



Speaker's Press Clips
Monday, July 28, 2014

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FULL TEXT

Auburn lands in Forbes' top 10 small places for business

Opelika-Auburn News

July 27, 2014

Sara Falligant

The city of Auburn has been named one of Forbes' Best Small Places for Business and Careers, according to a list released last week.

Auburn ranks 10th on the list of 184 cities, falling between ninth-ranking Lafayette, Indiana, and number 11 Corvallis, Oregon. Fargo, North Dakota, took the list's top spot.

Auburn boasts a metro population of 151,300 and a cost of living 5.3 percent below the national average, according to Forbes, along with \$4.7 billion in gross product dollars. Forbes also cites Auburn University as key to the city's economy, and notes Auburn's many cultural offerings, including the Jule Collins Smith Museum of Fine Art and Telfair Peet Theatre.

"It's always great news to see these recognitions of the Auburn community," city of Auburn Director of Public Affairs David Dorton said in an email. "The city has worked for many years to build a diverse, stable economy and job market, so it's definitely gratifying to see that approach working in the media rankings and industry announcements we've seen in the past couple of years."

For Stephen Hooks — one of the owners of BurgerFi, which opened last Wednesday — Auburn's small town feel encouraged him to open a second business in the area. Hooks also owns APR LLC in Opelika.

"It really just boils down to a dynamic built around small town values," Hooks said.

He added the city's diversity and economic leadership also played a role in deciding to open the restaurant in town.

"There is great leadership that continues to invest in businesses," he explained.

Community and education also encourage business owners to lay down roots in Auburn.

University ACE Hardware owner David Fichtner and his wife graduated from Auburn University and opened a successful business in Atlanta. They, along with their six children, moved back to Auburn and opened Ace in February 2013.

"It's because they missed the community atmosphere that Auburn has to offer," explained manager Cindy Salter. "They chose to come back here because they knew the school system was so good. ... The community has been very receptive to have an Ace Hardware here."

Forbes also lists Auburn as number 14 in job growth, 23 in education and 56 in cost of doing business.

"Forbes realizes what I've known for a long time, Auburn is a special place to live, work and raise a family," Alabama Speaker of the House Mike Hubbard said in a statement. "Working together from the state, city, and local levels we have landed Auburn a place on the map as one of the most business friendly places in the state, and now, for the second year, one of the top 10 places for business in the country."

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State Representative Randall Shedd offers 5-point plan, gathers input at community meeting

The Cullman Times

July 24, 2014

Zach Winslett

VINEMONT — District 11 state Rep. Randall Shedd has a five-point approach to his role in the Alabama House of Representatives, and he shared that approach and listened to the voices of some of his Cullman County constituents at a town hall meeting at Providence Fire Department in Vinemont.

"The people that elected officials represent have good ideas," Shedd said. "I plan to have community meetings between now and March in every community in my district."

The regular session of the Alabama Legislature begins March 3.

Shedd's five-point plan includes closely monitoring government spending, simplifying government, generating jobs, restoring what he believes to be the core values of Alabama to the Legislature and taking care of the needs of District 11.

"We face serious challenges in this state," he said. "But I'm working for the next generation, not the next election. I don't want my grandson to ask me why we didn't leave it better than when we found it."

One of the serious issues Shedd mentioned was state debt and expenditure.

"The state is at \$5 billion in bond debt," he said.

Shedd mentioned privatization as a possible solution to rampant government spending, as well as Gov. Robert Bentley's recommendation for government downsizing.

He said Alabama's issues with prisons being overcrowded and under-funded could possibly be solved with privatization.

The other key topic for Shedd was job creation.

He hopes he can bring better paying jobs with better benefits into the state and his district.

“I hope the House will have a sense of urgency when there is a project that creates jobs,” he said. “I’ve seen those types of projects drag on as a small-town mayor and county commissioner. It keeps people from finding jobs.”

Shedd said he believed building on the successful areas of Alabama’s economy — the automotive and agricultural sectors — was key for the state’s growth.

