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FULL TEXT

Immigrant children placed with Alabama sponsors

The Associated Press

July 25, 2014

MONTGOMERY, Ala. (AP) — More than 400 immigrant children have been placed with sponsors in Alabama, according to federal figures released Thursday, and more could be coming with officials saying Maxwell Air Force Base in Montgomery is being considered for housing.

A division of the Department of Health and Human Service said 407 children were placed with sponsors in Alabama between the start of the year and July 7. The announcement did not indicate which counties have the most children.

The number of immigrant children in Alabama is less than in three neighboring states. The Office of Refugee Resettlement reported 760 in Tennessee, 1,154 in Georgia and 3,181 in Florida. That's out of more than 30,000 placements nationwide.

And the Federal Emergency Management Agency notified Gov. Robert Bentley's office late Wednesday afternoon that Maxwell is under consideration for housing immigrant children, communications director Jennifer Ardis said Thursday.

A spokesman for the secretary of defense, Lt. Col. Thomas Crosson, confirmed Maxwell is among the bases under consideration, and it is the only one from Alabama.

He said the Department of Health and Human Services has to assess whether the base could house children, and that hasn't been scheduled yet. He said the federal agency is looking not only for space for housing, but for meals, medical care, recreation and counseling.

"Just because we offer them the facility does not mean they are going to use it," he said.

Crosson said three bases are already being used: Lackland Air Force Base in San Antonio, Texas; Fort Still Army Base in Oklahoma; and Naval Base Ventura in Oxnard, California.

If Maxwell is approved, state officials don't know how many children might be transported there or when they might arrive, Ardis said. She said the state has no role since Maxwell is a federal facility, but she said Bentley joined five other governors in sending a letter to President Barack Obama on Tuesday expressing concerns about immigrant children being housed in their states.

"We are concerned that there will be significant numbers who will end up using the public schools, social services and health systems largely funded by the states. More importantly, we are concerned that the failure to return the unaccompanied children will send a message that will encourage a much larger movement towards our southern border," the letter said.

Joining Alabama's governor in sending the letter were the governors of Wisconsin, Kansas, North Carolina, Pennsylvania and Utah.

Two members of Congress who represent the Montgomery area, Republicans Martha Roby and Mike Rogers, said Thursday they are opposed to the Air Force base being used for housing because that could compromise the base's official mission.

Rogers said the Obama administration had looked earlier at the Center for Domestic Preparedness in Anniston, but that also drew opposition.

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Governor's office says bond refinancing to save state \$20 million over 12 years

Al.com

July 24, 2014

Mike Cason

MONTGOMERY, Alabama --- Gov. Robert Bentley's office said the state will save about \$20 million over 12 years under a bond refinancing approved today.

The State Bond Commission approved the refinancing of \$199.9 million in outstanding general obligation bonds. The move will save \$19.9 million over the remaining 12 years of the bonds according to a news release from the governor's office.

The bonds were sold on a competitive basis with an average true interest rate of 2.13 percent.

The bonds were part of \$350 million in bond issues from 2006 and 2007. The refinancing will reduce debt service payments from the General Fund and Education Trust Fund, the news release says.

Since May, the state has refinanced three bond issues for a total savings of \$71 million, according to the governor's office.

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Time to move on': ASU board chairman Dean steps down

Montgomery Advertiser

July 25, 2014

Josh Moon

Elton Dean, chairman of the Alabama State University board of trustees, honored the growing chorus of people, including Gov. Robert Bentley, calling for his resignation and stepped down Thursday.

Vice chairman Marvin Wiggins did not follow suit, choosing instead to fight because he's "done nothing wrong."

"I feel like this is in the best interest of ASU and the best thing for me," said Wiggins, a sitting circuit court judge. "By my understanding of the law, I have done nothing to warrant my removal from the board. I have done nothing wrong."

However, Wiggins said he expects Bentley to attempt to remove him from the board "if not (Thursday) night then on (Friday)."

A spokesperson for Bentley's office said Thursday that the governor has a statement prepared to release on Wiggins' and Dean's decisions but would not release it until his office received their official letters. As of late Thursday, those letters had not been sent to Bentley.

It's unclear what path Bentley might take to attempt to remove Wiggins. Wiggins said that according to state statute, the governor can try to remove a trustee himself or through a board vote.

The latter seemed to be the path Bentley was planning for on Wednesday when his legal advisor, David Byrne, sent letters to only half the ASU board members — Locy Baker, Robert Gilpin, Larry Thornton, Jeff Langham, Angela McKenzie and Bobby Junkins — reminding them to be present at a scheduled board meeting on July 30. That meeting was canceled earlier on Thursday.

