


IT'S NOT THE ECONOMY, STUPID

Despite Bill Clinton's famous catchphrase that he rode to two terms in the White House, and despite its echo in the 2016 campaign when Trump voters were described as acting out of "economic anxiety", politics in the United States in my lifetime comes down, first and foremost, to racism. Yes, in Trump's case and for most Republicans in office, there is a hefty dose of misogyny mixed in, but the animus against those who are not old, rich, white males unites their hatred.

Russia affected the 2016 contest. Clearly. But one of their primary tools was to stoke racial animus. Another huge impact on the actual outcome of the election was the outright suppression of minority votes by Republicans. It now appears that they may well have tipped the Wisconsin vote through suppression. And all those millions of votes for Trump, in the end, amount to nothing more than a huge endorsement of his outright racism. In the end, they came out on top with a little help from Republican policies expressly developed to prevent minorities from voting.

Trump is America's racism unmasked and he would not be President if there weren't a huge racist component to American culture today. The primary home for that racism is the Republican party.

The last few days have shown Trump revealing both his deep-seated racism and his cynical understanding that virtually his only support now is rooted in America's racism. He tried his best to make his response to NFL protests be about the flag and patriotism. But that is most definitely NOT what Colin Kaepernick was protesting when he started this movement in August of 2016:



San Francisco 49ers quarterback Colin Kaepernick has willingly immersed

himself into controversy by refusing to stand for the playing of the national anthem in protest of what he deems are wrongdoings against African Americans and minorities in the United States.

His latest refusal to stand for the anthem – he has done this in at least one other preseason game – came before the 49ers' preseason loss to Green Bay at Levi's Stadium on Friday night.

"I am not going to stand up to show pride in a flag for a country that oppresses black people and people of color," Kaepernick told NFL Media in an exclusive interview after the game. "To me, this is bigger than football and it would be selfish on my part to look the other way. There are bodies in the street and people getting paid leave and getting away with murder."

Making matters even worse, NFL teams and even billionaire NFL owners—the very parties responsible for Kaepernick still not being on a roster despite abysmal quarterback play on several teams—came out with what some folks saw as admirable statements and actions in response to Trump calling for owners to “fire the sons of bitches” who kneel during the national anthem. The best response to that development came from Shannon Sharpe. If you haven't seen it yet, watch the entire statement, it is a thing of beauty and something that every American needs to hear:

So what are we to do?

First, those of us who carry the advantage of being old, white males who are at least comfortable if not rich must speak up every time there is an instance of racial injustice. Especially at the local level, when the police treat minorities without respect, make it known that this will not stand. Support larger groups that are working to promote racial justice.

But perhaps it is also worth taking look at our own lives. What aspects of our own lives help to perpetuate racial injustice? Even simple actions can accumulate. The next time you reconcile a credit card statement, take a look at your choices. Do you only eat at faceless chain restaurants? When was the last time you had a meal at a locally owned restaurant with a minority owner? Those are likely some of the best eating establishments in your town if you take the time to look around and try some new cuisines.

How about schools? Do you send your kids to private schools, most of which have been established to get around integration? Worse yet, do you send them to charter schools, which are set up expressly to take money away from public schools?

How about your place of worship? Is it integrated? Does it have any activities or programs aimed at racial justice?

One small action that I've decided to take is that I won't watch another down of NFL football until Colin Kaepernick has been signed by a team.

Trump is the poster child for American racism, but we could all benefit from spending a little time thinking about our own roles both in how he came to be President and what we can do to make sure his sort never gets there again.

**DID PRESIDENT TRUMP
VIOLATE FEDERAL LAW
WITH HIS ALABAMA**

RANT?

I wrote yesterday about the racial, social and football implications of Trump's rant in the history and home of George Wallace.

But a new, and by all appearances excellent, commenter on that post noted this:

"It occurs to me that his tweets are at least arguably in violation of 18 U.S. Code § 227. That section prohibits the POTUS (among others), from "attempting to influence or interfere" in a private company's labor matter, to urge a "political" firing. This is especially true where the basis for the POTUS's urging of the firing of such a private company employee (union covered, collective bargaining agreement governed) – is (as here) centered on protected political first amendment expression."