“We’re very fortunate to have the beginning of auto industry in Alabama,” he said. “The state needs to address what we can do different to generate pockets of development. The state government will continue to discuss incentive packages for the automotive industry.”

Shedd said job creation needs statewide emphasis.

Shedd’s audience — composed mostly of his constituents — shared their concerns for county tax division and county roads.

Ron Stone, a former school board member and member of the Cullman County Personnel Board, voiced concern over the dichotomy between the City of Cullman and Cullman County’s municipalities.

“The municipalities of Cullman County are always choked down by Cullman city,” Stone said. “The municipalities only receiving 20 percent seems unfair to me.”

The current tax division allocates the sales tax remaining after state and education cuts to the county, City of Cullman and the other municipalities.

Cullman receives 40 percent, the county receives 40 percent and the municipalities receive 20 percent.

Stone’s concern is not unshared, as proven by a movement from local municipalities in 2012 to change the distribution. Shedd, aware of the previous campaign to change the tax structure, is wary of supporting reform.

“My door is always open to the idea,” Shedd said. “But it’s a unique tax distribution system that we’re lucky to have. We have to be careful with tweaking it so that it is not detrimental.”

A crucial topic from the recent county commission elections also made its way into Shedd’s meeting — roads in Cullman County.

Shedd said he had faith in the newly elected commissioners to find a way to face the thoroughfare challenge. He added that a long-term plan might be crucial.

Kerry Watson and Gary Marchman, the newly elected place 1 and place 2 commissioners, were in attendance.

“Kerry and I are going to get out there and look at the community roads in person,” Marchman said.

To conclude the meeting, Shedd emphasized he was open to ideas and complaints from the public.

“A lot of elected officials hear the voices of the community during election season,” he said. “But there is a difference between trying to win a vote versus hearing the concerns of the people.”

Shedd said he would continue to hold these meetings across District 11, and, beyond sharing his five-point approach, he would conduct them solely as a medium for him to hear the public.

“If I just stood up and told everyone where I stood, that would defeat the purpose of these meetings.”

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Capital Notebook: Committee rethinking budget tax exemptions

Decatur Daily

July 26, 2014

Mary Sell

An Alabama House subcommittee studying tax exemptions in the education budget has come up with a few recommendations to consider in 2015, including eliminating some Alabamians' option of having no state taxes withheld from their paychecks.

The subcommittee is chaired by Rep. Terri Collins, R-Decatur. Collins said this year she is supportive of tax credits and exemptions when properly used, but lawmakers and budget writers need to know more about the hundreds of millions of dollars being pulled from public school funding each year.

Collins was in Montgomery last week updating House education budget committee members and others about what her group has found so far.

Current law allows for employers not to withhold taxes if the employee incurred no income tax liability the preceding year and anticipates not having a liability.

Collins said according to the state Department of Revenue, about 76,000 individuals use the no-withholding option.

“Our suggestion is that we'll get some legislation drawn up to eliminate the option of not withholding taxes, striking the total withholding exemption,” Collins said.

Another suggestion from the committee involves non-profits, their tax-exempt statuses and finding out how much money that really is.

“We don’t know what these exemptions cost the state,” Collins said. She’s not talking about yanking the exemptions, but requiring paperwork that will let the state know what it’s losing.”

Requiring better reporting of income, property and sales tax exemptions claimed by non-profits could be required in the future, Collins said.

“Our idea is not to change it, but to make sure no one is taking advantage of it and to understand what we’re not collecting in taxes,” Collins said.

Non-profits are not the only ones who need better reporting, according to the committee. Currently, there is no reporting requirement for individuals or businesses who take advantage of state tax exemptions or deductions to report the lost potential revenue to the state.

“That’s what we’re wanting to see, what the cost is and what the benefit is to these exemptions,” she said. “This will help us make better decisions in the future.”