Asked why the letter would only go to those six trustees, instead of the full board, Bentley spokesperson Jennifer Ardis said she was told it was because those six either weren't in attendance or came in late to an executive committee meeting earlier this month. Gilpin and Langham were present at the five-hour meeting the entire time, including an executive session.

Alabama State University Board of Trustees Vice-Chair Marvin Wiggins talks about his decision to not resign from the board at WVAS Radio Station on the ASU campus in Montgomery, Ala. on Thursday July 24, 2014. (Mickey Welsh / Montgomery Advertiser)

"It's unfortunate that the governor is attempting to divide the board in such a way," Wiggins said. "But the goal is clear now."

That fight is the reason Dean said he is choosing to step aside.

"I'm just tired of it, to be quite honest about it," he said. "I've done a lot for this university. If that is no longer appreciated, why fight it anymore? I can walk away and do good elsewhere. I'm going to focus on cleaning up west Montgomery and making it look like that campus at ASU now looks."

Dean, who has served on the board for 11 years, defended his tenure on the board and shot down allegations that he had played any role in procuring a contract for his family members.

Those were the allegations leveled against him and Wiggins in a preliminary audit report completed by the auditing firm Forensic Strategic Solutions last October.

The allegations of conflict of interest against Dean included that his daughter's company, which rents inflatables for birthday parties and other events, received a contract at ASU for an inflatable run-through for the football team.

Wiggins' wife, and other family members, operated a summer camp that was held on the campus at ASU.

Both men denied they played any role in procuring the contracts. Dean said he didn't even know about his daughter's contract. Wiggins noted that his wife had been leading the summer camp prior to it being moved to ASU's campus and that she received no increase in pay because it moved to ASU.

"Looking back, I wouldn't have done a thing different," Dean said. "I can say that because I know I didn't do wrong here. I tried to be inclusive and tried to move ASU forward. Look around that campus now."

The fallout for Dean and Wiggins began nearly two years ago, when former president Joseph Silver alleged that he had uncovered improper contracts at the school. The board and Silver reached a separation agreement in December 2012, but two audits, including a forensic investigation by Forensic Strategic Solutions, resulted from the ordeal.

In October 2013, FSS produced its preliminary report that primarily focused on the allegations against Dean and Wiggins. The two vehemently denied any wrongdoing, but the damage was unavoidable.

As the forensic investigation stretched on, ASU ran into more issues, including three downgrades of the school's credit rating by Moody's Investors Service and a warning status from the accrediting agency Southern Association of Colleges and Schools.

It was the letter from SACS explaining the warning status that directly led to Thursday's decisions by Dean and Wiggins. The conflicts of interest cited in the FSS report were violations of SACS' standards.

That brought a call for resignations from ASU's student government association president Darren Dubose last Sunday. That was followed by another call for resignations from the ASU national alumni association. And finally, on Tuesday, Bentley sent letters to both trustees asking that they voluntarily resign.

Dean honored those requests.

"It hurts me," Dean said. "In my heart, I don't want to do it. When you get right down to it, why stay when you're not appreciated? I talked to my family and I'm just tired of fighting it. I'll go home now."

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'Under no circumstances' should immigrant children be sent to Alabama, state lawmakers say

Al.com

July 24, 2014

Leada Gore

A pair of Alabama lawmakers are joining together to fight any plans to house thousands of immigrant children at Montgomery's Maxwell Air Force Base.

Republican Reps. Martha Roby of Montgomery and Mike Rogers of Saks have written to Health and Human Services Secretary Sylvia Burwell, Department of Homeland Security Secretary Jeh

Johnson and Defense Secretary Chuck Hagel to say they are fundamentally opposed to any children detained at the Mexican border being sent to Maxwell-Gunter Annex.

"Throughout the year, Maxwell and Gunter Annex hosts thousands of Air Force personnel conducting time-sensitive training essential for our national defense," lawmakers wrote in the letter. "The housing, feeding and caring of immigration detainees would severely compromise the critical mission at Maxwell-Gunter.

"Additionally, HHS' failure to clearly communicate with Congress and local leaders underscores the (Obama) administration's lack of concern for the impact its policies have on local communities and their limited resources."

The housing, feeding and caring of immigration detainees would severely compromise the critical mission at Maxwell-Gunter.

Earlier in the week, Gov. Robert Bentley was joined by four other Republican governors calling on the president to address the growing immigration crisis before states find their education and social services offerings taxed by the flood of unaccompanied minors entering the U.S. The tens of thousands of minors are currently being housed in the three military bases but the Pentagon has agreed to house as many as 5,000 more children in installations throughout the country.

Bentley confirmed Thursday Maxwell is among the sites under consideration. DHS has previously looked at Federal Emergency Management Agency facility in Anniston to house the children, but abandoned that plan.

Bentley, Roby and Rogers all said a final decision on if the children will be coming to Maxwell has not been made. Before that happens, Roby and Rogers said they are working on specific language in a special appropriations bill that's set to come before Congress that would prohibit immigrants from being housed at military bases.

