go into this hoping just to tell a story. We wanted to beat one or two of these nominees," said Sen. Chris Murphy (D-Conn.). "And it doesn't look like we're going to do that. But there's value in telling the story."

Sen. Sherrod Brown (D-Ohio) said that the intense focus Democrats put on Sessions will make the public "much more likely to watch to see if he's independent of the president or just a shill for the president."

The flare-up over Warren's remarks began as she attempted to read a statement by Coretta Scott King, the widow of the Rev. Martin Luther King Jr., in opposition to Sessions's 1986 nomination for a slot as a federal district court judge. The letter accused Sessions of using his role at the time as a U.S. attorney to undermine voting rights.

"Mr. Sessions has used the awesome power of his office in a shabby attempt to intimidate and frighten elderly black voters," wrote King, who died in 2006.

Several Democrats took to the Senate floor Wednesday to reread a portion of that statement in solidarity with Warren.

"Still banned from floor, but spoke w/ civil rights leaders this AM to say: Coretta Scott King will not be silenced," Warren told more than 1.8 million Twitter followers Wednesday morning.

Republicans were not happy with Warren's actions. In an interview on Fox News, Sen. Ted Cruz (R-Tex.) accused his Democratic colleague of advancing false claims about Sessions and sought to remind Americans that Southern Democrats were "the party of the Ku Klux Klan" and spearheaded segregation laws decades ago.

"The Democrats are angry and they're out of their minds. ... They're just foaming at the mouth, practically," Cruz said.

Cruz once called McConnell a liar on the Senate floor, and he was not rebuked.

Senate Minority Leader Charles E. Schumer (D-N.Y.) argued that Republicans were hypocrites. They had no qualms about silencing Warren, he argued, even as they have declined to rebuke Trump for aggressively lobbing insults at his critics.

"My Republican colleagues can hardly summon a note of disapproval for an administration that insults a federal judge, tells the news media to shut up, offhandedly threatens a legislator's career and seems to invent new dimensions of falsehood each and every day," Schumer said. "I hope that this anti-free-speech attitude is not traveling down Pennsylvania Avenue to our great chamber."

Sen. Tim Scott (S.C.), the Senate's only African American Republican, offered a deeply personal defense of Sessions, who he said had "earned my support." Scott read social-media messages he had received arguing that he had let black people down with his support

for Sessions. "I left out all the ones that used the 'n-word,'" Scott said in a floor speech to which at least nine of his Republican colleagues came to watch.

Scott said he didn't take issue with Warren's attempt to read King's words, but rather with her reading of a statement by Edward M. Kennedy, the liberal senator from Massachusetts who died in 2009. "The Senate needs to function. We need to have comity in this body," Scott said.

After his confirmation Wednesday, Sessions recalled saying that Kennedy's 1986 criticism, which came during his unsuccessful nomination to be a federal judge, "breaks my heart."

Early Wednesday, McConnell appeared keen on trying to move past the discord, focusing his remarks on the Senate floor on how the chamber had "come together" to approve several of Trump's Cabinet picks. He singled out Education Secretary Betsy DeVos as an example, even though her confirmation required a rare vote from Vice President Pence to break a tie Tuesday, after two Republicans decided she was unqualified for the job.

"We came together yesterday to confirm Betsy DeVos as secretary of education so she can get to work improving our schools and putting students first," McConnell said.

Democrats signaled early that the deference

normally afforded to senators nominated to the Cabinet was unlikely to be extended to Sessions. Sen. Cory Booker (N.J.), one of two African American Democrats in the Senate, testified against him during a confirmation hearing — marking the first time a senator had done so against a chamber colleague.

Democrats' concerns about Sessions's record on civil rights and voting rights coincide with broader concerns about Trump on the same front. They have expressed alarm about Trump's ban on refugees and foreign nationals from seven predominantly Muslim countries, currently tied up in court, and about his unsubstantiated assertions of massive voter fraud in the election.

*[Trump's pick for attorney general is shadowed by race and history]*

Sessions became Trump's sixth Cabinet-level nominee to win confirmation, putting him well behind the pace of President Barack Obama in 2009. Sessions was the first senator to endorse Trump in February 2016, and his conservative views have shaped many of the administration's early policies, including on immigration.

In his confirmation hearing last month, Sessions repeatedly vowed to put the law above his personal views. He said he would abide by the Supreme Court decision underpinning abortion rights and a court ruling legalizing same-sex marriage.

## THE WALL STREET JOURNAL

### Collins : Warren Persists

Gail Collins

That was when Sessions was rejected for a federal judgeship on the basis of an impressive record of racial insensitivity as a U.S. attorney in Alabama. The charges included referring to a black assistant U.S. attorney as "boy," joking about the Ku Klux Klan and referring to the N.A.A.C.P. as "un-American."

His supporters say he's changed. Indeed, Sessions has evolved into a senator who is well liked by his peers and obsessed with illegal immigrants. Totally different person.

Mrs. King's letter was not flattering. ("...has used the awesome power of his office in a shabby attempt to intimidate and frighten elderly black voters.") Neither were the quotes Warren read from the late Senator Edward Kennedy ("a disgrace"). But none of it was exactly a surprise, and all of Washington knew the nomination was eventually going to pass. Yet McConnell decided to shut down Warren, claiming she

had "impugned the motives and conduct" of a fellow senator.

McConnell cited Rule 19, which is more than a century old. It comes up about once a generation, when somebody calls a colleague an idiot or a liar. But this was totally different. The other senators were startled — or would have been if most of them had not been napping or back in their offices, dialing up donors.

"She was warned," McConnell said later. "She was given an explanation. Nevertheless, she persisted."

Wow, nothing worse than a woman who won't stop talking.

"They were waiting to Rule 19 someone and they specifically targeted Elizabeth," said Senator Kirsten Gillibrand. "I think because she's effective."

The social media exploded. You have to admit we live in wondrous times, people. There was a day when people only took to Facebook

Sessions has repeatedly declined to say whether he would recuse himself from an investigation involving Trump associates or possible links to Russia's interference in the presidential election; he said he would seek the recommendations of ethics officials and "value them significantly" in making a decision.

Sessions' confirmation leaves a vacancy that will be filled by Alabama Gov. Robert Bentley, a Republican. That term ends in 2018.

For McConnell, a devoted follower of Senate tradition, Tuesday night served as an opportunity to project a restoration of some structure to a chamber that has experienced some chaotic moments of late and is at risk of further disorder.

