

COME ON DOWN PAUL GOSAR, THE LATEST ARIZONA EMBARRASSMENT

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Cohen last Wednesday (See [here](#) and [here](#)). One of the most hilarious moments came when Arizona Republican Representative Paul Gosar went off the rails to crazy town.

The original is here courtesy of CNN. It is batshit nuts.

Last night, Saturday Night Live did a sendup of Gosar's insane nuttery. Even the local press recognized the moment for what it was.

Yes, this is the same Paul Gosar that came into the light as Sarah Palin's dentist friend was in cahoots with the idiot fellow dentist Gosar. Yes, it is all really that stupid.

And, now, that is where we are and, like Louis Gohmert and Matt Gaetz, Arizona has one of the biggest and most ignorant buffoons in national politics. Happy to see SNL catching up, but Arizonans have understood what an ignorant and cancerous buffoon Gosar is for years.

THE TRUMP TRASH TALKING OF PUERTO RICO

This spot in our week here at Emptywheel is supposed to be a set aside for light hearted banter on sports, especially football and Formula One. That is what we have done since our beginning a decade ago. But I just cannot summon the enthusiasm for that right now.

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.

WITH CLOWNS TO THE

LEFT, AND JOKERS ON THE RIGHT, TRUMP TURNS TO SCARAMUCCI

Well, I don't know why I came here tonight
I got the feeling that something ain't right...

THE BANALITY OF EVIL ACCESS JOURNALISM

A tweet
from a
talented,
but maybe
Stockholme
d,
journalist
favorite
of Mr.
Trump:



He has not automatically agreed w
everything Trump does. And he does care
about the job of AG being performed well
<https://t.co/ctl6N0xuMb>

– Maggie Haberman (@maggieNYT) July 24,
2017

This reporter is old enough and smart enough to
know and understand exactly what Rudy and Trump
are, but still evinces this blithe acceptance
bullshit?

Please stop, yer killing me. With every passing
day, the initial criticisms as to the lameness
of Haberman, Baker and Schmidt's on and off
duality of record "interview" of Trump look
smarter. Greg Sargent was early with this:

President Trump's extended, rambling new interview with the New York Times provides perhaps the clearest picture yet of his conviction that he is above the law – a conviction, crucially, that appears to be deeply felt on an instinctual level – and of his total lack of any clear conception of the basic obligations to the public he assumed upon taking office.

There are numerous worrisome moments in this interview, from his incoherence on the health-care debate (“preexisting conditions are a tough deal”) to his odd asides about history (Napoleon “didn’t go to Russia that night because he had extracurricular activities, and they froze to death”).

But, frankly, the entire tenor and credulity of the interviewers – and the interview – as a whole is simply beyond belief. NYU Journalism Professor Jay Rosen hit on the latter in a very cogent tweetstorm, as to the interview itself.

But I have to ask the same questions about the journalists conducting this interview. There were a lot of knee jerk defenses, mostly by other journalists, of the manner in which the interview was conducted sans followup questions and factual corrections of Trump's blatant and rampant absurdity and lying, early on Twitter. The thin skinned “interviewers” of course blanched and professed how much they were just “doing their job”.

At what point does it become journalists' “job” to stand up for truth, have the guts to speak it to power actually *during their access*, and not just in seeking it? But, hey, maybe these NYT journalists can deflect it all by comparing the current American crisis to the not even close to analogous bogosity from 20 years ago in the Clinton era. You know, the same misdirection horse manure their access point Donald Trump relentlessly tries to foster.

The United States is not dealing with the same paradigm of politics it was even as recently as seven months ago. Both the citizen public, and the press that supposedly serves them, need to understand the fundamental change and adapt. The presumption of normality still being afforded Trump and his Administration is a disservice to both the people and their democracy. It is, in this critical living breathing moment, the banality of evil.

MCCAIN'S BRAIN VERSUS AMERICAN LIVES AND HEALTHCARE

There is no joy here in the Mudville that is Arizona. John McCain may have been somebody that natives like me disfavored from the start because of his hubristic usurpation of a true legend and son of Arizona, John Rhodes, but no one here wanted this.

Not now. Not ever.

So the "press" such as they may be, can run all their blathering hagiographies. Go run with that. It's what you do, isn't it?

But, for now, thankfully, McCain is alive and well. I am thankful for that.