"This is the second time HHS has attempted to bring young illegal immigrants over 900 miles from the border to Alabama. This plan, the second time around, is just as severely flawed. I am strongly opposed to this proposal and believe these detainees would put an unnecessarily massive burden on the local community's resources," Rogers said.

"Under no circumstances should these children be sent to Maxwell-Gunter or any other military installation for that matter," Roby added. "The children must be sent back to their countries. We will do it with the utmost compassion and care, but it has to be done."

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Alabama has 'moral obligation' to care for immigrant children, Rep. Terri Sewell says

Al.com

July 24, 2014

Leada Gore

The lone Democratic member of Alabama's Congressional delegation said the state should "rise to the call" if asked to provide housing for thousands of immigrant children at Montgomery's Maxwell Air Force Base.

"This is a humanitarian crisis and I believe we have a moral obligation to protect and treat unaccompanied children with care and compassion," Rep. Terri Sewell, D-Birmingham, said. "Should Maxwell Air Force Base be selected as a site, we as Alabamians, as we have always done, must rise to the call of duty and follow the law."

Gov. Robert Bentley confirmed Thursday Maxwell was one of the sites being considered as a housing location for unaccompanied minors who have entered into the U.S. As many as 50,000 immigrant children who have crossed illegally into the U.S. since October are currently being housed at three military bases. The Pentagon has agreed to provide shelter for as many as 5,000 additional children at military bases, but said which installations will be selected has not been determined.

Bentley said the influx of children would end up taxing the state's educational and social services systems. Reps. Mike Rogers, R-Saks, and Rep. Martha Roby, R-Montgomery, agreed with the governor, saying "under no circumstances" should the children be sent to Alabama. The two pledged to add a provision to prohibit using military bases for immigrant housing in a special appropriations bill set to go before Congress.

'Humanitarian crisis'

Sewell said she supports the Obama administration's efforts to use military bases to house the children while they await an immigration hearing.

"This is a humanitarian crisis and I believe we have a moral obligation to protect and treat unaccompanied children with care and compassion," she said. "This humanitarian crisis at the border highlights the urgent need for comprehensive immigration reform and Congress needs to act now."

What the reform will entail remains up in the air. Democrats and Republicans remain far apart on how to handle the recent influx of unaccompanied minors, as well as any overall immigration reform. Last week, Rep. Robert Aderholt, R-Haleyville, introduced legislation that would streamline the deportation process and close a loophole in a 2008 law that requires a hearing for all immigrants except those from Canada and Mexico.

More than 60,000 unaccompanied minors - mostly from El Salvador, Guatemala and Honduras - are expected to cross into the U.S. through the southeastern border by the end of the year. The Obama administration is seeking \$3.7 billion to care for the children, provide additional immigration judges and beef up border protection.

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Rep. Mo Brooks joins legislation to limit federal spending on immigration crisis

Al.com

July 24, 2014

Paul Gattis

WASHINGTON – U.S. Rep. Mo Brooks said on Twitter on Thursday that he was joining a House immigration bill designed to offset an executive order issued two years ago by President Obama.

The bill is sponsored by U.S. Rep. Marsha Blackburn, R-Tennessee, and was introduced Tuesday. The bill states that it is "to prevent the expansion of the Deferred Action for Childhood Arrivals program unlawfully created by executive order on Aug. 15, 2012."

The tweet from Brooks comes on the same day as Gov. Robert Bentley's office said that Maxwell Air Force Base in Montgomery was under consideration as a location to house thousands of immigrant children who lack proper documentation.

Two other members of Alabama's Congressional delegation, Republicans Martha Roby and Mike Rogers, have said they are working to prevent any military base for being used as a holding destination for children.

According to a press release on Blackburn's Congressional website, the bill "would prohibit federal funding from being used to continue or expand DACA. It also prevents aliens from being authorized to work if they are not in a lawful status."

The bill is a House version of a bill filed in the Senate by Sen. Ted Cruz, R-Texas.

"Central American children have fled to the United States based on a false hope that they will be allowed to remain permanently," Blackburn said in a statement. "This false hope created by the Obama Administration is putting children's lives in danger as they are escorted by individuals who have been known to abuse these children during their journey and even leave some for dead," Blackburn said.

"It is now clear that the Obama Administration saw this problem coming and that children were used as pawns in the President's political game. President Obama's failure to act has forced Congress, once again, to lead the effort to address the crisis on our border."

Brooks' support of the bill continues a long-standing stance against aiding those who cross the U.S. border without proper documentation.

Last week in a speech on the House floor, Brooks said it was "financial insanity" for Congress to give Obama the \$3.7 billion he has requested to deal with the border crisis – which has seen a steep rise in the number of unaccompanied children crossing the border without proper documentation and being taken into the custody of the U.S. Border Patrol.