Democrats have used procedural tactics — including boycotting committee votes — to stall Trump's nominees, whom they have labeled a controversial lot. Meanwhile, Trump has urged McConnell to dramatically change Senate rules and "go nuclear" if Democrats do not back down from their resistance against his Supreme Court nominee, Judge Neil Gorsuch. The "nuclear option" would entail allowing Gorsuch to be confirmed with a simple majority, rather than requiring a 60-vote threshold to end a filibuster.

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to post pictures of their vacation. On Wednesday they were pouring in to watch Elizabeth Warren read her forbidden letter.

Dark and extremely conspiratorial minds suggested the whole thing was a Republican plot to promote Warren as a presidential candidate, since they believe Trump could defeat her in 2020. This presumes that McConnell is suffering from a pathological case of advance planning.

More likely he's simply exhausted from dealing with a White House occupant who's managed, just this week, to accuse the media of not covering terrorism, to suggest that George W. Bush was more of a killer than Vladimir Putin, and to use the official presidential account to tweet an attack on Nordstrom's for discontinuing his daughter's fashion line.

And the Republicans in Congress can't figure out how to work around him. The other day the House majority refused to approve a

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McConnell is widely believed to want to avoid eliminating the filibuster, a Senate rule that demands bipartisanship and can serve to strengthen big policy initiatives — and that many view as a bedrock of the upper chamber's civility. His effort to silence Warren on Tuesday night was seen in some corners as similarly protecting the integrity of the Senate.

"The senator has impugned the motives and conduct of our colleague from Alabama," McConnell said Tuesday night before setting up roll-call votes on the matter. Republicans agreed, voting 49 to 43 along party lines, that Warren had run afoul of Rule 19 by reading anti-Sessions statements from King and Kennedy.

After the Sessions nomination vote, Republicans moved forward with the confirmation of Rep. Tom Price (R-Ga.), Trump's nominee for secretary of health and human services, another figure Democrats have aggressively criticized. A final vote on Price was expected to happen early Friday morning.

Paul Kane, Ellen Nakashima, Ed O'Keefe and David Weigel contributed to this report.

Democratic resolution affirming "that the Nazi regime targeted the Jewish people in its perpetuation of the Holocaust." It obviously was an attempt to remind people of that Holocaust Memorial Week debacle. But still.

"They're definitely squirming," said Representative Joe Crowley, the chairman of the House Democratic caucus, in a phone interview. Crowley was on his way to Baltimore for a party strategy conference. I believe I speak for a great many Americans when I say a strategy would be a very good thing.

The Democrats are immersed in an ongoing battle between centrists and progressives and a long way from coming up with a united message. "There's still anger and a bit of depression, but ... they're giving us incredible fodder to use against them," Crowley said.

It's true. Always look for a silver lining. Or at least a little fodder. Keep talking, Elizabeth.

The activist base of the Democratic Party is demanding rage and resistance to Donald Trump and all his works, and Senate Democrats are listening. Jeff Sessions was confirmed as Attorney General Wednesday on a party-line vote, though not without more pointless melodrama and the informal launch of Elizabeth Warren's 2020 presidential campaign.

The Massachusetts progressive's latest diatribe against her fellow Senator Sessions was interrupted after she repeatedly violated Senate Rule XIX, which prohibits members from besmirching the character and motives of their colleagues. After warnings that she ignored and a Republican motion, the Senate rebuked Ms. Warren 49-43. As a result, she lost her privileges to participate in the rest of the AG debate.

Ms. Warren is now claiming she was "silenced," which is true if she means the Senate floor for an interval lasting fewer than 24 hours. It is not true if she's talking about the Facebook Live video she taped

outside the Senate chamber on Tuesday night, her live call-in to Rachel Maddow's prime-time television show, her sundry media appearances on Wednesday or her fundraising emails off the incident.

"This is not what America is about—silencing speech," Minority Leader Chuck Schumer said Wednesday, shortly after Ms. Warren announced an April publication date for her new book, "This Fight Is Our Fight." For a martyr to censorship, she's remarkably prolific.

Social media are overflowing with memes featuring the likes of Rosa Parks, Harriet Tubman and various suffragettes along with Majority Leader Mitch McConnell's comment about the Senate sanction: "She was warned. She was given an explanation. Nevertheless, she persisted." Likening one of the most powerful people in the world to an underground-railroad conductor may be a tad histrionic, but you be the judge.

HRH Warren isn't a victim, even if she enjoys feeling she is, and Republicans aren't trying to get her to "shut up," as if that's possible. She knowingly broke protocol and said Mr. Sessions was "racist" and

prosecuting "a campaign of bigotry," among other gross, false and personal insults that Democrats now feel entitled to hurl. Our guess is that Ms. Warren wanted to be punished so she could play out this political theater.

A question for Republicans is whether Mr. McConnell enhanced the Warren brand by responding to her provocations in this way. She already has a formidable platform but the story dominated Wednesday's news. Then again, sooner or later Mr. McConnell had to send a signal that Senate rules can't be violated with impunity.

The larger context is that Democrats have slowed Senate confirmation of President Trump's cabinet to the slowest pace since Eisenhower, and by some measures since the 19th century. Though they lack the votes to defeat anyone, they've boycotted hearings, maxed out debate time, denied routine courtesies and delayed procedural votes.

New Jersey's Cory Booker even testified against Mr. Sessions, which no Senator had done against a colleague since Congress was formed in 1789—a period that

includes the Civil War and two world wars.

Democrats are within their rights, but at some point they might consider the precedents they're setting. The Senate is an institution that used to run on civility and comity. Republicans as recently as 2009 confirmed 11 of President Obama's 15 cabinet nominees by the end of January—even Tim Geithner as the Treasury Secretary who would run the IRS though he hadn't paid all of his taxes.

Harry Reid's unilateral destruction of the filibuster for nominees has made it impossible for Democrats to defeat a nominee without GOP help, and the next Democratic President's cabinet is likely to receive the Trump treatment. If Democrats keep up their misbehavior, Mr. McConnell has plenty of tools he can use to pass legislation they won't like. If Democrats want to turn the Senate into the House, with its majority rule and restricted debate, they may get their wish.



**Jeff Sessions Confirmed as Attorney General, Capping Bitter Battle (UNE)**

Eric Lichtblau and Matt Flegenheimer

"I can't express how appreciative I am for those of you who stood by me during this difficult time," Mr. Sessions said shortly after the vote. "By your vote tonight, I have been given a real challenge. I'll do my best to be worthy of it."

