



DAILY CLIPS
CONGRESSMAN JOHN SARBANES
MARYLAND'S THIRD CONGRESSIONAL DISTRICT

June 28, 2019

NATIONAL NEWS

[HOUSE PASSES ELECTION SECURITY PACKAGE, WITH AN EYE ON MITCH MCCONNELL](#)

THE NEW YORK TIMES

The House on Thursday approved expansive election security legislation that would mandate the use of backup paper ballots and postelection vote audits to guard against potential foreign meddling, seeking to pressure Senator Mitch McConnell to lift his blockade of election legislation in the upper chamber. Timed to coincide with the July 4 holiday, the House bill, which passed 225 to 184, largely along party lines, is the first and most expansive in a blitz of new measures that House Democrats say they will pass to address vulnerabilities highlighted by the special counsel, Robert S. Mueller III. His report concluded that Russia had conducted “sweeping and systematic” interference in the 2016 presidential election, and members of both parties fear that not enough is being done to prevent that from happening again next year.... But with the Senate in Republican hands, Democrats have another, more immediate target in mind: trying to shame Mr. McConnell, the majority leader, into dropping his opposition to proposals — even bipartisan ones — and allowing his chamber to consider measures to better protect the vote. House leaders excoriated Mr. McConnell on Thursday and have urged their colleagues to hold events promoting the legislative action as they scatter across the country during the weeklong holiday recess.... The bill, the Securing America’s Federal Elections Act, would set new federal standards for vendors and operators of voting systems that most security experts argue will significantly limit the risk of foreign intrusions. In addition to authorizing \$600 million for

Election Assistance Commission grants to update voting technology, the bill would require states to use backup paper ballots that can be verified by voters and election counters, institute postelection audits to search for possible irregularities and prohibit voting systems from connecting to the internet. Many states have already adopted those changes, but experts who argue for federal assistance say not all local election authorities have the money, personnel or know-how to keep systems updated.

**Related Story: [House Panel Backs Election Security Bill in Aftermath of 2016 Russian Interference.](#)*

**Related Story: [House Panel Advances Election Security Bill Requiring Paper Ballots.](#)*

**Related Story: [House Committee Marks Up Election Security Legislation.](#)*

**Related Story: [Election Security, Paper Ballot Measure Advanced by House Panel.](#)*

**Related Story: [Pelosi: Congress to Receive Election Security Briefing in July.](#)*

[GOP SENATORS DIVIDED OVER APPROACH TO ELECTION SECURITY](#)

THE HILL

A renewed push to pass election security legislation ahead of the 2020 vote is putting a spotlight on divisions among key Republicans. GOP senators say they want to protect U.S. election infrastructure from a repeat of Russia's 2016 meddling, but they are deeply split over how far the federal government should go to try to secure the ballot box and what, if any, new legislation that requires from Congress. On one side of the divide are Judiciary Committee Chairman Lindsey Graham (R-S.C.) and Intelligence Committee Chairman Richard Burr (R-N.C.), who have backed passing additional legislation. On the other side are powerful figures including Majority Leader Mitch McConnell (R-Ky.) and Rules Committee Chairman Roy Blunt (R-Mo.), who have signaled election security bills are going nowhere anytime soon in the Senate....

Graham, by comparison, co-sponsored legislation approved by the Senate earlier this year that would block individuals who meddled in elections from entering the United States, and he supports passing additional legislation.... Graham's committee also passed legislation that would make it easier to prosecute someone who hacks part of an election system, but it is unclear if it will get a floor vote. Sen. Amy Klobuchar (D-Minn.) says he's also agreed to hold a hearing on the Honest Ads Act, which would require public disclosure of who pays for internet and social media ads. The inaction in

the Senate is at odds with warnings from some Trump administration officials including FBI Director Christopher Wray, who said earlier this year that Russia was “upping their game” when it comes to meddling and that the FBI is “very much viewing 2018 as just kind of a dress rehearsal for the big show in 2020.... ” GOP proponents of passing new election security legislation are preparing another push on the Secure Elections Act, which was yanked in the last Congress amid pushback from the White House and members of the Senate Republican caucus. This bill garnered bipartisan support during the last Congress and would require all jurisdictions to perform post-election audits to verify results.