And, I hope, at this critical juncture in life, John McCain finds it within himself to realize that the healthcare that has kept him alive, and diagnosed his problems, should NOT be limited to Congresspeople and those that married into money. We all deserve the benefit of what McCain has realized.

John McCain has an opportunity to stand up now for those that have none of his storied display of heroism, nor the benefit of his position. His

story, because Mr. McCain was born into military care and then segued into other money and entitlement that does not transfer to most of us. For the common citizens he has always talked about, yet curiously abandoned, when it counted in close measures on the Senate floor, where has John McCain been? Absent, that is where.

The man who lived under the press moniker "Maverick" can ride into the famous sunset of his adopted state by helping real people instead of going out with the McConnell Republicans determined to screw the populous. Who will John McCain be?

Who will John McCain be? The elusive and ethereal "Maverick" he has always painted himself as being? Or the reliable vote for craven Republican policies that devastate real citizens? Arizona, indeed America itself, deserves the McCain always portrayed and lionized in his numerous campaigns. Not the guy who always defaulted to the GOP sick and craven core.

Will John McCain have the guts and glory he is famous for, and go out fighting for the common American and their human rights to healthcare and financial and educational stability? The exact things McCain has fatuously blabbered about and never really supported in Congress? Or will he do better?

Who are you truly John McCain? A dying country, in the age of Trump, wants to know.

You have a chance to now be the man you always painted yourself to be. For the sake of this country, please be that man.

9/11: A STORY OF

ATTACKS, HORROR, VICTIMS, HEROES AND JINGOISTIC SHAME

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, 2001 is now 15 years in the mirror of life. Like the two Kennedy assassinations, the Moonshot and a few other events in life, it is one of those “yeah I remember where I was when...” moments. Personally, being on west coast time, I was just waking up thinking all I had was a normal morning court calendar. When my wife, who gets up far earlier than I, shouted at me to rub out the cobwebs and watch the TV because something was seriously wrong in New York City. She was right. It was a hell of a day, one of unspeakable tragedy and indescribable heroism. It was truly all there in one compact day, unlike any other, save maybe December 7, 1941.

2,996 people lost their lives, and their families and history were forever altered in the course of hours on an otherwise clear and beautiful day in Manhattan. Most were simply innocent victims, but many were the epitome of heroes who charged into a hellscape to try to salvage any life they could. There were other heroes that altered their lives in response, and either died or were forever changed as a result. One was a friend of mine from South Tempe, Pat Tillman.

No one can speak for Pat Tillman, and, save for his family, those who claim to only prove they never met the man. All I can say is, I wish he

were here today. The one thing that is certain is he would not give the prepackaged trite partisan reaches you are likely to hear today. It would be unfiltered truth. Which the US did not get from its leaders after September 11, 2001, and is still missing today.

Instead of rallying and solidifying the oneness of the American citizenry that was extant immediately after September 11, 2001, the Bush/Cheney Administration and GOP told us to go shopping and that we needed to invade Iraq, who had nothing whatsoever to do with 9/11. It was a fools, if not devil's, errand and a move that threw away an opportunity for greatness from the country and exploited it in favor of war crimes and raw political power expansion and consolidation.

Instead of getting the United States to make ourselves better as the "Greatest Generation" did sixty years before, America was wholesale sold a bill of goods by a determined group of unreformed and craven Neo-Con war criminals left over from the Vietnam era, and we were led down the path to a war of aggression that was an unmitigated disaster we have not only not recovered from today, but are still compounding.

The 2000's will prove to be a decade of American shame when history is written decades from now. Not from the attacks, but from our craven response thereto. So, pardon me if I join Colin Kaepernick and choose not to join, every Sunday, just because the Madison Avenue revenue generating NFL of Roger Goodell cravenly exploits it, the jingoistic bullshit of rote dedication to a racist National Anthem. Also, too, shame on opportunistic and Constitutionally ignorant whiny police unions who scold free speech and threaten to abandon their jobs in the face of it.

But
that
is all
over
now
surely
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Taking
the
United
States



, nee the world, to a forever war on the wings
of a craven lie is universally recognized,
condemned and scorned, right?