Democrats spent the hours before the vote on Wednesday seething over the rebuke of Ms. Warren, of Massachusetts, who had been barred from speaking on the floor the previous night. Late Tuesday, Republicans voted to formally silence Ms. Warren after she read from a 1986 letter by Coretta Scott King that criticized Mr. Sessions for using "the awesome power of his office to chill the free exercise of the vote by black citizens" while serving as a United States attorney in Alabama.

Since Mr. Trump announced his choice for attorney general, Mr. Sessions's history with issues of race had assumed center stage. A committee hearing on his nomination included searing indictments from black Democratic lawmakers like Representative John

Lewis of Georgia, the civil rights icon, and Senator Cory Booker of New Jersey, who broke with Senate tradition to testify against a peer.

For weeks, Republicans rejected suggestions that Mr. Sessions could not be trusted on civil rights, arguing that he had been tarnished unfairly over accusations of racial insensitivity that have dogged him since the 1980s.

"Everybody in this body knows Senator Sessions well, knows that he is a man of integrity, a man of principle," Senator Dan Sullivan, Republican of Alaska, said during the debate on Wednesday afternoon. The "twisting" of Mr. Sessions's record offended him, he said, even as Democrats continued their attacks on the nominee.

As the 84th attorney general, Mr. Sessions brings a sharply conservative bent to the Justice Department and its 113,000 employees. A former prosecutor, he promises a focus aligned with Mr. Trump in pushing a "law and order" agenda that includes tougher enforcement of laws on immigration, drugs and gun trafficking.

Civil rights advocates worry, however, that he will reverse steps taken by the Obama administration in the last eight years to bring more accountability to police departments, state and local governments, and employers. Advocates point to his history of votes against various civil rights measures, as well as the accusations of racial insensitivity.

Senator Patty Murray, a Washington Democrat, said on Wednesday that on civil rights, immigration, abortion, criminal sentencing guidelines and a range of other issues, Mr. Sessions had been far outside the mainstream and had pushed "extreme policies" often targeting minorities.

That criticism peaked with Tuesday night's rebuke of Ms. Warren, based on an arcane Senate rule that prevents members from impugning the character of a fellow senator, as she read the letter from Mrs. King, the widow of the Rev. Dr. Martin Luther King Jr. Mrs. King wrote the letter in response to Mr. Sessions's 1986 nomination for a federal judgeship, for which he was ultimately rejected in part because

of accusations that he had been insensitive to minorities as a prosecutor.

Senator Mitch McConnell of Kentucky, the Republican majority leader, led the objection against Ms. Warren. His explanation afterward — "She was warned. She was given an explanation. Nevertheless, she persisted" — instantly became a liberal rallying cry, re-establishing Ms. Warren as a leading voice of Democratic resistance to Mr. Trump.

"What hit me the hardest was, it is about silence," Ms. Warren told a group of civil rights leaders on Wednesday at the Capitol. "It's about trying to shut people up. It's about saying: 'No, no, no. Just go ahead and vote.'"

Senator Chuck Schumer of New York, the Democratic leader, said on Wednesday that the censure was "totally, totally uncalled-for" and that it reflected an "anti-free-speech attitude" emanating from the White House. He and other Democrats said it served to mute legitimate criticism of Mr. Sessions's record on civil rights and racial issues — one of their main avenues of attack at

his contentious nomination hearing last month.

The vote on Mr. Sessions came a day after Senate Republicans broke through a bottleneck in Mr. Trump's nominees by approving Betsy DeVos, the embattled Republican donor, as education secretary with the help of a tiebreaking vote by Vice President Mike Pence. With Mr. Sessions's confirmation, votes are expected in coming days on the nominations of Representative Tom Price of Georgia for secretary of health and human services and Steven T. Mnuchin for Treasury secretary.

### Spicer Responds to King Letter on Sessions

Asked about a letter that Coretta Scott King wrote regarding Jeff Sessions in

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U.S. Defense Secretary James Mattis says the U.S. is committed to making the U.S.-South Korean relationship "even stronger, especially in the face of the provocations that you face from the North." Mattis assures South Korea of U.S. support (Reuters)

U.S. Defense Secretary James Mattis says the U.S. is committed to making the U.S.-South Korean relationship "even stronger, especially in the face of the provocations that you face from the North." (Reuters)

As President Trump's new Pentagon chief, Jim Mattis has a long list of tasks ahead, including devising a more aggressive campaign to combat the Islamic State and restoring military readiness after years of budget cuts. But a few weeks into his tenure, the retired general's most visible role has been of a different sort: soothing Americans and allies unnerved by the president and some of his top advisers.

Mattis, wrapping up a visit to Japan and South Korea last week, carried a message of constancy and restraint on many of the foreign policy issues whose fate has generated anxiety since Trump's election.

In Seoul, Mattis told South Korean leaders that the United States will maintain a tough stance on North Korea's nuclear and missile programs, predicting a lasting partnership despite Trump's repeated questioning of the two countries' military alliance. In Tokyo,

1986, the White House press secretary said he "would respectfully disagree with her assessment of Senator Sessions then and now."

By THE NEW YORK TIMES on February 8, 2017. Photo by Mark Wilson/Getty Images. Watch in Times Video »

Mr. Sessions's path to confirmation hit another snag that riled Democrats and energized opponents of his nomination: Mr. Trump's dramatic firing of the acting leader of the Justice Department.

Last week, Mr. Trump abruptly dismissed Sally Q. Yates, the acting attorney general, setting off a fierce backlash from Democrats against Mr. Sessions's nomination to fill her job permanently. Ms. Yates, a holdover from the Obama

administration, had refused to defend Mr. Trump's controversial order barring travel by some foreigners, which is now tied up in litigation in federal courts. Democrats seized on her firing to say that Mr. Sessions is too close to the president to be independent or stand up to him.

As the first senator to support Mr. Trump's long-shot bid for president last year, Mr. Sessions became an influential campaign adviser. While he pledged repeatedly not to be "a mere rubber stamp" for the White House, Democrats asserted that he would not be willing to challenge legally questionable policies like the travel ban or the president's threats to reinstitute the use of torture on terrorism suspects.

The arguments failed to sway any Republicans on the Senate Judiciary Committee, which voted, 11 to 9, along party lines last week to approve Mr. Sessions's nomination.

Senator Charles E. Grassley, the Iowa Republican who leads the Senate Judiciary Committee, expressed confidence that Mr. Sessions would be a "fair and evenhanded" attorney general and would make good on his pledges to enforce even the laws he voted against in the Senate.