[THE HOUSE-PASSED BILLS THAT HAVE ENDED UP IN THE SENATE 'GRAVEYARD'](#)

THE HILL

Six months after the newly-elected Democratic majority was sworn in to the House, progressive lawmakers are tackling many of their priorities through legislation. But few of those bills are seeing traction in the GOP-led upper chamber, with many ending up in what Democrats have labeled the Senate "graveyard." Senate Majority Leader Mitch McConnell (R-Ky.) has boasted about the pattern, promising to be a “Grim Reaper” for progressive policies in the Senate if the GOP hangs onto the chamber in the next Congress.... Here’s a list of the Democratic priorities that passed the House but have stalled in the Senate: The For the People Act was House Democrats’ first major legislative package introduced in the new Congress. The bill, which passed in March, features a hodgepodge of policies that the party promoted throughout the 2018 midterm campaign to help secure elections from foreign interference and make them more accessible to voters.

[SUPREME COURT SAYS FEDERAL COURTS DON'T HAVE A ROLE IN DECIDING PARTISAN GERRYMANDERING CLAIMS](#)

THE WASHINGTON POST

The Supreme Court ruled Thursday that federal judges have no power to stop politicians from drawing electoral districts to preserve or expand their party’s power, a landmark ruling that dissenters said will empower an explosion of extreme partisan gerrymandering. The 5-to-4 decision was written by Chief Justice John G. Roberts Jr. and joined by the court’s other conservatives. It capped decades of debate about

whether federal courts have a role in policing partisan efforts to draw electoral districts in the same way the judiciary protects against racial discrimination.... The decision comes as the public appears to have grown more outraged by the practice. In the last election, voters in five states either limited the power of state legislators to draw electoral lines or took it away from them altogether by creating independent commissions to do the work.... Partisan gerrymandering is employed by whatever party is in power; the court was considering a Republican-drawn map from North Carolina and one done by Democrats in Maryland. But for that reason, the decision would seem to strengthen Republican hands when new maps are drawn after the 2020 Census. The GOP is in control of both the governorship and legislature in 22 states, compared with 14 for Democrats.... Justice Elena Kagan dissented for the court's liberals.... Kagan underscored her disagreement by reading from the bench — at times emotionally — a lengthy excerpt of her dissent. “The gerrymanders here — and others like them — violated the constitutional rights of many hundreds of thousands of American citizens,” she said.... She was joined by Justices Ruth Bader Ginsburg, Stephen G. Breyer and Sonia Sotomayor.

**Related Opinion: [The Roberts Court Continues to Debase Democracy.](#)*

**Related Story: [Supreme Court's Approval of Gerrymandering Raises Election Stakes.](#)*

**Related Story: [Gerrymandering Decision Brings Urgency to Democratic Fight for State Seats.](#)*

**Related Story: [What Do Redistricting Advocates Do Now?](#)*

[TRUMP THREATENS CENSUS DELAY AFTER SUPREME COURT LEAVES CITIZENSHIP QUESTION BLOCKED](#)

NPR

President Trump says he is looking into delaying the 2020 census, hours after the Supreme Court decided to keep a question about citizenship off the form to be used for the head count.... The Supreme Court on Thursday left the citizenship question — "Is this person a citizen of the United States?" — blocked from the 2020 census for now, in part because of the government's explanation for why it added it in the first place.... The majority opinion, written by Chief Justice John Roberts, said the court "cannot ignore the disconnect between the decision made and the explanation given" by the Trump administration.... The complicated decision comes more than a year after Commerce Secretary Wilbur Ross, who oversees the Census Bureau, overruled the unanimous advice of Census Bureau experts and approved the addition of the