So, is that right? Well, it is a LOT closer call than most would dismissively think. Let's look at the language of the relevant statute, 18 USC §277:

18 U.S. Code § 227 – Wrongfully influencing a private entity's employment decisions by a Member of Congress or an officer or employee of the legislative or executive branch:

(a) Whoever, being a covered government person, with the intent to influence, solely on the basis of partisan political affiliation, an employment decision or employment practice of any private entity–

(1) takes or withholds, or offers or threatens to take or withhold, an official act, or

(2) influences, or offers or threatens to influence, the official act of another,

shall be fined under this title or imprisoned for not more than 15 years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

(b) In this section, the term “covered government person” means—

(1) a Senator or Representative in, or a Delegate or Resident Commissioner to, the Congress;

(2) an employee of either House of Congress; or

(3) the President, Vice President, an employee of the United States Postal Service or the Postal Regulatory Commission, or any other executive branch employee (as such term is defined under section 2105 of title 5, United States Code).

Read the statute. It is a lot closer call than you think. Will Trump’s own Department of Justice pursue this? No, no chance, nor probably should it be. Is it a viable question, and one that ought be discussed in the public and media, yes, absolutely.

As sports law “experts” would say, let’s break it down. There are elements to a crime. Trump is unequivocally a “covered person” within the ambit of the statute. Also unequivocal is the fact that his words in Alabama were meant to influence “an employment decision or employment practice of any private entity”, in this case, the National Football League.

The problem lies in section (a)(1) of the relevant statute, which requires:

takes or withholds, or offers or threatens to take or withhold, an official act

It is easy to see and admit that Trump would do just that in a heartbeat. But Trump did not do that per se in his Alabama speech.

No. That element cannot be met by Donald J. Trump's Alabama Song of hate. So, no, there is no exposure to 18 USC §227.

It is a great thought and question though.

And it is a perfect example of the precipice of racism, bigotry and ignorance on which the political discussion in the United States, and our Article II Executive Branch, courtesy of President Trump, nows perilously treads nearly every day.

The events and actions in and from the NFL today, tomorrow, and in the next few weeks pale in comparison. They are a symbol and a voice. But it is so much more and bigger than that.

HOW TO READ THE DHS TARGETED STATES INFORMATION

This post attempts to correct some misconceptions about the DHS notice yesterday that Russians attempted to target the voting registration databases of 21 states.

AMID PROMISES TO SHARE ADS WITH CONGRESS, SOME OTHER INTERESTING

PROMISES

Little noticed in Facebook's promise to keep investigating what happened in last year's election is a suggestion they'll also look at what the campaigns did.

FACEBOOK TROLL ACCOUNT EVENTS HAPPEN IN WAKE OF GUCCIFER 2.0 RELEASED TARGETING DATA

The first events Facebook troll promoted events that might legitimately have had an effect on the election – a set of rallies in Florida on August 20 – came in the wake of Guccifer 2.0 releasing congressional targeting data for FL.

WHY DID GUCCIFER 2.0 KEEP HARPING ON VAN?

Why did Guccifer 2.0 keep harping on VAN? Was it meant as a warning to Democrats?

WHY WAS MANAFORT

FISA TAPPED RATHER THAN CRIMINAL TAPPED?

Some thoughts on the news that Paul Manafort was targeted under FISA.

SSCI PLAYS HARDBALL WITH MICHAEL COHEN'S ATTEMPT TO DISTRACT FROM TRUMP TOWER DEAL

As he did with HPSCI, Michael Cohen tried to manipulate the press to present a narrative suggesting his testimony to Congress pertains exclusively to the Steele dossier. Richard Burr and Mark Warner were having none of that.

THE (THUS FAR) FLIMSY CASE FOR REPUBLICAN COOPERATION ON RUSSIAN TARGETING

We already know of cases where Russian related targeting assistance was provided in last year's election. But it was provided by Russians to Republicans, not the other way around.

DON JR DOES NOT RECALL NOT RECALLING RINAT AKHMETSHIN AT THE JUNE 9 MEETING

Here are the three things Don Jr can't remember about the June 9, 2016 meeting: what Emin Agalarov told him to expect from the meeting in calls arranged beforehand, what he told his Dad about the meeting, and that a suspected spook previously accused of hacking was there.