No. The Neo-Cons are unrepentant and still
trying to advance themselves on the lie that
their once and forever war justifies more than
their prosecution and conviction in The Hague.
Here is a belligerent and unrepentant Dick
Cheney passing the torch of evil to his spawn
Liz Cheney in the august pages of the Wall
Street Journal:

We are no longer interrogating
terrorists in part because we are no
longer capturing terrorists. Since
taking office, the president has
recklessly pursued his objective of
closing the detention facility at
Guantanamo by releasing current
detainees—regardless of the likelihood
they will return to the field of battle
against us. Until recently, the head of
recruitment for ISIS in Afghanistan and
Pakistan was a former Guantanamo
detainee, as is one of al Qaeda’s most
senior leaders in the Arabian Peninsula.

As he released terrorists to return to
the field of battle, Mr. Obama was
simultaneously withdrawing American
forces from Iraq and Afghanistan. He
calls this policy “ending wars.” Most
reasonable people recognize this
approach as losing wars.

Times may change, but the bottomless pit of Cheney lies and evil do not. As Charlie Savage pointed out on Twitter, the two terrorists the Cheneys refer to were actually released back to the "field of battle" by Bush and Cheney, not Obama. Was Obama involved in the story? Yes, he would be the one who actually tracked them down and killed them.

And then there is the failure to learn the lessons of the failed torture regime Bush and Cheney instituted as the hallmark of the "War on Terror". Our friend, and former colleague, Spencer Ackerman has a must read three part series over the last three days in The Guardian (Part One, Part Two and Part Three) detailing how the CIA rolled the Obama Administration and prevented any of the necessary exposure, accountability and reform that was desperately needed in the aftermath of the torture regime and war of aggression in Iraq. It will take a while, but read all three parts. It is exasperating and maddening. It is also journalism at its finest.

And so, as we glide through the fifteenth anniversary of September 11, what are we left with from our response to the attacks? A destabilized world, an ingraining of hideous mistakes and a domestic scene more notable for jingoism and faux patriotism than dedication to the founding principles that America should stand for.

That is not what the real heroes, not only of 9/11 but the totality of American history, died to support and protect. In fact, it is an insult to their efforts and lives. If America wants to win the "War on Terror", we need to get our heads out of our asses, quit listening to the neocons, war mongers, and military industrial complex Dwight Eisenhower warned us about, and act intelligently. This requires a cessation of adherence to jingoistic and inane propaganda and thought, and a focus on the principles we are supposed to stand for.

SEKRIT MEMO: IX-NAY ON THE ARTIANS-MAY

A mere two days ago, we got tantalizing news of sentient life in space.

An international team of scientists from the Search for Extraterrestrial Intelligence (SETI) is investigating mysterious signal spikes emitting from a 6.3-billion-year-old star in the constellation Hercules—95 light years away from Earth. The implications are extraordinary and point to the possibility of a civilization far more advanced than our own.

The unusual signal was originally detected on May 15, 2015, by the Russian Academy of Science-operated RATAN-600 radio telescope in Zelenchukskaya, Russia, but was kept secret from the international community. Interstellar space reporter Paul Gilster broke the story after the researchers quietly circulated a paper announcing the detection of “a strong signal in the direction of HD164595.”

[snip]

The signal’s strength indicates that if it in fact came from a isotropic beacon, the power source would have to be built by a Kardashev Type II civilization. (The Kardashev scale is used to determine the progress of a civilization’s technological development by measuring how much energy was used to transmit an interstellar message.) An ‘Isotropic’ beacon means a communication source emitting a signal with equal power in all directions while promoting signal strength throughout travel.

This created quite the tizzy among space watchers and had me warning it was a Russian plot to steal the election.

Oh, sure, there were warnings.

“The signal may be real, but I suspect it’s not ET,” Seth Shostak, senior astronomer at the SETI Institute, told GeekWire. “There are other possibilities for a wide-band signal such as this, and they’re caused by natural sources or even terrestrial interference.”

Nick Suntzeff, a Texas A&M University astronomer, agrees. “God knows who or what broadcasts at 11 GHz, and it would not be out of the question that some sort of bursting communication is done between ground stations and satellites,” he told Ars Technica, explaining that the signal was observed in the radio spectrum used by the military. “I would follow it if I were the astronomers, but I would also not hype the fact that it may be at SETI signal given the significant chance it could be something military.”

But nevertheless, last we heard – two whole days ago – America’s ET watchers were going to monitor that location *permanently* and telescopes in our hemisphere were turning their eye to watch the signal.

Still, he adds, “the signal is provocative enough that the RATAN-600 researchers are calling for permanent monitoring of this target.”