question. Ross said the citizenship data was needed for enforcement of the Voting Right Act. The chief justice simply couldn't swallow that claim. The evidence in the record, he said, shows that explanation to be "a pretext." Or, put another way, a sham.... The high court's decision could have profound political consequences. The new population counts from the 2020 census will determine for the next 10 years how many seats each state gets in the U.S. House of Representatives and how many Electoral College votes each state gets in presidential elections beginning in 2024. They also help determine how some \$900 billion a year in federal money is allocated across the country for roads, schools, hospitals, health care and more.... Census Bureau research has long shown that adding a citizenship question often leads people in households with immigrants — including those who are U.S. citizens — to simply not fill out the census form. That could result in an undercount that is not only substantial but uneven, according to Census Bureau experts, and it hits mainly in urban areas where immigrant groups live, while leaving rural, mainly white areas largely unaffected.

**Related Story: [Judge Wants to Know If Gov't Will Fold on Census Citizenship Fight.](#)*

[DEMOCRATS' EMOLUMENTS LAWSUIT AGAINST PRESIDENT TRUMP CAN PROCEED, FEDERAL JUDGE RULES](#)

THE WASHINGTON POST

Rejecting a request from President Trump, a federal judge in Washington on Tuesday cleared the way for nearly 200 Democrats in Congress to continue their lawsuit against him alleging that his private business violates an anti-corruption provision of the Constitution.... The Trump administration still can try to delay or block Democrats in Congress from issuing subpoenas for the president's closely held business information by appealing directly to the U.S. Court of Appeals for the D.C. Circuit to intervene.... The decision is another significant step in one of two novel cases considering the "emoluments" clauses of the Constitution, which bar the president from accepting gifts or payments from foreign or state governments. The cases, which could eventually reach the Supreme Court, mark the first time federal judges have interpreted these clauses and applied the restrictions to a sitting president.... The congressional emoluments case in Washington was initiated last year by about 200 Democrats, led by Sen. Richard Blumenthal (D-Conn.) and Rep. Jerrold Nadler (D-N.Y.). They want the court to order the president to stop accepting payments they consider violations of the Constitution's foreign emoluments clause. The lawmakers and attorneys from the nonprofit Constitutional Accountability Center say the provision was designed to guard

against undue influence by foreign governments by barring any “emolument” — meaning a gift or payment — without prior approval from Congress. “Judge Sullivan articulated what the law makes clear: there is absolutely no reason to delay one more day in ensuring that President Trump is held accountable for his violation of the Constitution’s preeminent anti-corruption provision,” Blumenthal said in a statement.

[WHEN TRUMP VISITS HIS CLUBS, GOVERNMENT AGENCIES AND REPUBLICANS PAY TO BE WHERE HE IS](#)

THE WASHINGTON POST

When President Trump finished the first official rally of his reelection campaign this week, he got on Air Force One. But he didn’t go home to Washington. Instead, he flew 190 miles in the opposite direction — to visit his own Doral golf resort, outside Miami. The resort’s profits have fallen since Trump took office. But it had a major event planned for the next day, a fundraiser for Trump’s reelection campaign. It would be his 126th visit to one of his properties since taking office. And this visit — like more than a dozen before it — would bring paying customers, allowing Trump to play a double role. The president would be the headliner and the caterer. Trump has bigger designs for the Doral club: He has suggested holding next year’s Group of Seven meeting — a gathering of world leaders — at Doral or another of his luxury resorts, current and former White House staffers said.... In all, his scores of trips have brought his private businesses at least \$1.6 million in revenue, from federal officials and GOP campaigns who pay to go where Trump goes, according to a Washington Post analysis....