The state’s largest deduction is likely the one that allows Alabamians to deduct what they pay in federal income taxes from their Alabama income. It costs about \$486 million a year.

Norris Green, director of the Legislative Fiscal Office, has said Alabama is one of two or three states that allow that deduction.

Refinancing saves \$19.9M

A bond refinancing approved last week will save the state almost \$20 million during the next 12 years, the governor’s office said.

The State Bond Commission approved the refinancing of \$199.9 million of its outstanding general obligation bonds.

They were part of more than \$350 million in bond issues executed in 2006 and 2007.

The savings will come through lower annual debt service payments from the general and Education Trust Fund budgets.

Gov. Robert Bentley said so far this year, bond refinancing has added up to \$71 million in savings.

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Nearly 11K students applied for Alabama Accountability Act scholarships
Birmingham Business Journal

July 25, 2014

Nearly 11,000 students applied to receive scholarships in August through the Alabama Opportunity Scholarship Fund that was created last year by the Alabama Accountability Act.

The scholarships will allow public school students attending a failing school to transfer to a private or another nonfailing public school.

The fund will award 3,000 scholarships. More than \$17.8 million was raised to support the fund. The average household income for applicants over a household of four people was \$30,144 a year.

For the spring semester of 2013-2014, 786 students received scholarships and more than 500 scholarships have been awarded for next school year.

The Alabama Accountability Act was controversial, but drew heavy support from many business leaders.

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Alabama goes all in on ignition controls for drunken drivers, but do they work?

Al.com

July 27, 2014

Brendan Kirby

Alabama is stepping up its use of a technological solution to the age-old problem of drunken driving.

Taking effect this month, a revised law provides for people convicted of driving under the influence of alcohol to install ignition interlock devices that prevent their vehicles from starting if they have a blood-alcohol content of .02 or more. In some cases, the interlock devices are mandatory. In others, drivers can request devices in exchange for reduced terms of driver's license suspensions.

The Legislature passed an interlock law in 2011, and the program was supposed to be operational the following year. But defects in the statute prevented most jurisdictions from implementing it. In Mobile County, for instance, Presiding District Judge George Hardesty said he has not yet had a DUI case involving an interlock device.

"We're doing our best to implement that now," he said. "We certainly want to apply the laws that the Legislature has passed. Because of the newness of the law, we're still digesting elements and effects of the implementation and the procedures."

Sometimes mandatory, sometimes voluntary

The law makes mandatory an interlock device for DUI defendants with a previous DUI within the preceding five years. Repeat offenders must pay to have the device installed after they finish a period of a suspended driver's license.

The device also is mandatory for first-time offenders who meet any of the following conditions:

A BAC of .15 or greater.

A driver who refuses to take a breath test.

A driver with a passenger younger than 14.

The driver who caused an injury to anyone other than himself or herself.

The basic term is six months but can be extended for violations, and subsequent offenses carry longer terms.

DUI defendants who are not required to install the device can ask a judge for one in order to delay the driver's license suspension. In those cases, the Alabama Department of Public Safety issues a special driver's license designating that the operators must have interlock devices. If a law enforcement officer pulls such a driver over – even for a non-DUI offense – he can issue a citation if the driver does not have an interlock.

Driver voluntarily using interlocks get standard licenses back if they successfully complete their probation.

The original law called for fines as part of the program but did not set up a mechanism for collecting them. The law also required fines from people whose license were suspended but not those whose licenses had been revoked.

Most jurisdictions did not implement the program as a result. And even in the few that did, officials said it is too soon to draw hard conclusions about whether it works.

"It's too early, I think, to really gauge the effect of it," said Sean McTear, a deputy district attorney in Montgomery County. "That's something obviously we hope to see."

According to the Alabama Department of Public Safety, the agency has issued a total of 81 interlock-mandated driver's licenses. Baldwin County, which adopted the interlock program before most other jurisdictions, has accounted for a large share of those.

District Judge Michelle Thomason said Baldwin County had 404 DUI cases in 2013. Of those defendants, she estimated, about 50 installed interlock devices.