"There should be no question," Mr. Grassley said, "that he is more than qualified to be the nation's top law enforcement officer."

## Pentagon leader assumes new role: Turning down the temperature on Trump (UNE)

he said the United States will stick to a mutual defense treaty, allaying Japanese officials' concerns about whether the United States will continue its backing in a territorial dispute with China.

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He also acted to stanch speculation that the United States, as White House officials suggested, might act precipitously against perceived threats from China and Iran, saying that military steps were not required. This week, Mattis spoke with Mexican defense leaders, highlighting cooperation in the wake of Trump's high-profile feud with President Enrique Peña Nieto.

*[Placing Russia first among threats, Defense nominee warns of Kremlin attempts to 'break' NATO]*

Retired U.S. Marine Corps General James Mattis was confirmed as Secretary of Defense on Jan. 20, just hours after President Donald Trump took the oath of office. General James Mattis has been confirmed as secretary of defense (Jenny Starrs/The Washington Post)

Retired U.S. Marine Corps General James Mattis was confirmed as Secretary of Defense on Jan. 20, just hours after President Donald Trump took the oath of office. (Jenny Starrs/The Washington Post)

Derek Chollet, who was a senior Pentagon official under President

Barack Obama, said that allies were monitoring Mattis's statements for clues about whether the new administration would follow a course set by Trump's campaign statements, or stay broadly within the borders of established U.S. foreign policy. "Trump may tweet up a storm, but if there is little or no connectivity to what happens on the ground, they may start discounting it," he said.

While he has been held up by Trump critics as a bulwark against the president's whims and praised by supporters for his military record, it's not yet clear as the rest of Trump's Cabinet moves into place what sway Mattis will ultimately hold in shaping major decisions. In addition, the role of quiet diplomat is an unlikely one for a longtime combat commander whose brash commentary has occasionally generated controversy.

But Mattis, who has already shown himself willing to disagree with the president's preferences, now occupies a key position in the Cabinet of a man with little foreign policy experience. Unlike Trump and some of his White House advisers, including Stephen K. Bannon and son-in-law Jared Kushner, Mattis has worked within the U.S. military and security establishment for virtually his entire career. Although he appears to share the alarm that senior White House officials see in potential threats from Iran's missile program and North Korea's nuclear ambitions, his path has been shaped by different forces.

*[Pentagon chief advocates restraint in response to Iran, China]*

His affinity for working with allies is a product of his experience in the NATO mission in Afghanistan and the first Gulf War. As head of U.S. Central Command (CENTCOM), he conferred closely with Arab nations about terrorism and Iran's actions in the region, and oversaw the U.S. military's exit from Iraq in 2011.

His views on Iran were shaped by the 1983 bombing of the Marine barracks in Lebanon. Mattis's hawkish approach to Tehran eventually alienated him from some in the Obama White House before he left CENTCOM in 2013.

Trump, who has surrounded himself by former generals, has already shown that he is willing to defer to Mattis on issues such as whether the United States should employ waterboarding on detainees. In his confirmation hearing, he suggested a less friendly attitude toward Russia than the president has espoused and stressed the importance of NATO, despite Trump's questions about the alliance's relevance.

"Secretary Mattis has found a way to reaffirm alliances without disagreeing explicitly with his commander in chief," said Michael O'Hanlon, a scholar at the Brookings Institution. "That is enormously important."

The president's apparent support for Mattis's military judgment may enhance the new secretary's standing in internal discussions or with allies, potentially putting the Pentagon boss in a position similar to that of former Defense Secretary Robert Gates, who wielded significant influence in policy

debates under Obama, sometimes to the frustration of the White House, Chollet said.

His power could be enhanced if he and Secretary of State Rex Tillerson develop a relationship allowing them to jointly advocate policy positions, like Gates frequently did with former Secretary of State Hillary Clinton.

*[As a general, Mattis urged action against Iran. As a defense secretary, he may be a voice of caution.]*

## The Washington Post

**Editorial :** WHILE THE country has been focused on President Trump's rocky first weeks, the new GOP Congress has been busy. Among other things, Republicans have been putting the Congressional Review Act, a law that allows them to expeditiously dispose of new federal regulations lawmakers do not like, to unprecedented use. They have already passed several "resolutions of disapproval" that, if Mr. Trump signs them, as expected, would overturn rules pushed through at the twilight of President Barack Obama's second term.

Though critics have noted that its use is rare, the Congressional Review Act is a wholly legitimate expression of congressional prerogatives. Over the course of decades, Congress delegated various policymaking powers, which the Constitution grants to the legislative branch, to executive agencies such as the Environmental Protection Agency. The act checks the executive branch's use of those delegated

But already Mattis, like other senior officials, has appeared to have been on the outside of some White House decision-making in the administration's first weeks. He was widely reported to have received little notice that Trump, in his first visit to the Pentagon, on Jan. 27, would sign an executive order barring the entry of migrants from certain majority-Muslim nations, including Iraq.

Pentagon officials subsequently pushed to clarify that Iraqis who obtained special visas after working

authorities by specifying that Congress can overturn agency rules by a simple majority vote within 60 legislative days of their promulgation.

But that does not mean Republican lawmakers are using their powers wisely. A large part of the reason Congress delegated policymaking authorities to executive branch experts in the first place was to ensure that science and data, rather than politics, drove regulation.

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Over the past several years, for example, studies have increased alarm about what coal-mining operations have done to streams and other waterways that underpin aquatic food chains in states such as West Virginia, a problem that the advent of so-called mountaintop-removal mining has not helped. The

with the U.S. government would be admitted.

In other areas, Mattis has used his access to the president to secure approval for actions put forward by the military, notably the deadly Special Operations raid in Yemen that occurred a week after Trump took office.

JV Venable, a senior fellow at the Heritage Foundation, said that Trump is likely to give Mattis "strategic direction" and then allow him greater rein, despite potential

disagreement about particular decisions, than recent defense secretaries to manage military matters.

"I don't think he hired mice," Venable said. "He hired people with bold backgrounds who aren't afraid to stand up to him."

## Editorial : Just because the GOP can doesn't mean it should

Interior Department created a rule demanding that mining companies contain their harm to waterways during operations and restore "the physical form, hydrologic function, and ecological function of the segment of a perennial or intermittent stream that a permittee mines through." Lawmakers have now voted to revoke this sensible rule.