Trump’s preference for his own properties also has reshaped the GOP fundraising schedule, with benefits for the Trump Organization. About one-third of all the political fundraisers or donor meetings that Trump has attended — 23 out of 63 — have taken place at his own properties.... It has also reshaped the spending habits of the federal government, turning the president into a vendor. “The president knows that by visiting his properties, taxpayer dollars will flow directly into his own pockets. Then, unsurprisingly, the president visits his properties all the time,” said Ryan Shapiro, the executive director of a watchdog group called Property of the People.... Federal spending at Trump’s properties has drawn scrutiny from the attorneys general in Maryland and the District of Columbia.... And this week, the House passed an amendment banning the State Department from spending money at Trump-branded properties. “It’s against the emoluments clause of the Constitution to be making money out of the job,” said the amendment’s sponsor, Rep. Steve Cohen (D-Tenn.) “And he does it every chance he can.”

[EPA'S AIR POLLUTION CHIEF STEPS DOWN AFTER ETHICS PROBE RAISES NEW QUESTIONS](#)

POLITICO

The former utility lawyer who led much of President Donald Trump's rollback of pollution regulations will leave the Environmental Protection Agency — a move that comes after he provided conflicting information to Congress about his connections to the industry, three sources knowledgeable about the matter told POLITICO. EPA air pollution chief Bill Wehrum's ties to his old law firm and especially the Utility Air Regulatory Group, an influential collection of coal-heavy utilities that lobbied against climate regulations, drew scrutiny from House Democrats, who launched an investigation in April. POLITICO reported in February that 25 power companies and six industry trade groups agreed to pay the firm a total of \$8.2 million in 2017, the same year President Donald Trump tapped Wehrum to join the EPA.... Environmentalists quickly cheered Wehrum's departure. "Wehrum did more damage to the Clean Air Act than any other person in the last 40 years," said Brett Hartl, government affairs director for the Center for Biological Diversity. "His legacy will be more premature deaths, more hospital visits and more asthma attacks to our most vulnerable citizens." Since arriving at EPA in November 2017, Wehrum has proven to be a prolific, nimble deregulator. As assistant administrator for the Office of Air and Radiation, he oversaw the agency's major rollbacks of environmental and climate rules, including last week's rollout of a blockbuster regulation on coal power plants' carbon dioxide emissions that is significantly more restrained than what the Obama administration had enacted.

[FORMER TRUMP FEMA CHIEF REPAID TAXPAYERS ONLY 2 PERCENT OF \\$151K SPENT ON PERSONAL TRAVEL](#)

POLITICO

Former FEMA Administrator Brock Long returned to the government only a tiny fraction of the costs he incurred for unauthorized use of vehicles while in office, according to previously undisclosed documents provided to POLITICO. A Homeland Security Department inspector general probe last year found that Long spent \$151,000 using government-funded Chevrolet Suburbans for routine weekend travel to his home in North Carolina. After POLITICO broke the story of the investigation in September, Long was forced to reimburse the expenses, which he agreed to do. But a copy of Long's personal check, obtained by the watchdog group American Oversight through a public records request, shows that the former administrator paid back only \$2,716 —

less than 2 percent of the total cost billed to taxpayers. That's because then-Homeland Security Secretary Kirstjen Nielsen, who oversaw FEMA, did not require Long to reimburse the government fully for his misuse of an expensive program.... In addition to the government vehicles probe, Long's tenure at FEMA drew sharp criticism for his response to the devastation in Puerto Rico by Hurricane Maria in 2017. The agency was faulted for vastly under-counting the number of deaths and for responding much less forcefully than it did to Hurricane Harvey, a milder storm that flooded parts of coastal Texas — a state that delivered 38 electoral votes to President Donald Trump in the 2016 election.

[MANAFORT CAMPAIGN-FINANCE CHARGES DISMISSED BY DEADLOCKED FEC](#)