McTear said he hopes that as the program grows, it not only cuts down on repeat drunken driving but acts as a deterrent to others.

"It's a big, honking reminder of what you did," he said. "It's sitting there in your car. Anyone who rides with you can see it."

How it works

The interlock design varies somewhat depending on the company that sells it. But it generally is about the size of a cell phone and has wires leading to a component connected to the ignition. The driver must blow into a tube. If the device measures alcohol, the car will not start for 15 minutes.

Donna Tate, a spokeswoman for Smart Start of Alabama – one of three approved vendors in the state – said the device also periodically requires people to pull over and blow again after the car has started. This, she said, is to prevent people from driving just after drinking, before the alcohol has reached the blood stream.

Drivers each month must take their vehicles to an interlock vendor to get them re-calibrated. For customers of Smart Start, that costs \$75. Drivers also must pay a \$95 installation fee, Tate said.

A log of activity for the month goes to the driver's probation officer. Four positive tests in a month trigger a hearing to determine if the operator has violated the terms of his probation. Other violations include tampering with the device or failing to get it re-calibrated.

Smart Start officials say they have recorded more than 506 million car starts nationwide. Almost 6.5 million attempted starts have been blocked because of alcohol readings.

Tate said there are other safeguards to make it harder for motorists to evade the rules. She said it takes some practice to get the hang of using the device, which requires humming as the driver breathes. This is meant to make it harder for an impaired driver to get someone else to blow into the machine, she said.

Effectiveness touted

The popularity of interlock laws has grown significantly since 2006, when only a handful of states required them for DUI offenders. Now, 44 states mandate interlocks for at least some DUI offenders, according to Mothers Against Drunk Driving. A 45th state, California, has a mandatory-interlock law in four counties.

Advocates point to a growing body of evidence that they prevent impaired drivers from hitting the road.

The Centers for Disease Control, after reviewing more than a dozen studies, recommends that all drivers convicted of DUI be required to install interlocks.

"We have found about two-thirds, or a 67 percent median decrease in re-arrest while drivers have the interlock device," said Gwen Bergen, a behavioral scientist for the agency.

The studies compared DUI offenders driving with interlock devices to DUI offenders who did not have the devices.

Bergen said the research indicates that the re-arrest rate returns to the normal level after the device is removed. "So the effect is while the interlock is on the car," she said.

Bergen said there have not been enough studies for the CDC to draw a firm conclusion on whether interlock laws reduce traffic accidents. But MADD argues that evidence suggests that those laws have had an impact. From June 2006 to June 2013, according to the organization, the number of installed interlocks jumped from 101,000 to more than 300,000 nationwide.

That has coincided with a 27 percent drop in drunken driving deaths from 2006 to 2011. MADD also points to studies from six states showing reductions in traffic fatalities ranging from 22 percent to 40 percent.

Tate, of Smart Start, said voluntary interlock laws improve public safety while allowing DUI convicts to keep driving.

"It's a pretty significant reduction for them," she said. "It allows them to continue to support their families. It allows them to get to treatment if that's something that's required."

Thomason, the Baldwin County judge, said the attitudes of defendants who have a choice on interlocks have varied widely.

"It's interesting to hear some people anxious to get on with their lives," she said. "And others don't want it. They don't want it on their car. They don't want any part of it."

Hardesty, the Mobile County judge, said many people drive even if their licenses have been suspended. He said that is true regardless of why the licenses was suspected, whether it is a DUI conviction, failure to pay child support or other reasons.

"It's generally a problem," he said. "We don't have a subway. We have buses, but they're not used to a great extent."

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What we know today about the possibility immigrant children could be housed in Alabama

Al.com

July 28, 2014

Leada Gore

With Montgomery's Maxwell Air Force Base under consideration as a possible housing site for immigrant children who have crossed into the U.S., questions about what that all that entails remains.