Similarly, the House voted to rescind another Interior Department rule that would cut down on methane emissions emerging from oil and gas drilling on federal lands. Allowing methane, the main component of natural gas, to waft into the air during drilling operations is pure resource waste, and it is bad for the environment too. Among other things, the oil and gas industry argues that Interior's rules are redundant, given that the EPA also has methane emissions rules in place. It is true that the EPA has its own rules, and we hope their invocation in this debate is a sign the Trump administration will refrain from ripping them up too. But the

EPA rules do not apply to existing oil and gas infrastructure — only to new and substantially changed facilities. Courts, meanwhile, will review related accusations that Interior acted outside its legal lane. The Interior rules, in fact, were written carefully to complement state and other federal regulatory efforts, and they deserve to stay in place.

Congress's moves would be less concerning except for one of the most powerful provisions in the Congressional Review Act: a stipulation that, once lawmakers have rescinded a rule, federal agencies cannot issue a new one "substantially" like it. This legal standard has not been tested in court. But it means that Congress may be essentially barring agencies such as the Interior Department from revisiting issues such as methane pollution on federal lands in a rigorous way. That is not a legacy the 115th Congress should be seeking.

## THE WALL STREET JOURNAL

## Supreme Court Nominee Neil Gorsuch Calls Trump's Comments on Judiciary 'Demoralizing' (UNE)

Beth Reinhard and Rebecca Ballhaus

Updated Feb. 9, 2017 7:38 a.m. ET

WASHINGTON—Supreme Court nominee Neil Gorsuch on Wednesday called President Donald Trump's recent attacks on the judiciary "demoralizing and disheartening" in a closed-door meeting with Sen. Richard Blumenthal (D., Conn.), the senator said.

The remarks were confirmed by the team charged with ensuring the judge's confirmation.

Mr. Blumenthal, a member of the Senate Judiciary Committee and the former Connecticut attorney general, said he asked Judge Gorsuch to respond to Mr. Trump's

recent outbursts after a federal judge temporarily blocked his executive order to suspend entry of travelers from seven majority-Muslim countries out of national-security concerns.

"He said [the attacks] were demoralizing and disheartening—those were his words," Sen. Blumenthal told reporters in a conference call. "I believe he has an obligation to make his views known more explicitly and unequivocally to the American people."

- Senate Confirms Jeff Sessions as Attorney General

The Senate confirmed Sen. Jeff Sessions as attorney general, ushering in a dramatic shift in the

Justice Department's approach to issues ranging from relations with local police to immigration enforcement to voter fraud.

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- GOP Rebukes Warren for Reading Coretta Scott King's Criticism of Jeff Sessions

The Senate broke into an unusual fight Tuesday night over whether Sen. Elizabeth Warren violated Senate rules by reading a 1986 statement and letter from Coretta Scott King, the widow of Martin Luther King Jr., criticizing Sen. Jeff Sessions.

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- Trump Keeps Up Pressure on Courts Over Travel Ban

President Trump continued his attacks on American courts ahead of a key ruling expected this week, saying his power to restrict immigration is clear-cut.

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## TRUMP'S FIRST 100 DAYS

On Thursday morning, Mr. Trump attacked Mr. Blumenthal's credibility, referring to an episode that briefly threatened to upend his 2010 Senate race.

"Sen. Richard Blumenthal, who never fought in Vietnam when he said for years he had (major lie), now misrepresents what Judge Gorsuch told him?" he wrote.

In his 2010 race, Mr. Blumenthal was roundly criticized for indicating in public appearances that he had served in Vietnam when he was a Marine Corps reservist who stayed in the U.S. during the war.

Mr. Blumenthal's Senate office didn't immediately respond to a request for comment.

The comments came ahead of Wednesday night's confirmation of Mr. Trump's choice for attorney general, Sen. Jeff Sessions (R., Ala.). Mr. Sessions will be in charge of defending the president's executive orders and other administration actions.

Democrats are seeking to use the confirmation process of Judge Gorsuch, currently a member of the 10th U.S. Circuit Court of Appeals in

Denver, to highlight Mr. Trump's attacks and affirm the independence of the judiciary.

It is unusual, however, for the contents of a nominee's private conversations with senators to be made public. Judge Gorsuch is certain to be asked about the president's derogatory assessments of the judicial system during his confirmation hearing next month.

Senate Democrats have said they will press him for further reassurances on his ability to make judgments based on the law and precedents, and not on the political leanings of the president who nominated him. His criticism of the president will make it harder for Democrats to cast him as a rubber stamp and easier for Republicans to praise his credentials.

Judge Gorsuch's remarks came as the president continued his attacks on a three-judge panel of the San Francisco-based Ninth U.S. Circuit Court of Appeals set to rule soon on the travel ban, which is now on hold. In oral arguments Tuesday night, the judges pressed a Justice Department lawyer on whether Mr. Trump's executive order on immigration is discriminatory, while also pushing an attorney for the two states fighting the order to explain how it could be unconstitutional to bar entry of people from terror-prone countries.

Speaking Wednesday to police chiefs at a Washington conference hosted by the Major Cities Chiefs Association, Mr. Trump said he tuned in to the court's hearing and wasn't happy about how it went.

"I watched last night in amazement and I heard things that I couldn't believe," Mr. Trump said. "I don't ever want to call a court biased, so I won't call a court biased." He said he wouldn't comment on the statements "made by certainly one judge."

Mr. Trump read from the statute that he says gives him the constitutional

authority to determine who enters the country. "A bad high-school student would understand this," Mr. Trump said as he read the statute. "Anybody would understand this."

"It's really incredible to me that we have a court case that's going on so long," he added. "Let's just say they are interpreting things differently than probably 100% of the people in this room."

Earlier Wednesday, Mr. Trump tweeted: "If the U.S. does not win this case as it so obviously should, we can never have the security and safety to which we are entitled. Politics!"

Mr. Trump's Jan. 27 executive order suspended U.S. entry for visitors from seven predominantly Muslim countries for at least 90 days, froze the entire U.S. refugee program for four months and indefinitely banned refugees from Syria. The administration argues the action was needed to keep terrorists from domestic soil; critics say it is a version of the Muslim ban Mr. Trump vowed to impose when campaigning for president.

Mr. Trump also has made a series of disparaging remarks about U.S. District Judge James Robart, who issued the temporary halt to the program, calling him a "so-called judge" and suggesting he would bear responsibility for any terrorist attacks that happen.

It is rare, but not unheard of, for presidents to weigh in on cases that haven't yet been decided. What is very rare, though, is a president publicly questioning the integrity or political motivations of judges.