BLOOMBERG NEWS

Allegations that Paul Manafort schemed to funnel Ukrainian money to several Republican members of Congress have been dismissed because of the Federal Election Commission's partisan gridlock. The foreign money investigation was the first campaign-finance case stemming from the investigation of Special Counsel Robert Mueller, whose office successfully prosecuted Manafort for unreported foreign lobbying and other violations. J. Whitfield Larrabee, a Massachusetts attorney, had filed an administrative complaint with FEC after Mueller charged Manafort in a criminal case. Manafort, a veteran Washington lobbyist who in 2016 served for several months as President Donald Trump's campaign manager, currently is serving a seven-year prison sentence. FEC Chairwoman Ellen Weintraub said in a statement that the commission should have investigated whether money for campaign contributions was provided by Manafort's client, the pro-Russian Ukrainian Party of Regions. Federal campaign finance law bars foreign contributions, as well as donations made in the name of another person.... Weintraub was joined in voting for an investigation by Commissioner Steven Walther, who also holds a Democratic seat on the FEC. The two Republican commissioners, Matthew Petersen and Carline Hunter, voted to follow a recommendation by FEC staff attorneys to drop the case without a full investigation. The commission attorneys accepted statements from lobbyists working for Manafort that they used their own money, not their client's money, to make campaign contributions.

KLOBUCHAR, WARNER INTRODUCE BILL TO LIMIT FOREIGN INVOLVEMENT IN US POLITICAL ADS

THE HILL

Sens. Amy Klobuchar (D-Minn.) and Mark Warner (D-Va.) introduced legislation on Tuesday aimed at preventing foreign nationals from purchasing political advertisements, the latest move by Senate Democrats pushing for election security legislation. The Preventing Adversaries Internationally from Disbursing Advertising Dollars (PAID AD) Act would amend federal campaign finance laws to ban foreign nationals from purchasing ads that name a political candidate and appear on broadcast, cable, satellite or digital platforms. The legislation would also make it illegal for a foreign government to purchase “issue advertisements” during an election year.... “Our intelligence community has been clear—foreign powers continue to interfere in our elections and they’ll keep doing so unless we stop them,” Klobuchar said in a statement. “Strengthening our campaign finance laws to prohibit paid political advertisements by foreign nationals and foreign governments is necessary to ensure American elections are free and fair.... ” In the House, a companion bill has already been introduced by Reps. Elissa Slotkin (D-Mich.) and Elise Stefanik (R-N.Y.) as an amendment to H.R. 1, the For the People Act. The House passed this sweeping election security and reform bill along party lines in March, but the bill is unlikely to receive a vote in the Senate, where Senate Majority Leader Mitch McConnell (R-Ky.) labeled the bill the “Democrat Politician Protection Act.” The PAID AD Act is similar in some ways to another bill backed by both Klobuchar and Warner, the Honest Ads Act, which is meant to increase transparency of who buys online paid political ads.... Both Warner and Klobuchar have tried to force floor votes on other election security bills they sponsor during the last week, though both were blocked in these efforts by Senate Republicans. McConnell has consistently refused to allow floor votes on election security measures, citing concerns around the potential for these bills to federalize elections.

[ELIZABETH WARREN AIMS FOR THE FENCES ON ELECTION SECURITY](#)

THE WASHINGTON POST

Sen. Elizabeth Warren (D-Mass.), the top-polling candidate in the first Democratic presidential debate tonight, also has the most ambitious plan for how to protect U.S. elections from foreign hackers. But that aim-for-the-fences approach, which Warren introduced in an eight-page blog post Tuesday, is sure to be a nonstarter among Republicans. And it will face serious scrutiny from some of Warren’s Democratic opponents who are championing a more practical approach to securing elections. Warren’s plan would basically federalize election security. Washington would set all the rules for protecting federal elections against hackers — such as using hand-marked paper ballots and conducting security audits — and it would also foot the bill.... The proposal sets up a division on election security between Warren’s complete rewrite and more limited proposals from other 2020 candidates that are widely supported by Democrats — and some of which have bipartisan support. Sen. Amy Klobuchar (D-Minn.)... is the chief sponsor of the Election Security Act, which is modeled on major election security provisions that passed the Democratic-controlled House earlier this year. It has 40 Democratic co-sponsors in the Senate, including Warren and five other presidential contenders. Klobuchar has also sponsored numerous other bills aimed at preventing a repeat of 2016, some with Republican cosponsors. And she’s part of a pressure campaign led by Senate Minority Leader Chuck Schumer (N.Y.) to force Majority Leader Mitch McConnell (Ky.) to bring some of those proposals to the floor.