Exact details about any plans are unknown but here's what Alabama could be in store for if the site is selected as a housing location:

Who would be housed at Maxwell? Maxwell would be used to house a small portion of the more than 50,000 young immigrant children who have crossed into the U.S. from Honduras, Guatemala and El Salvador. The recent flood of immigrants across the southwestern border is mostly unaccompanied minors. The number of unaccompanied children crossing in the U.S. is about 150 a day in July down from 355 per day in June.

How old are the children? A recent study by Pew Research showed 84 percent of those crossing into the U.S. are teenagers (age 13 and older.) The number of younger children (age 12 and younger) is increasing at a faster rate, however, up to 16 percent from 9 percent the year before.

Where are the children now being housed? The Department of Defense is currently providing housing space for 2,500 children at Fort Sill, Oklahoma, Joint Base San Antonio-Lackland, Texas, and Naval Base Ventura County in California. The Department of Defense has agreed to providing housing for additional children, with Maxwell and other military facilities under consideration. The children are under the care of the Department of Health and Human Services.

How many children would be coming? It's unknown how many children- if any – would be housed at Maxwell. Each of the three current military sites is housing about 600 children.

Who will pay for the children's care? The federal government would shoulder the burden of caring for the children. Chicago Mayor Rahm Emanuel, who is offering his city has a housing site for as many as 1,000 children, said he has been assured the federal government would pay for the children's education, health care, food, safety and social services.

What is the federal government paying now to house the children? It's costing the federal government about \$252 a day per child to provide housing and care for the children. The total expense is expected to top \$2 billion this year.

Would the children attend local public schools? No. Massachusetts Gov. Deval Patrick, who is lobbying to bring immigrant children to two military bases in the state, said he was told any immigrant children brought to the military bases would not attend local public schools or be brought into neighborhoods near the bases. The children could be education at on-base schools, however. Maxwell is home to an elementary and middle school.

How long would the children need housing? The DOD agreement – which covers up to 5,000 more children - would extend the housing through Jan. 31, 2015. The Pentagon said "Health and Human Services representatives (will) supervise the children and provide education and recreational opportunities until they can be reunited with families or placed in foster care."

If children are relocated to Maxwell, will there be protests? No one can answer that for sure, but it seems likely. Protests have popped up at other sites that are reportedly under consideration, as well as bases that are housing the immigrants.

What happens next? Gov. Robert Bentley Maxwell has been notified Maxwell is under consideration but no inspection of the site has been made. That would have to be done before any children could be moved to Maxwell.

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Governor moves quickly to replace ousted Alabama State University trustee

Al.com

July 25, 2014

Evan Belanger

MONTGOMERY, Alabama -- Gov. Robert Bentley is moving quickly to replace embattled Alabama State University Trustee Marvin Wiggins.

Bentley announced this afternoon that he is removing Wiggins from the ASU board for violating state conflict of interest laws.

Less than three hours later, he announced Wiggins replacement. According to Bentley's office, Ralph D. Ruggs of Bessemer will replace Wiggins.

The appointment is subject to the approval of the Alabama Senate.

Ruggs is the executive director of the the Tuscaloosa Housing Authority and the former executive director of the Housing Authority of the Birmingham District.

"Appointing you to this position comes with great responsibility because you will be making important decisions that affect the citizens of Alabama," Bentley wrote in a letter to Ruggs. "Honesty and integrity are two virtues that I prioritize for my administration to exemplify."

In response, Ruggs, a 1971 graduate of ASU, said he appreciates the governor's confidence in appointing him to the position.

"I look forward to doing what I can to help move the university forward," he said.

Bentley alleged today that Wiggins had directly benefited from more than \$30,000 in payments from ASU to his wife, who served as director of Camp Eagle, an enrichment program for at-risk youth.

He also wrote that, while Wiggins abstained from the vote to hire his sister-in-law, Michelle Crawford, as a business-law professor at ASU, he failed in his duty as a trustee by not informing the board or the president that she had been disbarred in North Carolina for taking money from client funds.

