

BOEING 737 MAX 9: THE COMMENT HEARD AROUND THE WORLD

A comment posted in Leeham News on January 16 convinced me the topic of Boeing 737 quality and safety needs a post here at emptywheel.

TRUMP POLICY MAXIMIZES DEATHS IN FOOD FACTORIES

Throughout the COVID-19 crisis, Trump's policies with respect to meatpacking factories have served to maximize human deaths.

RIKERS AND ROOSEVELT: THE UNCONTROLLED HUMAN EXPERIMENT OCCURRING WITH ESSENTIAL WORKERS (AND THEIR WARDS)

Trump wants to reopen the economy. But it's clear from the limited data and anecdotal reporting from essential workplaces that basic things – starting with masks – still aren't in place to limit workplace exposure. And because

these men and women haven't had the protective equipment or other workplace protections they need, many have needlessly died.

KILLER TRASH TALK

Hi there!

This will be a Trash Talk mostly absent the real world intrusions of the last few weeks. Mostly.

But I had dinner a couple of days ago with a couple of people, both students, with a family and home in Puerto Rico. No, nothing there is going the way Trump duplicitously portrays it. It is just not. To argue otherwise is to prove a fool and ignorant. Here is the Washington Post with a reminder of what we all knew. The family we know lives in a part of San Juan that is upscale. It is the "nice" part. They still do not have power. Just barely got running water. Things are very much not good there. And will not be for a very long time. For this White House to have taken the victory laps they did is simply unimaginable. Then there is the Las Vegas shooting. That will await another day.

So, probably we should be concerned about whether or not athletes in America stand of kneel for the national anthem. Even in hockey they may not always, or they may raise a Tommie Smith fist, and idiots will probably be up in arms about that.

On to the games. Turns out, the Mean Green of Sparty did the nation a favor by slaying Kaptain Khaki and the Bo Merlots in the large abode. And Mark Dantonio reminded everybody exactly who is the best college coach in Michigan. Don't sleep on Chris Peterson and Washington, they are coming, and he is one hell of a coach. And hate it all you want, Penn State may be in that rarified picture too.

As to the pros: I cannot say it any better than Gary Myers did, so I won't, and will let him speak:

The NFL needs to start looking for ways for the Chargers to move back to San Diego. Team owner Dean Spanos should take the \$650 million relocation fee he owes the NFL and put it towards a new stadium in San Diego instead. Fans are tired of corporate welfare and don't want to pay for billionaires to get new stadiums so they can make even more money. Los Angeles was fine without a team for over 20 years and now they have two. The Rams are having a tough time getting re-established in the market. The Chargers are not wanted. They can't even sell out the 27,000-seat soccer stadium that is their home until the new stadium is ready in 2020. Fans of opposing teams are making it feel like home games are road games for the Chargers... Rivers has not relocated his family to the Los Angeles area. He customized an SUV with video equipment and a driver and rides up from San Diego every day with backup QB Kellen Clemens. Rivers says the commute takes about an hour each way. They must be leaving early and coming back late to beat the usually horrendous traffic. "It's actually been even better than anticipated. That's one thing I'm thankful for," Rivers said. "I've had no issues at all and really feel like I'm getting all the work done. It's been as if, honestly, as if I was right there in San Diego, as far as the way we get to setup. So, it's been smooth."

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Chicago's Mitchell Trubisky is the third rookie QB now starting as he takes over for free agent bust Mike Glennon. Browns second-round pick DeShone Kizer won the job out of camp and Texans first-round pick Deshaun Watson was made the starter

at halftime of the first game. Alex Smith is doing a good job keeping first-round pick Patrick Mahomes on the bench in Kansas City... Watson, by the way, was electric in the Texans' 57-14 victory over the Titans last week throwing for 283 yards and four TDs and also running for a TD. The Texans traded up from No. 25 in the first round and also gave up their first-round pick in 2018 to move to the Browns spot at No. 12 to get Watson. Of course, Cleveland should have taken Watson. In March, they took Brock Osweiler's \$16 million guaranteed off Houston's payroll along with adding the Texans' second-round pick. If the Texans win the Super Bowl, the Browns front office should get Super Bowl rings... The Browns are 2-29 in their last 31 games, the worst 31-game stretch in NFL history.