President Barack Obama at times criticized the courts, including calling the Supreme Court's decision to block some of his immigration actions last year a "heartbreaking" setback, but he was much more cautious in discussing cases before a decision had been issued.

The stakes are high for Mr. Trump as he awaits the appeals court's decision. A verdict upholding the restraining order on the travel ban would deliver the largest setback to date for the new administration, which has already faced a slew of major protests and a declining approval rating. It would also underscore the limits to the desire of some in Mr. Trump's inner circle, including chief strategist Steve Bannon, to move quickly to implement the president's campaign promises.

Speaking to the police chiefs, Mr. Trump also sought to justify his decision to announce the executive order last month with no warning to the public. He said that as his administration was drafting the order, he had suggested it offer one month's notice, but that unspecified law-enforcement officials had pushed back, saying that people "with perhaps very evil intentions" would "pour in" to the country.

The U.S. already has stringent requirements for people seeking entry to the country. Homeland Security Secretary John Kelly told Congress on Tuesday that the administration should have taken more time to inform Congress before implementing the order.

Mr. Trump's attack on Judge Robart has drawn parallels to his criticism during the presidential campaign of U.S. District Judge Gonzalo Curiel. In a civil lawsuit filed against Trump University, which he eventually settled for \$25 million, Mr. Trump accused Judge Curiel, an Indiana native, of having an "absolute conflict" in presiding over the litigation given that he was "of Mexican heritage."

Mr. Trump said that was relevant because of his campaign stance against illegal immigration and his pledge to seal the U.S.-Mexico border. Republican leaders widely rebuked the remarks.



## Supreme Court Nominee Calls Trump's Attacks on Judiciary 'Demoralizing' (UNE)

Julie Hirschfeld Davis

The spectacle of a Supreme Court nominee breaking so starkly with the president who named him underscored the unusual nature of Mr. Trump's public feud with the judiciary. Speaking to a group of sheriffs and police chiefs on Wednesday, the president said the appellate judges had failed to grasp concepts even "a bad high school student would understand."

"This is highly unusual," said Michael W. McConnell, a former federal judge who directs the Constitutional Law Center at Stanford University. "Mr. Trump is shredding longstanding norms of etiquette and interbranch comity."

Presidents have traditionally tried to refrain from even appearing to intervene in court cases that concern them or their policies, or from impugning the motives and qualifications of jurists charged with

deciding them, according to judges and legal experts from across the political spectrum. The tradition is important to preserving the separation of powers that is a pillar of American democracy, establishing an independent judiciary to serve as a check on the executive branch, they argued.

### Trump Calls Courts 'So Political'

President Trump stepped up his criticism of the United States judicial system a day after his travel ban on

people from seven Muslim-majority countries faced close scrutiny from an appeals court.

By REUTERS. Photo by Al Drago/The New York Times. Watch in Times Video »

Mr. Trump's rhetorical battle with the judiciary may also end up harming his cause in a case that may end up before the Supreme Court, by potentially stiffening the resolve of judges who feel their independence is under attack.

Mr. McConnell called Mr. Trump's comments "extremely self-defeating and self-destructive" because of their potential to sway judges to rule against Mr. Trump.

"Judges who hear criticism of this sort are not going to be inclined to knuckle under; it's going to stiffen their spines to be even more independent," said Mr. McConnell, who was nominated to his judgeship by President George W. Bush.

Jeffrey Rosen, the president of the National Constitution Center, a nonprofit organization in Philadelphia devoted to explaining the Constitution, said there was a rich history of presidents strongly criticizing judges on matters of law.

"But those criticisms were based on constitutional disagreements about the rulings, and it's hard to think of a president who has challenged the motives of specific judges by name repeatedly, especially before a case is decided, or used the same kind of invective as Mr. Trump has toward the court," Mr. Rosen said.

"Judicial independence is a fragile and crucial achievement of American constitutionalism," he added, "and it depends on the public seeing the judiciary as something more than politicians in robes."

Yet Mr. Trump, who as president has the power to nominate members of the federal judiciary, appears bent instead on portraying independent judges who hold the fate of his travel ban in their hands as partisans who refuse to give him the power to which he is entitled to protect the nation.

"I don't ever want to call a court biased, so I won't call it biased," Mr. Trump said on Wednesday. "But courts seem to be so political, and it would be so great for our justice system if they would be able to read a statement and do what's right."

Mr. Trump, who opened his remarks to law enforcement officers reciting the passage of the United States code that gives the president the power to restrict immigration whenever he deems the influx of foreigners detrimental to the country, said he had watched "in amazement" Tuesday night as a three-judge federal appeals panel heard arguments on his executive order and the limits of presidential power in cases of national security.

"I listened to a bunch of stuff last night on television that was disgraceful," Mr. Trump said. "I think it's sad. I think it's a sad day. I think our security is at risk today."

His comments came the morning after a lively, roughly hourlong hearing — the audio of which was carried live on national television — during which three judges on the United States Court of Appeals for the Ninth Circuit expressed skepticism about the arguments of a Justice Department lawyer defending Mr. Trump's order.

Judge James L. Robart of the Federal District Court in Seattle blocked the travel ban on Friday, and the appeals court is considering whether to uphold that action, with a ruling expected as early as Thursday.

Mr. Trump took aim at one of the judges without specifying which, saying, "I will not comment on the statements made by, certainly one judge."

The panel was made up of Judge William C. Canby Jr., appointed by President Jimmy Carter; Judge Richard R. Clifton, named by Mr. Bush; and Michelle T. Friedland, nominated by President Barack Obama.

"If these judges wanted to, in my opinion, help the court in terms of respect for the court, they'd do what

they should be doing," Mr. Trump said. "It's so sad."

By contrast, he lavished praise on Judge Nathaniel M. Gorton, a federal district judge in Boston who last week ruled that the travel ban could stay in place. "Right on — they were perfect," Mr. Trump said of Judge Gorton's comments.

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Mr. Trump is hardly the first president to criticize or seek to apply pressure to the courts; Mr. Obama admonished Supreme Court justices as they sat before him in the House chamber during his 2010 State of the Union address for their ruling in the Citizens United v. Federal Election Commission case that allowed corporations to spend freely to influence elections.

John Yoo, a former counsel to Mr. Bush, argued that Mr. Trump was using a potent weapon that has been used throughout history — the presidential prerogative to provoke a constitutional crisis when a vital issue is at stake — on an insignificant matter.