Birmingham attorney and ASU alumnus Donald Watkins responded that Bentley does not have proper cause to remove Wiggins.

Bentley cited the following law giving him authority to remove Wiggins:

"It shall be unlawful for any member of the board to be financially interested in any contract or transaction affecting the interests of the university ... except, through the prescribed procedures for such purposes, and the violation of this provision shall subject the member so offending to removal by the governor of the board."

By virtue of his elected position, Bentley serves as president of the ASU Board of Trustees. He also appoints board members when vacancies arise, subject to the approval of the Alabama Senate.

Wiggins was not available at his office.

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Donald Watkins: Watkins apologizes for picking Boyd as ASU president

Montgomery Advertiser

July 28, 2014

Donald V. Watkins, a Birmingham attorney and pro bono legal counsel for Alabama State University, today released the following letter:

Why Boyd's Selection Was A Mistake

I want to publicly apologize to the entire Alabama State University family. I made a serious error in judgment when I nominated Dr. Gwendolyn E. Boyd and asked the board of trustees to elect her as president of ASU. At the time, I sincerely believed that Dr. Boyd was qualified for the position. I have since learned that her prior executive experience was greatly exaggerated and that her administrative skills are sorely lacking for what is required to be an effective president at ASU.

When the search for a president began in March 2013, ASU was on top of the world. She was an ultramodern, well-run, and well-respected urban university. ASU had an "A" category credit rating on Wall Street, Level-Six accreditation from its accrediting agency, and the longest string of unqualified annual financial audits for an HBCU.

ASU required an experienced administrator as president because the University was one of the few HBCUs in America that had achieved parity with HWCUs of comparable size, generating an annual economic impact of \$1 billion. In essence, ASU was the pride and joy of black Alabamians.

While Dr. Boyd had never led any type of educational institutional, I thought she had the aptitude and attitude to be successfully groomed for the position by those who had high-level experience in running major institutions. By all objective measures, ASU had reached heights as a university that no HBCU had ever experienced. U.S. District Court Judge Harold L. Murphy, the distinguished jurist who presided over the decades-long higher education desegregation case in Alabama, praised ASU's transformation from a small unaccredited college for "Negroes" to a diverse, doctoral degree granting institution with nationally recognized centers for academic

excellence. Across America and around the globe, ASU was to black America what Notre Dame is to Catholic America – the best of the best.

Then came Boyd. As soon as she finished taking the oath of office as president, Dr. Boyd swore her allegiance to Tea Party Republican Governor Robert Bentley. Bentley supports Dr. Boyd with the same vigor and muscle that George "Daddy" Bush supported Clarence Thomas. With the Governor's encouragement and backing, Boyd immediately distanced herself from every ASU official who contributed to the University's astounding success. She routinely treats ASU trustees like political outcasts. Her level of disrespect for the trustees and their historic contribution to the growth and transformation of ASU is obvious, insulting, and embarrassing.

By removing any member of the board of trustees who discharges his/her statutory duty by questioning Boyd's administrative actions and extravagant expenditures, Bentley has established an "Imperial Presidency" in Boyd. After Bentley forced the resignation of Board Chairman Elton Dean and removed Vice-Chairman Marvin Wiggins from the board last week, the message from Bentley to the remaining trustees was clear – leave Dr. Boyd alone; she is the Governor's overseer at ASU; and she is untouchable. For the first time in its history, the board of trustees is now afraid to exercise its independent supervisory role at ASU. As a result, Dr. Boyd reports only to Bentley, whose demonstrated loyalty and devotion is to the University of Alabama, not ASU.

The Bentley-Boyd relationship is an "unholy" alliance. Nothing good will come out of it. The Tea Party crowd has no affinity for African Americans. Furthermore, Bentley has never brought a dime of new funding to ASU, nor has he ever delivered a new academic program to the University. His job is to protect and serve the institutional interests of the University of Alabama, and he does it well.