"America must immediately fly illegal alien children home by the least expensive means possible," Brooks said in that speech.

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Till named Alabama's deputy secretary of commerce, replacing economic development veteran Swann

Al.com

July 24, 2014

Michael Tomberlin

MONTGOMERY, Alabama – The Alabama Department of Commerce has named Angela Till, a veteran of the Alabama Department of Revenue, as its new deputy secretary of commerce, replacing Linda Swann, who is retiring after 11 years with the agency.

Till has worked at the revenue department for two dozen years in various roles. Now she will bring her knowledge of finances and incentives to the state's lead economic development agency.

"We have become more strategic and collaborative in our approach to our mission at commerce and to be able to call on a skilled and knowledgeable expert like Angela Till to take over in this role is critical to our success," Commerce Secretary Greg Canfield said in a statement. "Angela's expertise in the financial and tax-related aspects of incentives packages and her deep experience in working with economic developers across the state will be valuable to us as we continue to pursue our job-creation strategies."

Till began working with the commerce department July 16. Prior to that, she served as the abatement program administrator for the Office of Economic Development in the Alabama Department of Revenue, helping to craft the tax-related elements of incentive packages. She has 14 years of experience in administering Alabama's tax incentive programs for the Department of Revenue.

Till holds a bachelor's degree in accounting from Auburn University at Montgomery and lives in Greenville. She has two sons, both students at Auburn University.

Linda Swann, director of the Alabama Development Office

Linda Swann

Swann joined the Department of Commerce as assistant director in 2003 and served a brief stint as the interim director in 2010. She also headed the Alabama Film Office between 2004 and 2009.

Swann has worked on the recruitment of some of the largest economic development projects, including the ThyssenKrupp steel mill near Mobile, the Raytheon missile plant in Huntsville and the Hyundai Heavy Industries factory in Montgomery. She operated the Economic Development Services & Strategies consulting firm prior to joining the commerce department. She also worked at the Economic Development Partnership of Alabama, Alabama Power Co., and the Gadsden-Etowah County Industrial Development Authority.

"Few people in economic development in Alabama can match Linda's experience or her track record in the field," Canfield said. "She has been at the center of projects that have brought billions in new investment to the state and created thousands of high-wage jobs. Her contribution will be lasting."

The Department of Commerce will honor Swann with a reception at 2:30 p.m. July 25 at the Capitol, with Governor Robert Bentley scheduled to speak and present her with a proclamation. The Economic Development Association of Alabama also will honor her at a reception during its summer conference at the Grand Hotel in Point Clear, July 27-30.

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Local businesses, schools partner to benefit education

Decatur Daily

July 25, 2014

Briana Harris

HARTSELLE — The gap between the training workers receive and the skills industry needs will never cease to exist, but its impact on the community can be reduced.

Toray manufacturing manager Mike Davis told that to a group of Morgan County business leaders, school administrators and faculty Thursday at a Partners in Education breakfast at Hartselle High School.

Davis, who chairs the Morgan County Workforce Development Coalition, said by working together, businesses and educators can help provide more qualified workers to meet the needs of business and industry in the Tennessee Valley.

Under the Partners in Education program, schools and businesses are partnered each school year. The breakfast, sponsored by the Decatur-Morgan County Chamber of Commerce, introduced school leaders to their business partners for the approaching school year.

Chamber Communications Director Grant Thompson said the businesses may provide financial help for the schools and assist with mentoring, tutoring and professional development for students and teachers.

"Each partnership is different, and some schools have more than one partner," Thompson said. "Each partnership is based on the needs of that specific school and what the business is able to provide."

Chestnut Grove Elementary has three partners: Enersolv Corp., Lowman Spine and Rehab Center and Reeves Law Firm. Principal Karissa Lang said the school's partners typically assist with funding for field trips, additional programs and guest speakers.

Banks-Caddell Elementary Principal Linda McClain met her school's partner from Progress Bank, assistant branch manager Valerie Christensen, for the first time.

“We’re both new to our jobs,” McClain said. “We’re coming into this together.”

The 2014-15 school year will be McClain’s first at Banks-Caddell.

Decatur City Schools Superintendent Ed Nichols said the partnerships are about more than monetary support.

“This is an opportunity for us to stand side-by-side with our children and be a part of their success,” Nichols said. “We want our partners to get to the students, learn about their hardships and become invested in the their future.”

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Ala-based network expanding to West Coast

The Associated Press

July 25, 2014

IRONDALE, Ala. (AP) — An Alabama-based religious broadcasting operation is expanding to the West Coast.

The EWTN Global Catholic Network says it's building a television production center on the campus of Christ Cathedral in Orange, California.