"I hate to see a president waste that kind of authority, which should only be deployed for our most important questions, on this immigration order, which the president could easily withdraw, fix and resubmit," said Mr. Yoo, now a law professor at the University of California, Berkeley. "President Trump is pressing the accelerator down to 120 miles per hour on every single issue. He will exhaust himself and exhaust his presidency."

Peter Wallison, a former White House counsel to Ronald Reagan, said the president often wished to weigh in on legal matters

concerning personal friends or issues important to his administration, and Mr. Wallison always advised against it, both to protect the tradition of judicial independence and avoid undercutting the courts' legitimacy.

"It's not illegal, it's not a violation of the law to say these things, but it's bad policy because it raises questions about the independence of the courts, and it raises questions about the judicial system as a whole when the president says this," Mr. Wallison said. Mr. Reagan did not always take his advice, he added, and in those instances, "I always cringed."

Mr. Trump defended the process that yielded the executive order, saying he had initially wanted to wait a week or even a month before issuing the travel ban. But he said he was told by law enforcement officials that doing so would prompt a flood of people, including some with "very evil intentions," to rush into the United States before the restrictions took effect.

That account appears to be at odds with the one given by several senior officials, who have said they were not fully briefed on the details of Mr. Trump's order until the day the president signed it at the Pentagon.

On Wednesday, Mr. Trump told the law enforcement officers that he was acting solely out of a concern about terrorism, a threat he said had deepened since he took office and gained access to information about the risks facing Americans.

"Believe me, I've learned a lot in the last two weeks, and terrorism is a far greater threat than the people of our country understand," Mr. Trump said. "But we're going to take care of it. We're going to win."



## Supreme Court nominee Gorsuch says Trump's attacks on judiciary are 'demoralizing' (UNE)

<https://www.facebook.com/pages/E-d-OKeefe/147995121918931>

President Trump's escalating attacks on the federal judiciary drew denunciation Wednesday from his Supreme Court nominee, Neil Gorsuch, who told a senator that the criticism was "disheartening" and "demoralizing" to independent federal courts.

Sen. Richard Blumenthal (D-Conn.) said Gorsuch made the comments during their private meeting Wednesday, and the account was confirmed by Ron Bonjean, a

member of the group guiding the judge through his confirmation process.

Trump on Wednesday morning declared that an appeals court's hearing Tuesday night regarding his controversial immigration executive order was "disgraceful," and that judges were more concerned about politics than following the law.

Trump then turned his ire against Blumenthal on Thursday in an early morning tweet that referenced the senator's misleading comments about serving in Vietnam.

"Sen. Richard Blumenthal, who never fought in Vietnam when he said for years he had (major lie), now misrepresents what Judge Gorsuch told him?" Trump wrote.

(Peter Stevenson, Gillian Brockell/The Washington Post)

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)

*[Once again, Trump takes first shot on Twitter]*

Blumenthal came under sharp criticism during his 2010 Senate campaign for repeated remarks over the years that he had "served" in Vietnam, although he did his full Marine service in the United States. Blumenthal obtained several deferments between 1965 and 1970 and then joined the Marine Reserves, but did not serve in Vietnam. He later said he misspoke

and intended to say that he was in the Marine Reserves during the Vietnam conflict.

Trump's latest remarks followed earlier tweets from Trump disparaging "the so-called judge" who issued a nationwide stop to his plan and saying the ruling "put our country in such peril. If something happens blame him and court system."

Blumenthal said Gorsuch, whom Trump nominated to the Supreme Court just over a week ago, agreed with him that the president's language was out of line.

"I told him how abhorrent Donald Trump's invective and insults are toward the judiciary. And he said to me that he found them 'disheartening' and 'demoralizing' — his words," Blumenthal said in an interview.

Gorsuch "stated very emotionally and strongly his belief in his fellow judges' integrity and the principle of judicial independence," he added. "And I made clear to him that that belief requires him to be stronger and more explicit, more public in his views."

*[Trump's rallying cry: fear itself]*

The contretemps added another layer to the roiling nature of Trump's young presidency. Some historians wondered whether Supreme Court nominees had ever separated themselves in such a way from the president who nominated them; others tried to recall whether a president had ever given a nominee reason to do so.

Less than three weeks after taking the oath of office, Trump already has a legal dispute that seems likely to arrive soon at the Supreme Court. His comments about the judiciary seem far beyond the more veiled criticism presidents usually lob at the branch, and Democrats have pointed to those comments in arguing for a close examination of Gorsuch, who has served for 10 years on the U.S. Court of Appeals for the 10th Circuit.

Within hours of Blumenthal's revelation of Gorsuch's remarks, there were questions about how Trump, famously thin-skinned about criticism, would receive his nominee's words. There was a competing theory that they were a calculated attempt by Gorsuch to assert his independence.

Carrie Severino, chief counsel and policy director of the Judicial Crisis Network, a group promoting Gorsuch's nomination, said the judge's remarks simply confirmed

what those close to Gorsuch already knew.

"He's always been a person independent of the president, and it was shown by his statement," she said.

Those on the left, meanwhile, said Gorsuch would need to do more than that.

"Is Gorsuch distancing himself from Trump? As we say on the Internet: LOL," Drew Courtney of People for the American Way said in a statement. "To be clear: Donald Trump's pattern of attacks on federal judges is more than demoralizing — it's a threat to the separation of powers and our constitutional system, and it's hard to imagine a more tepid response than to call them 'disheartening.'"

"Given the president's comments, that's a very milquetoast response," said Matt House, a spokesman for Senate Minority Leader Charles E. Schumer (D-N.Y.). "Anyone can be disheartened, but the judge has refused to condemn the comments privately or publicly."

Trump has been on a days-long crusade against the judicial branch since U.S. District Judge James L. Robart of Seattle halted the administration's executive order temporarily halting the U.S. refugee program and barring entry to the United States from seven predominantly Muslim countries. A three-judge panel of the U.S. Court of Appeals for the 9th Circuit is deliberating whether Trump's executive order should be allowed to stand.

Speaking Wednesday at the Major Cities Chiefs Association Winter Conference in Washington, Trump said he listened to the oral arguments at the appeals court and was disappointed at what he heard.

"I don't ever want to call a court biased, so I won't call it biased," Trump told the group. "But courts seem to be so political, and it would be so great for our justice system if they would be able to read a statement and do what's right."

Trump said the arguments were "disgraceful" because his executive order "can't be written any plainer or better and for us to be going through this" — he paused to mention that a judge in Boston had ruled that the order could stand.