[snip]

In the meantime, the SETI Institute, based in Mountain View, California, directed its Allen Telescope Array toward HD 164595 on Sunday night, while METI International (Messaging Extraterrestrial Intelligence) did the

same with the Boquete Optical SETI Observatory in Panama.

Turns out, two days into that permanent monitoring, the ET-watchers have decided it's not ET.

We cautioned readers that, because the signal was measured at 11Ghz, there was a "significant chance" it was of terrestrial origin, likely due to some military activity.

Well, it apparently was. First, astronomers with the search for extraterrestrial intelligence downplayed the possibility of an alien civilization. "There are many other plausible explanations for this claimed transmission, including terrestrial interference," Seth Shostak, a senior astronomer with SETI, wrote.

Now the Special Astrophysical Observatory of the Russian Academy of Sciences has concurred, releasing a statement on the detection of a radio signal at the RATAN-600 radio astronomy observatory in southern Russia. "Subsequent processing and analysis of the signal revealed its most probable terrestrial origin," the Russian scientists said.

Or, to put it differently, after secretly monitoring this site 95 light years away for 15 months, the Russians have suddenly figured out that this is terrestrial origin.

Maybe even some kind of military activity.

All of which would seem to raise a bunch of other questions. Like who wrote the memo telling all the ET-watchers to Ix-Nay their stories of Artians-May? Or, if this is previously unseen military activity that Russians couldn't identify for 15 months (but were mighty

attentive to, mind you), whose military activity that might be? And what that previously unidentified military activity might be?

It probably means Russian martians aren't going to steal our election. But the more interesting question is what this really was..

BLAME IT ON THE BOSSA NOVA: LOCHTE AND BRAZILIAN POLICE

The travails of the Ryan Lochte gang of American Swimmers has been playing out for a full week now. The result has been almost universal scorn, if not hatred, for Lochte et. al, and almost complete credulous acceptance of the somewhat dubious, if extremely strident, pushback and claims of the Brazilian Police.

Frankly, neither side's story ever sat quite right with me. But Lochte's story, among other exaggeration/fabrication, always, from the start, indicated that the swimmers were pulled from a taxi at gun point, by people in uniform with badges, who pointed guns at them, and took money from them.

And then came the dog and pony show press conference staged by the Brazilian Police for a worldwide audience during mid-day on Thursday August 18. It was a bizarre and rambling presser, that was nearly comical in its staging during its opening portion. It did, however, make clear that there was a lot more to the full story than Lochte had told, and that some of his story was flat wrong. But, if you listened carefully, as I am wont to do with cops making self serving statements, it, along with previous statements made by the police, also pretty much confirmed the swimmers were pulled from a taxi at gun point, by people in uniform with badges,

who pointed guns at them, and took money from them.

So, then the question was what “crimes” and/or “vandalism” had Lochte and the swimmers really caused? There was an early news crew, I think NBC, that went to the site and did not really find all that much damage. As the statements by both Lochte and the other swimmers, notably Gunnar Bentz, came out, it was clear that there was a real question as to what, if any, real damage was done. And a question of who engaged in exactly what criminal behavior at that gas station in the early morning of August 15.

Well, now it is starting to come out. And, as expected, the Brazilians have ginned up every bit as much “over-exaggeration” as Ryan Lochte. From today’s USA Today Investigative Team of Taylor Barnes and David Meeks, which confirms some of the work previously seen from (again, I believe) NBC. It is a pretty thorough and convincing report:

But a narrative of the night’s events – constructed by USA TODAY Sports from witness statements, official investigations, surveillance videos and media reports – supports Lochte’s later account in which he said that he thought the swimmers were being robbed when they were approached at a gas station by armed men who flashed badges, pointed guns at them and demanded money.

A Brazilian judge says police might have been hasty in determining that the security guards who drew guns on the swimmers and demanded money did not commit a robbery. A lawyer who has practiced in Brazil for 25 years says she does not think the actions of Lochte and teammate Jimmy Feigen constitute the filing of a false police report as defined under Brazilian law.

An extensive review of surveillance footage by a USA TODAY Sports

videographer who also visited the gas station supports swimmer Gunnar Bentz's claim that he did not see anyone vandalize the restroom, an allegation that in particular heightened media portrayals of the four as obnoxious Americans behaving recklessly in a foreign country. Meanwhile, Rio authorities have declined to identify the guards or offer any details beyond confirming they are members of law enforcement who were working a private security detail.