The network will continue operating at its headquarters in the Birmingham suburb of Irondale. But it will also use the new studio to broadcast news, inspirational stories and religious masses by the end of the year.

A statement from Eternal Word Television Network says the California studio will let to produce programming that's hard to do elsewhere, particularly for its Spanish-language services.

EWTN calls itself the world's largest religious media network. It sends TV programming to more than 230 million homes and 140 counties and has 11 different television networks in multiple languages.

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Alabama Education Association says Republican primary efforts a success

Al.com

July 24, 2014

Mike Cason

MONTGOMERY, Alabama -- The Alabama Education Association calls its effort in legislative races in this year's Republican primary a success, partly because it helped knock off six GOP incumbents in the House of Representatives.

The AEA lost more Republican primary races than it won, and House Speaker Mike Hubbard, who overcame AEA opposition, called the AEA effort a "horrible failure."

But AEA spokeswoman Amy Marlowe said the association made headway in reshaping a Republican super-majority that has dealt AEA some jarring legislative defeats since 2010.

"We were pleased," Marlowe said. "We had a plan we started developing right after they passed the Alabama Accountability Act."

In the June 3 primary and July 15 runoff, the AEA helped oust GOP Reps. Richard Baughn of Lynn, Mac Buttram of Cullman, Wayne Johnson of Ryland, Charles Newton of Greenville, Bill Roberts of Jasper and Kurt Wallace of Maplesville.

AEA also helped two Republican House incumbents fend off primary challengers -- Reps. Steve Hurst of Munford and Mike Millican of Hamilton. And it helped Isaac Whorton capture the GOP nomination for the House seat left open by the retirement of Rep. Duwayne Bridges of Valley.

Marlowe said she expects the changes in House membership will make a difference.

"What we expect is they will listen to educators, recognize them for the professionals that they are and value their opinions on education issues when they come before the Legislature," Marlowe said.

The AEA was once a dominant power in the Legislature, but that changed when voters put Republicans in control in 2010 after 136 years with Democrats in charge.

Since then, the GOP super-majority has run over the AEA on many bills, including the Accountability Act, increasing employee contributions to their retirements, tenure reform and stopping payroll deduction for AEA dues.

Four years of hard knocks gave the AEA plenty of targets in this year's primary. The AEA went after Hubbard, but he won by a 60-40 margin. Republican incumbents who beat challengers backed by the AEA included Reps. Dan Williams of Athens, Kerry Rich of Albertville, Ed Henry of Hartselle, Alan Harper of Northport and Mack Butler of Rainbow City.

The AEA batted zero in the Republican primary in state Senate races. Its political action committee, AVOTE, spent more than \$1 million in at least seven races – failed efforts to take out five incumbents and losses in races for two open seats.

Marlowe said the AEA's heavy participation in the Republican primary should not be surprising. Although the AEA is identified more closely with Democratic politics, Marlowe said the organization's membership has a strong mix of Republicans.

"Our demographics reflect the state of Alabama," she said. "We've known that for quite some time."

She said large AEA memberships were factors in some districts where the AEA prevailed in the primary, with the association using direct mail ads to its members to remind them of key votes over the last four years. She said many don't need reminders.

"We don't have to tell them they've suffered over the last four years," she said.

Marlowe said she did not think very many legislative races were in play in the Nov. 4 general election. She said it was unlikely that Democrats could win enough seats to end the Republicans' super-majorities. Republicans hold 66 of 105 House seats and 23 of 35 Senate seats. The numbers matter because Republicans can end filibusters with a three-fifths vote.

The AEA also supported a number of Democratic legislative candidates in the primary, although Democrats had far fewer contested races than the Republicans.

The AEA has not publicly taken sides in the governor's race. Four years ago, it paid for campaign ads against Bradley Byrne that helped Gov. Robert Bentley win the Republican primary.

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Pro-expansion panel tries to get Medicaid message across

Anniston Star

July 25, 2014

Brian Anderson

TALLADEGA — A panel of Democratic candidates and health care professionals was left wondering Thursday night what was the best way to actually get the elephant into the room.

The Talladega and Calhoun County Democratic parties hosted a town hall-style meeting at the Ritz Theater in downtown Talladega on Thursday night to discuss expanding Medicaid in the state of Alabama under the Affordable Care Act. It was an evening that began with Parker Griffith, a candidate for governor, lamenting the lack of debate in Republican-controlled Montgomery, and ended with him admitting he was unsure how to get his message across to Republican voters.

Griffith said Gov. Robert Bentley's refusal to expand Medicaid in the state is "not based on what's best for the people in Alabama, but on the fact that he doesn't like the current president. It appalls me that a man who signs his name with the initials M.D. would put politics before helping people."