Trump said the courts were standing in the way of what he was elected to do and that even "a bad student in high school" would support his policies.

"We want security," he said. "One of the reasons I was elected was

because of law and order and security. It's one of the reasons I was elected ... And they're taking away our weapons, one by one. That's what they're doing. And you know it and I know it."

The panel of 9th Circuit judges questioned whether the administration had any evidence of increased risk that would warrant the new restrictions, and whether the restrictions violated the law and the Constitution's protections against religious discrimination.

Trump's comments were the latest escalation in a worsening dispute between the executive branch and the judiciary that the president has personally carried out on social media and in public remarks. While it is not new for a president to disagree with the actions of another branch of government, Trump's crusade against the federal judiciary comes before the legal process has fully played out and is unusual for its threatening tone and use of personal invective.

*[If something happens: Trump points his finger in case of a terrorist attack]*

White House press secretary Sean Spicer said Wednesday that the president is expressing his frustration with a process that he believes should be subject to common sense.

"He respects the judiciary," Spicer said. "It's hard for him and for a lot of people to understand how something so clear in the law can be so misinterpreted."

He added that Trump, who has a long history of punching back against his opponents both political and personal, is also speaking directly to his supporters who are looking for him to aggressively deliver on his campaign promises.

"He likes to talk to his supporters, to be blunt," Spicer added. "Part of it is that people wonder — who helped elect him — what is he doing to enact his agenda."

Trump's handling of the incident recalled his attacks during the presidential campaign on an American judge of Mexican descent, Gonzalo Curiel, who Trump claimed could not fairly adjudicate a fraud case against now-defunct Trump University because of his ethnic heritage.

"In Trump's world there's a precedent where he believes a judge of Mexican heritage can't fairly judge his case," said longtime Republican strategist Rick Wilson, a frequent Trump critic. "It's part of the overall pattern of the Trump

White House: They want to always be on the attack. It's not enough to say their ideas are wrong, their policies are wrong; you've got to nuke them."

A coalition of Democratic members of the House introduced a resolution criticizing Trump's attacks, and Laura Brill, a California lawyer and former clerk to Justice Ruth Bader Ginsburg, sent the administration's top lawyers a letter on behalf of nearly 150 lawyers who practice in the federal courts denouncing Trump's comments.

"Lawyers across the political spectrum believe that the president's personal attacks on individual judges and on the judicial branch are improper and destructive," Brill said in a statement. "Because judges face ethical constraints in their ability to respond directly, the letter calls on the president to retract and end such personal attacks."

Not everyone was deeply offended by Trump's words. Paul G. Cassell, a University of Utah law professor who served as a federal district judge from 2002 to 2007 and was nominated by President George W. Bush, said he believes Trump "stepped over the line" in his criticism of Robart.

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"But I would characterize it as a misdemeanor traffic ticket, not a felony," Cassell said. "Judges have thick-enough skins that they are used to being criticized. We live in a time in which strong language seems to be the order of the day."

"The president certainly has a right to criticize the court," Cassell said.

He said he thought then-President Barack Obama went further in his 2010 State of the Union criticism of the Supreme Court, which had just decided the *Citizens United v. Federal Election Commission* case. Cassell said Obama used "more elegant language," but also contends that Obama's analysis of the case was off-base.

Besides, he added, "The president can tweet all he wants, but the final decision will be made by the judiciary."

Brian Murphy contributed to this report.



The most reassuring sound in these rancorous early days of the Trump administration was the legal debate, at times arcane, over the president's travel ban during live-streamed oral arguments in a federal appeals court on Tuesday.

No gratuitous insults, no personal threats or childish tantrum — only judges and lawyers debating complex legal issues with respect and restraint. It was the sound of grown-ups taking responsibility for governing the country, and for people's lives.

Contrast that with the unfiltered outbursts Americans have endured from President Trump in the chaotic days since he signed his slapdash order suspending entry for people from seven predominantly Muslim countries, and all refugees.

Mr. Trump's attacks on judges who questioned his order were too much even for his nominee to the Supreme Court, Judge Neil Gorsuch of the federal appeals court in Denver. Judge Gorsuch called the comments "demoralizing" and "disheartening," according to a senator with whom he met on Capitol Hill on Wednesday.

Mr. Trump — who has a toddler's aversion to the word "no" — berated a federal judge who temporarily blocked the order last week, calling him a "so-called" judge on Twitter. He then warned that the judge, and the entire court system, could be responsible for any future terrorist attacks that might occur.

The three-judge panel of the Court of Appeals for the Ninth Circuit, based in San Francisco, appeared skeptical of the administration's argument on Tuesday that the executive order is essentially unreviewable. It has yet not issued a ruling, but that didn't stop Mr. Trump, who wrote early Wednesday morning on Twitter, "If the U.S. does not win this case as it so obviously should, we can never have the security and safety to which we are entitled. Politics!"

In a speech to law-enforcement officials a few hours later, he called the hearing "disgraceful," complained that the courts are "so political" and said that "if these judges wanted to, in my opinion, help the court in terms of respect for the court, they'd do what they should be doing."

In fact, the judges did exactly as they should, aggressively questioning both sides and demanding evidence to back up assertions — a much quicker and

more reliable path to the truth than Twitter. At one point, Judge William Canby Jr. asked August Flentje, the Justice Department lawyer defending the order, which was apparently prepared with no advice from legal or national security officials, "How many federal offenses have we had being committed by people that came in with visas from these countries?"

Mr. Flentje declined to answer, saying that the litigation was moving very fast. He then referred to "a number of people from Somalia" who had been convicted of terrorist crimes in the United States, but said that the government had not included any of these cases in the record.

For stretches of the hourlong argument, the judges and lawyers waded deep into the case's various procedural technicalities — not material that would usually appeal to a wide audience. But that is the majestic routine of the law: applying well-established precedents and principles to decide cases in the present and provide some assurance of predictability for the future. It may not carry the adrenaline hit of a tweet, but it has kept the country relatively stable and peaceful for most of its history.

Mr. Trump appears as uninterested in this as he is in so much else about the democratic process. He complained on Wednesday about the pace of the legal debate on the travel ban, which is not even two weeks old, saying it is "really incredible" that it is "going on so long."

The president continues to demean his office in 140-character increments, firing off nasty and reflexive broadsides at anyone who doesn't agree completely with him. Meanwhile, on Tuesday afternoon, the tedious, necessary work of a branch of government Mr. Trump sometimes seems to wish did not exist reminded the country what government based on the rule of law looks like.