Now, we can't compare that with everything the Brazilian police have, because they have been hiding a *lot* of their material and, apparently, misrepresenting substantial portions of it from the start. But everything within the USA Today piece corresponds with the various videos obtained by the various media outlets, whether Brazilian, American or international, and corresponds with Gunnar Bentz's statement, which nobody, even, quite notably the Brazilians, including police, seems to contest in the least.

In short, the overall picture of the incident seems to be bigger and more complex, with some outrageous conduct by not just the American swimmers, but also, and substantially, the Brazilians. Oh, and about that "bathroom trashing damage"? That appears to be vapor too:

At a news conference Thursday, Rio police chief Fernando Veloso characterized the athletes' actions at the gas station as vandalism. He said they also had broken a soap dispenser and mirror inside the restroom. Reports quickly grew that the Americans had trashed the restroom.

A USA TODAY Sports videographer who visited the bathroom Thursday found no damage to soap dispensers and mirrors and said none of those items appeared to be new. Some media accounts suggested

the men had broken down a door, which USA TODAY Sports also did not observe.

Bentz said in his statement that he believes there are surveillance videos shot from different angles that have not been released. He also said he did not see anyone damage the bathroom or even enter it.

Oh, and that much ballyhooed “sign” supposedly damaged? Reports are that it was a minor crack in a cheap plastic cover and that the swimmers were made to pay out somewhere between \$100 to \$400 to cover what appears to be mostly ginned up nonsense. Additionally, irrespective of what the “security guards” extracted from the swimmers at gunpoint, swimmer James Feigan was made to pay the amount of \$11,000 as a “donation” simply in order to leave the country and return home. That is not a “donation”, that is a flat out outrageous extortion demand and payment extracted by Brazilian authorities.

I wonder what bloviating sports columnists so full of righteous outrage and apologia will say now? Brazil is to be commended for putting on a great Olympics, and doing so under difficult constraints and conditions. But for the green pools (that affected nothing in the long run), they really pulled off a fantastic, admirable and beautiful show. Even the rain did not phase or slow down the glorious closing ceremonies Sunday night.

But one point on which Brazilian authorities “over-exaggerated”, overreacted, and failed to acquit themselves well on was in relation to the randy American swimmers. According to the USA Today report, even judges in Rio are wondering if they were hoodwinked in the rush of outrage by the authorities.

The distress of the Brazilian authorities over the emerging story from the swimmers is perfectly understandable given the dynamics. But, if an international scandal was created by

this incident, it appears as if it is every bit as much the fault of the Brazilian police and authorities as it is the American swimmers.

It took two for this little tango.

THERE'S NO [EASY] EXIT

Not an European scholar or sage. Have tried to pay attention to the Brexit question across the pond, but unsure how well I have done so. Generally, however, it has struck me that, given real problems either way for the Brits, the best choice was to stay in the EU.

Really, there was a definitive majority to join then, so what is the plan now?

Tell me why the secrets have disappeared
cover up the traces of wasted years,
the traces of wasted years
...
build it up
alibies for the damned
hide away
don't ever reveal your plan.

So, what is the plan now for the always diminished, but oh so egotistically adventurous Brits, given they are woefully short on empire and hegemonic power? Oh so much like the terminally behind the queue United States?

Isn't that a lesson the US ought not heed? If not decades ago, maybe finally now?

The UK may be leaving the collective, but do they really have an exit plan? The number of modalities in which they simply cannot have a great and immediate plan are too number to plow through.

There is no easy exit. Despite the vote in the UK. Germany and France make it clear this is not

easy.



Lock it up,
standing behind closed doors
give it up,
no hiding place anymore

The value of the British pound and stock prices in Asia plummeted as financial markets absorbed the news.

I don't know how it is going to be in the UK going forward. But if the vote is what it looks, the Brexit has definitively occurred, the only question now is what happens.

On the whole, pretty scary proposition, and the effort to get there seems much like the brain dead Trumpian movement afoot here in the States; i.e. shortsighted, uninformed and stupid. Hope I am wrong.

But here we all are, on both sides of the pond, looking inordinately stupid and shortsighted.

The world is being consumed by Trumpalos and Juggalos.

There is no exit.

[If you don't know this band in the video featured, you should. They are The Angels, and this song is perfectly prescient for today even if from long ago.]