Griffith, along with Jesse Smith, a candidate the U.S. House of Representatives in Alabama's 3rd Congressional District; David Becker, a University of Alabama at Birmingham professor; and Joel Taylor, president of Citizens Baptist Medical Center in Talladega, participated on the panel. The conversation was moderated by Bill Britt, an Alabama political journalist, and covered both the economic effect of expansion, as well as how it would benefit the lives of those who would be eligible for coverage.

"The non-disputed facts are about 300,000 people would receive coverage, 80 percent of whom would be newly insured," said Becker, who authored the study, called An Economic Evaluation of Medicaid Expansion in Alabama. "It would generate \$12 billion annually for the state. We can quibble on how many jobs that would create, but with that money being pumped into our economy, it would have to be more than zero."

Becker, however, admitted he was at a loss when it came how to educate voters on the issue of Medicaid expansion, which was a question repeatedly asked of an audience of about 50 people Thursday night.

"Saying the same thing over and over for 18 months probably isn't the best way to get the message across," he said. "But that's what I've been doing."

Several audience members noted Thursday's night meeting felt more like a rallying cry for the converted than a discussion that would open anyone's eyes to expansion. Smith, however, said he felt like the meeting could be a good way to organize efforts, as well as share stories of the struggles of Alabama residents living without insurance.

"You have to tell people about the numbers and the stories, and that's how they'll see it," Smith said.

At least one Republican, however, was at the Ritz Thursday night. Buddy Campbell, a former chairman of the Talladega Republican Party, said it felt odd to be among Democrats Thursday, and probably even more odd to be agreeing with them. Campbell said as a son of a doctor, he believed the benefits of expanding Medicaid was not only great for the uninsured in the state, but for improving the health care industry in the state. His message for those across the party line was to get outside of established political lines, and start talking.

"It's up to all of you to go out and talk to people," he said. "Bring the conversation to them"

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Rep. Barry Moore's lawyers ask court to say recorded phone call inadmissible

Al.com

July 24, 2014

Mike Cason

MONTGOMERY, Alabama ---- State Rep. Barry Moore of Enterprise has asked a Lee County judge to block a phone conversation recorded by Moore's opponent in the June 3 primary from being admitted as evidence in Moore's perjury trial.

Moore's lawyers filed a motion to suppress today, asserting that the phone call was illegally recorded.

Josh Pipkin, who lost to Moore in the primary, recorded a phone conversation last year during which Moore told Pipkin that House Speaker Mike Hubbard was "furious" about Pipkin running.

Moore appeared to indicate to Pipkin that a project in their district could be jeopardized unless Pipkin stayed out of the race.

Prosecutors allege that Moore lied about the conversation when asked about it before a special grand jury in Lee County in January.

In April, the grand jury indicted Moore for perjury and giving false statements. Moore has pleaded not guilty.

The special grand jury was formed to investigate Hubbard and possible corruption at the Alabama State House, according to a letter from Attorney General Luther Strange, who recused himself and appointed former St. Clair County District Attorney Van Davis to handle the investigation.

In the motion filed today, Moore's lawyers say the conversation between Moore and Pipkin was "surreptitiously and illegally recorded while Mr. Pipkin was in Alabama and Moore was in Florida."

They say that a Florida law requiring consent of both parties for the recording applies. Alabama law does not require consent of both parties.

Moore's motion says that the recording is the basis of the indictment and "will be an integral part of the State's case."

Moore's trial is set for Sept. 15. He has asked Lee County Circuit Judge Jacob A. Walker III to put the case on hold while he appeals some issues to the Alabama Court of Criminal Appeals.

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Alabama city to host world horseshoe competition

The Associated Press

July 25, 2014

MONTGOMERY, Ala. (AP) — Alabama has a ringer in Montgomery, which has won its bid to host the World Horseshoe Tournament.

City officials on Thursday announced that the tournament will be held at the Cramton Bowl Multiplex in Montgomery in July 2016.

The Montgomery Advertiser reports (<http://on.mgmadv.com/1xaXNzs>) that Montgomery was one of several cities vying for the competition, presented by the National Horseshoe Pitchers Association.

Kay McCreery, the city's special recreation programs director, said the final choice came down to Montgomery and Spokane, Washington, before Montgomery landed the event.

The 2014 tournament is taking place in Buffalo, New York.

Dawn Hathcock, vice president of the Montgomery Area Chamber of Commerce's Visitors and Convention Bureau, said about 2,000 people are expected to visit for a two-week period around the time when the event is held.

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House panel clears way for vote on Obama lawsuit

The Associated Press

July 25, 2014

WASHINGTON (AP) -- Over Democratic objections, Republicans cleared the way Thursday for a House vote on legislation authorizing an election-year lawsuit accusing President Barack Obama of failing to implement the 4-year-old health care law as it was written.

The vote in the Rules Committee was 7-4, with all Republicans in favor and all Democrats opposed.