I saw that this morning, and all of it were thoughts I had to start with. It is time for Trubisky. And Watson for the Texans looks like the truth. With a real franchise QB, the Texans could be scary good for a very long time. As to the Bolts, they really should go back to San Diego. It makes far more sense than LA for them. Thing is, I am not sure San Diego wants them back at this point. The blinding arrogance and lack of sensitivity of the Spanos family and the NFL owners/Goodell is so incredible that I am not sure the Chargers are now welcome anywhere, much less in San Diego. What a total oligarch cockup.

The Pats overcame the Bucs in one of the better and more memorable Thursday Night games to move to 3-2 for the year. Huge win, but Brady is still spending too much time on his ass from poor offensive line play. And, though the defense has been praised for their effort against TB, it really was not that much better. History reflects that Bill Bel defenses start soft and gel when it counts, but this one is

nowhere near that yet. We shall see, but, for now, Bill Bel and the boys are 3-2 and on to the Jets Jets Jets, who will undoubtedly enter the game next week also at 3-2 because they play the Brownies today. The better question is whether the Bills circle their wagons enough today against the Bengals in Cinci to keep the lead in the AFC East, or if they fall to 3-2, and leave the Pats right where they always are. In the division lead.

In other games, the Cards at Iggles is interesting. Philly has been in a breakout so far. The Cards have sucked. I think the Eagles win this pretty easy, but Cards are one of those outliers that, if they catch fire, can flat kill you. Don't think so this week.

Detroit at Carolina ought to be pretty interesting. What kind of routes will Cam the misogynist man run? But I'll put my dimes on the Kittes, because they are a better team. Titans at the Fish was going to be great, but Mariotta is hurt, now maybe a tossup. Best game, probably by far, is the Cheesers at the Boys. I'll call it a tossup. It is not a make or break game for either team. It is, however, one of the more underrated rivalries in the NFL over the last two decades. That is must see TV.

Today's music is by The Killers. It seems a weird name for the band in light of what just happened a week ago in their home town of Las Vegas. But they have been rocking, and carrying the banner of Nevada and Las Vegas since they broke out with Hot Fuss in 2004. The band is ridiculously good, and have been from the start. If you do not know The Killers, you should, give them a try. So, let us rock on for another week.

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.

WHEN THE PRESIDENT

HATES A RACE AND TALKS RACIST TRASH

President Donald J. Trump is a racist bigot. Jemele Hill was right on that one, not that sane people had not already realized it long ago, and well before his election. Take his ignorant position on the Central Park Five case, just as a for instance. Then add on how he was sued decades ago for discriminating against blacks in housing. Throw in a thousand other tell tale points and you have a picture of a self entitled candy assed rich New York racist. That is just who he is. It has always been there for inquiring minds to see if they so desired.

Now the latest pure and unadulterated racism from the now President of the United States. Last night in Alabama, Trump let loose a rambling self centered screed of a speech that would make George Wallace cringe. Here is a sample:

“Wouldn’t you like to see one of these owners, when somebody disrespects our flag, to say, ‘Get that son of a bitch off the field right now, out, he’s fired. He’s fired!’”

He then went on to state that any player so exercising free speech should be “fired” and unemployable at their career job. From Michael David Smith at PFT:

Trump said an NFL owner who releases a player would instantly gain broad support across America.

“Some owner’s gonna do that. He’s gonna say, ‘That guy that disrespects our flag? He’s fired. And that owner . . . they’ll be the most popular person in this country. Because that’s total disrespect of our heritage. That’s total disrespect of everything we stand for,” Trump said.

Trump added that he believes fans should walk out if players don't stand for the anthem. "If you see it, even if it's one player," Trump said, "Leave the stadium."

Trump also argued that if they do this to boycott the NFL and personal free speech, they would be supporting him and his position.

Clearly
aiming
at
Colin
Kaepernick,
Michael



Ben Bennett and Malcolm Jenkins, prominent NFL players who have had the audacity to be free thinking humans and exercise the protected free speech our Bill of Rights is led by and that generations of American patriots fought and died to preserve. Donald Trump shits on every ounce of that every time he goes on one of his little pointed and racist rants. And boy did he shit on it last night in Alabama. You'd almost think Trump is aligned with the neo-Nazi white supremacists with torches in Charlottesville that he praised as "fine people" instead of the full diversity of American citizens. Including, you know, black people.