[CALIFORNIA REP. DUNCAN HUNTER USED CAMPAIGN FUNDS FOR EXTRAMARITAL AFFAIRS, PROSECUTORS SAY](#)

THE LOS ANGELES TIMES

Rep. Duncan Hunter (R-Alpine) used campaign money to fund a series of extramarital affairs with congressional staffers and lobbyists, federal prosecutors allege in a new court filing in his corruption case. Prosecutors say Hunter improperly diverted funds “to pursue these romances wholly unrelated to either his congressional campaigns or his official duties as a member of Congress.” The filing comes less than two weeks after Hunter’s wife and former campaign manager, Margaret Hunter, pleaded guilty of conspiring to misuse campaign funds. In August, a federal grand jury indicted the couple, alleging they illegally financed a lavish lifestyle of travel, gifts, fine dining and

other expenses with campaign money, then submitted false reports to the Federal Election Commission to cover it up. In total, prosecutors said, the Hunters spent more than \$250,000 on personal expenses — including dental care and their children’s tuition — that they listed as campaign-related gifts, donations and travel.... Hunter declined Tuesday to respond to the allegations and gave no sign that he would seek a deal with prosecutors to settle the case.... The trial is due to begin in September in federal court for the Southern District of California.

IN THE STATES

[SEATTLE CAMPAIGN FINANCE PROGRAM GIVES VOTERS \\$100 TO DONATE](#)

THE WASHINGTON POST

Now entering its second election, Seattle’s voter voucher-based campaign financing program is drawing national attention with support from Sen. Kirsten Gillibrand, a Democrat from New York and presidential contender who proposes duplicating it at the federal level. It’s one of at least eight public campaign finance programs enacted by city and county governments across the U.S. since 2015. Seattle officials mail each voter four \$25 “Democracy Vouchers” that they can give to City Council or city attorney candidates, split among different candidates, or choose not to donate. Voucher money not used by voters remains in city coffers. Candidates took in \$1.1 million during the program’s first round in the 2017 cycle. Supporters say the program draws in candidates who otherwise would not consider running and forces politicians to pay attention to smaller donors. The city’s 2017 City Council race featured 15 primary candidates, with three-quarters applying for the vouchers and nearly half saying they would not have run without them, according to a report commissioned by the city. This year, 72 candidates registered to compete for seven seats, making the race by several measures the most competitive in more than 15 years.... Gillibrand has said a federal campaign financing system modeled on the Seattle program could distribute \$200 per voter in what she called “Democracy Dollars” so voters could individually finance presidential and congressional races. Statistics show that the popularity of the program is on the rise, with Seattle candidates receiving about 61,000 vouchers worth \$1.5 million through May, ahead of the November general election. That’s up from 13,841 vouchers totaling \$346,000 over the same period in 2017. Voter engagement also

appears to have increased because of the program. Seattle residents who voted in less than half of the city's elections before 2017 were found to be four times more likely to vote that year if they used their vouchers.

[REPUBLICANS TIE VOTING MACHINE CASH TO ELECTION-LAW CHANGES](#)

U.S. NEWS & WORLD REPORT

Republicans who control Pennsylvania's Legislature are offering Democratic Gov. Tom Wolf a choice to help counties afford new voting machines before next year's presidential election. Republicans teed up legislation Wednesday night in the House of Representatives to authorize borrowing up to \$90 million to help counties underwrite a total replacement cost could exceed \$100 million. Wolf ordered counties to buy new voting machines that produce an auditable paper trail, something supported by election-integrity advocates and computer scientists. But Republicans chafed at the demand. They've now packaged the borrowing authority with changes to election laws that Democratic lawmakers oppose. One provision eliminates the ballot option for voters to simply select a straight-party ticket in elections. Democrats say that'll benefit Republicans in down-ballot legislative elections. Republicans say it'll make elections fairer for all political parties.

★★★