Republicans say the lawsuit is necessary because Obama is exceeding his authority as president by failing to carry out legislation that Congress passed and he signed into law.

"The Constitution that we have sworn to uphold provides separate powers for each branch of the federal government, so that no single branch can trample upon the liberties of the American people," said Rep. Pete Sessions, the Texas Republican who chairs the panel. "Unfortunately the president has ignored the requirements of the Constitution."

Democrats swiftly countered that the suit is a political maneuver designed to improve Republican prospects in the November elections. In a statement released shortly after the vote, the party's House leader, Rep. Nancy Pelosi of California, said constitutional law experts have said the suit is without merit.

"But you don't need to be an expert to see it's nothing more than a desperate partisan stunt. Republicans should drop the distractions and join Democrats in addressing the priorities of the American people: creating jobs," she said.

Even so, Democrats conceded that majority Republicans have enough votes to prevail when the measure comes to a scheduled vote in the next few days, shortly before lawmakers begin a five-week vacation.

Republicans have long claimed that Obama has selectively enforced the health care law, pointing to a series of executive orders he has issued since its enactment. The administration disputes that view.

In his remarks, Sessions expanded the list of allegations, saying Obama had unilaterally waived work requirements for welfare recipients, ended accountability provisions in the education law No Child Left Behind, and refused to inform Congress of the transfer of Taliban prisoners from the U.S. detention center at Guantanamo Bay, Cuba.

Rep. Louise Slaughter, D-N.Y., predicted that any suit would be thrown out on procedural grounds.

Slaughter said that a federal judge had recently dismissed a suit by Sen. Ron Johnson, R-Wis., regarding lawmakers and aides and their health care. The allegation in the suit was that the administration had incorrectly applied the law, she said, adding that U.S. District Judge William C. Griesbach refused to hear the case.

She quoted him as ruling: "Under our constitutional design, in the absence of a concrete injury to a party that can be redressed by the courts, disputes between the executive and legislative branches over the exercise of their respective powers are to be resolved through the political process, not by decisions issued by federal judges."

The legislation cleared by the committee on Thursday allows the House to sue any executive branch officials, including the president, for failing to carry out their duties under the Constitution in connection with implementation of the law.

House Speaker John Boehner, R-Ohio, has vociferously disputed charges that the legal move is politically motivated, or that it is designed to tamp down sentiment among tea party supporters for impeachment proceedings against Obama.

For their part, Democrats have used the possibility of a lawsuit to raise campaign contributions in advance of the November elections.

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Central, southeast Alabama abnormally dry

The Associated Press

July 25, 2014

BIRMINGHAM, Ala. (AP) — Nearly 20 percent of Alabama is experiencing abnormally dry weather, but the state remains drought-free.

The latest report from the U.S. Drought Monitor says parts of central and southeastern Alabama are drier than normal. Combined, the area makes up about 19 percent of the state.

That's worse than a year ago, when the entire state had sufficient rainfall. But federal statistics don't show any drought conditions in Alabama, and most counties are at or above normal rainfall levels.

Alabama's driest areas are around the Interstate 20 corridor including Anniston, metro Birmingham and Tuscaloosa. The Dothan area is also abnormally dry.

The picture is much worse in the Western United States. Much of the Southwest and California are gripped in a severe drought with rainfall levels far below normal.

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Obama's immigration flip flop

Politico

July 25, 2014

Carrie Budoff Brown

President Barack Obama insisted for years that he had absolutely no legal authority — none whatsoever, zero, zilch — to slow deportations on a broad scale.

Forget everything he's said.

Obama's pledge to use his executive powers by the end of the summer marked both a dramatic reversal in rhetoric and a major strategic shift on immigration. The president is no longer emphasizing his own powerlessness but rather his determination "to fix as much of our immigration system as I can on my own, without Congress."

(Also on POLITICO: Path to child migrant compromise?)

The administration is examining how far it can go, legally and politically, to protect millions of undocumented immigrants from deportation. Despite the flow of young Central American children across the southwestern border, Obama remains committed to taking significant action, according to senior advisers and advocates who have attended recent meetings with White House officials.

In other words, Obama has signaled that he intends to do exactly what he's long said he's unable to do.

"I take executive action only when we have a serious problem, a serious issue, and Congress chooses to do nothing," Obama said last month in his Rose Garden announcement. "And in this situation, the failure of House Republicans to pass a darn bill is bad for our security, it's bad for our economy, and it's bad for our future."

Even immigrant rights advocates, who were on the receiving end of the White House denials for years, were surprised by his abrupt and enthusiastic move toward executive action in June after House Speaker John Boehner (R-Ohio) ruled out a legislative overhaul of immigration this year. Activists had gotten so fed up in recent months that some tagged the president as the "deporter-in-chief" and demanded that he shift immediately from a legislative strategy to an administrative one.