Was Trump done? Of course not. He then cravenly went on to scold the NFL for being soft because of their (still lame and ineffective) concern about CTE degenerative brain disease:

"When the ratings are down massively, massively. The NFL ratings are down massively. Now the number one reason happens to be that they like watching what's happening...with yours truly. They like what's happening.

Because you know if they hit too hard...Fifteen yards! Throw him out of the

game! they had that last week. I watched for a couple of minutes. Two guys, just really, beautiful tackle. Boom, fifteen yards!

The referee gets on television, his wife is sitting at home, she's so proud of him. They're ruining the game! That's what they want to do. They want to hit. They want to hit! It is hurting the game!"

An outrageous thing to say about, again, American citizens and their



workplace safety issues. Especially when the most recent studies found CTE degeneration in 99% of the brains from NFL players they have examined. And when the NFL was just slapped with a complaint on Aaron Hernandez that exhibited that even a relative young player displayed "a raisin-like brain of a 70-year-old even though he was 27". Simply craven, bigoted and outrageous.

It is the the stuff of a narcissistic self entitled bigot plantation slave owner. Trump literally thinks he is not only the the better, but genetically superior to other humans, including the constituents he works for. Including people he thinks are owned as slaves by the NFL and other terrorized employees.

When Trump instructs NFL owners to fire people that disagree with his own petty world view, he thinks they are plantation owners such as he sees himself with the rest of humanity. Trump makes "the best deals" but cannot see, nor

appreciate, the NFL collective bargaining agreement (CBA), nor does he respect that deal for squat if employees thereunder happen to annoy the fat ass boy king and god.

Apparently Trump thinks the illustrious group of NFL owner oligarchs are his bitches too. As Don Van Natta noted, "Bob Kraft, Jerry Jones, Stan Kroenke, Daniel Snyder, Shahid Khan, Woody Johnson & Bob McNair each gave \$1M to Trump". That is nearly one quarter of the NFL owners. What are they rewarded with by their benefactor Trump? A call for boycott of their business interests unless they enforce an unconscionable suppression of political free speech he disagrees with.

This may "only be sports", but this is one of the more stunningly outrageous and un-American symbols of the cancer the Trump Presidency really is. And what a demented, sick and small man Trump really is.

Did Trump stop with that stunning pettiness and bigotry? No, of course not. He woke up and decided to be the charlatan of humanity he really is, and decided to lash out at another icon of sports. Steph Curry. And more:



Well that is brilliant Art of the Squeal Like a Pig Don.

So, lets see, who has Donald Trump lashed out at exclusively in the last 24 hours? Ryan Lizza hit it on the head:

Trump has now attacked Jemele Hill,

Colin Kaepernick, & Stephen Curry. All have something in common but I can't quite put my finger on it.

Ryan was being sarcastic about the putting a finger on it. And, again, he was completely correct in his observation. I wonder what Trump would say about a golden white boy who turned down a White House invitation"? Oh, wait...

The face of the New England Patriots, Tom Brady, did not attend Wednesday's White House ceremony with his teammates due to "personal family matters" – but the show went on without the star quarterback.

Brady's decision not to visit the White House comes on the same day former teammate and convicted murderer Aaron Hernandez was found dead after an apparent suicide in his prison cell.

Yes, a pure as white can be Tom Brady gets no bad mouth at all from our racist bigot President, but be a black person in sports, whether athletes like Colin Kaepernick and Michael Bennett, or sports journalist like Jemele Hill, and he will try to deprive you and your family of the essential income your professional career provides.

This is where we are in America in the Age of Trumpism. If you are a white nationalist fat ass racist bigot, your President thinks you are "fine folk". If you are an intelligent black, brown, gay or other, even trying to serve your country's military, your President, Trump The Genetically Magnificent, will attack you and your family's very source of income, and well being, mercilessly.

It is the shame of modern America.

I'm sorry, I've no stomach for the actual games this weekend at this point. We can all discuss that in comments, but not here. Not now. Not

after this.

‘LOOK, YOU CAN LIVE ON MINIMUM WAGE!’ SAY MODERN SLAVERS

Pundits can't understand why millennials are killing so many things like fast food businesses.

Hello? Because they can't afford them on current minimum wage.

THE FUTURE OF WORK PART 4: THE KINDS OF JOBS THAT ARE AT RISK

There is substantial evidence that AI will cause massive job losses. What then?

THE FUTURE OF WORK PART 1: JOHN MAYNARD KEYNES

If work is a curse, why shouldn't we set a goal of getting rid of it?