(Also on POLITICO: Bush on border: Send the kids home)

“The way they talked about it was, ‘There’s nothing we can do, only Congress can solve it, we don’t have the authority,’” said Lorella Praeli, director of advocacy and policy for United We Dream. “That is very different from what they are saying today. It is completely different.”

The shift could be used by critics as an example of Obama saying one thing and doing something else, another “evolution,” in White House parlance, on a hot-button social issue. Some Republicans see it as fertile ground for advancing their midterm election strategy, which focuses on raising questions about the president’s credibility and competence.

“It brings into question, when he commits to other things, whether he will keep that commitment,” said Sen. John McCain (R-Ariz.), who worked closely with Obama on passing a Senate immigration overhaul bill last year. “Things in this town, to a large degree, are done on people’s commitments.”

But of all the challenges surrounding the decision, taking a hit for a change in position isn’t at the top of the White House’s list of concerns. Aides privately acknowledge that Obama has flip flopped — but for good reason, they insist.

(Also on POLITICO: America’s Crazy, Upside-Down Immigration System)

The president wanted to maintain pressure on Congress for as long as he could because legislation is the only way to provide permanent relief to undocumented immigrants, aides said. An executive order can be rescinded by Obama’s successors. He didn’t want to concede that he could take action on his own while legislation was still possible, but once it was no longer an option, there was little downside to changing course, the aides said.

“These executive actions are not a substitute for congressional action, in part, because they aren’t as far-reaching,” said White House press secretary Josh Earnest in an interview. “But the president is determined to do the right thing for the country and our economy by acting, within the bounds of the law, to reform our broken immigration system, consistent with the views expressed by the bipartisan coalition of law enforcement, faith and business leaders who back reform.”

Obama still views the legal limits as murky, aides said. It’s a major reason the review is taking so long — the administration wants the order to withstand the inevitable court challenge but needs to build a case for it.

White House counsel Neil Eggleston and domestic policy adviser Cecilia Muñoz are hosting listening sessions with key players in the process, including attorneys for the AFL-CIO and the Service Employees International Union, according to sources familiar with the meetings.

The president has suggested privately that he would not go as far as extending temporary protections to all 11 million undocumented immigrants who would have qualified under the

Senate bill. Instead, he's weighing how to provide relief to subsets of the population based on family ties, longevity in the country or employment background. It's unclear where he'll draw the line, but advocates expect him to go far based on his initial statements that he wants to max out his legal authority.

This is a stark change from the previous 5½ years of his administration.

Obama has been heckled at public events, pressed during interviews and questioned in private at the White House about why he just won't use his executive powers to protect millions from deportations. Sometimes he made clear that only legislation could provide relief for all undocumented immigrants, which is consistent with his current view. Other times he didn't draw the distinction.

Either way, he always left the same impression: The law prohibits him from doing much on his own.

"There are those in the immigrants' rights community who have argued passionately that we should simply provide those who are [here] illegally with legal status, or at least ignore the laws on the books and put an end to deportation until we have better laws. And often this argument is framed in moral terms: Why should we punish people who are just trying to earn a living?" Obama said in a July 2010 speech.

"I recognize the sense of compassion that drives this argument, but I believe such an indiscriminate approach would be both unwise and unfair. It would suggest to those thinking about coming here illegally that there will be no repercussions for such a decision. And this could lead to a surge in more illegal immigration. And it would also ignore the millions of people around the world who are waiting in line to come here legally."

Last November, Ju Hong, an undocumented immigrant from South Korea, yelled at the president during a San Francisco event: "You have a power to stop deportation for all undocumented immigrants in this country."

"Actually I don't," Obama responded. "If, in fact, I could solve all these problems without passing laws in Congress, then I would do so. But we're also a nation of laws. That's part of our tradition. And so the easy way out is to try to yell and pretend like I can do something by violating our laws."

A month later, Vice President Joe Biden said Obama's options were limited.

"What I get all the time is, 'Well, look, since the system is broken, and Congress won't fix it, why don't you just suspend everything?'" Biden said. "The president doesn't have the authority to do that."

But in the Rose Garden on June 30, Obama didn't dwell on the constraints of the law.

“So while I will continue to push House Republicans to drop the excuses and act — and I hope their constituents will too — America cannot wait forever for them to act,” Obama said. “And that’s why, today, I’m beginning a new effort to fix as much of our immigration system as I can on my own, without Congress.”

Frank Sharry, executive director of America’s Voice, said a close read of Obama’s previous statements provides wiggle room.

“If you look really carefully at what he says, he says, ‘I can’t do what the legislation does. I can’t go as far as you think I should go,’” Sharry said.

Still, Sharry added, “the impression he gives is, ‘I can’t do it.’”