During the past six months, I have discovered that Dr. Boyd, though a wonderfully affable woman, simply lacks the administrative skills to be president of any university. Dr. Boyd was passed over for the presidency of a smaller HBCU several years ago. This college discovered what ASU overlooked – that Dr. Boyd was unqualified for the job. While she has quickly mastered the ceremonial aspects of the presidency, Dr. Boyd has failed to display the necessary knowledge, skills, and abilities associated with running a major university, especially one that is under a gubernatorial attack. Thus, I fear that Dr. Boyd does not know how to protect the University's Level-Six accreditation, its Wall Street credit rating, and the host of academic achievements delivered to ASU by prior presidents, administrators, and trustees.

Apart from lacking the requisite skills to be an effective university president, Dr. Boyd, who is paid a full-time annual salary of \$300,000, is actually a part-time executive employee. She works for ASU about four days per week. Dr. Boyd sprints out of town every Thursday or Friday to advance her ministerial career. When she leaves town, no trustee knows where she is going. She makes no prior request for permission to travel nor does she seek approval of her travel expenses by the board of trustees. For the first time in ASU's history, we are dealing with a "drop-in" president.

Dr. Boyd has also proven to be ineffective in carrying out one of the most important functions of the presidency – fundraising. In her first 100 days, she only raised \$26,500 – a pathetic performance by the University's chief fundraiser. This amount barely covers the cost of the sworn officers who regularly chauffeur Dr. Boyd around Montgomery while racking up overtime pay that is expected to exceed \$50,000 in her first full year as president. A feature story in this morning's Montgomery Advertiser shows just how expensive it is to drive Dr. Boyd around town. What is more, Dr. Boyd collects a \$1,000 per month car allowance even though she is chauffeured everywhere. This is "double-dipping", which is prohibited under Alabama law.

Interestingly, Dr. Boyd has reportedly experienced fundraising success in her efforts to raise money for her weeklong inauguration activities and balls, which are planned for September. I would like to remind Dr. Boyd that this is not the time to glorify a president. Bentley has done a good job of that with the establishment of the Imperial Presidency.

Finally, I am told that Dr. Boyd harbors a deep, personal secret. I believe Bentley knows about this secret and uses it as leverage to control Dr. Boyd. Others are starting to privately talk about this secret. I think it will come out over time.

In light of these factors, I have concluded that nominating Dr. Boyd as the president of ASU was a mistake. I am doing my part to correct this mistake. I sincerely appreciate Dr. Boyd's talents as a motivational speaker and her photogenic Instagram pictures with students and dignitaries. However, ASU needs a full-time president who has substance as a chief executive officer and the ability to solve difficult problems. Cheering up a crowd of supporters, posing for photographs, and hugging students are the easy aspects of the job. The ability to return ASU to greatness in the face of a vicious gubernatorial assault is what the University needs, and this is the key ability that Dr. Boyd lacks. I thought she would be a great president. In reality, Dr. Boyd's selection as president is the university's greatest mistake.

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Alabama prisoners claim they face retaliation for filing lawsuit over medical care

Al.com

July 27, 2014

Mike Cason

MONTGOMERY, Alabama --- State prisoners who sued the Alabama Department of Corrections over medical care have filed a new complaint claiming that some inmates involved in the case have faced retaliation.

Prison Commissioner Kim Thomas issued a statement in response today, saying that the DOC does not retaliate against inmates who file complaints and makes that policy clear to its staff.

The inmates, represented by the Southern Poverty Law Center and the Alabama Disabilities Advocacy Program, filed an amended complaint in federal court in Montgomery on Friday, following up on the lawsuit filed on June 17.

Much of the 130-page complaint repeats what was in the original lawsuit. But a new section recounts several incidents of retaliation that inmates claim has happened since the case was filed.

It says that an inmate at Ventress Correctional Facility, a plaintiff who had met with the attorneys in the case several times, was roughed up by an officer three days after the case was filed.

The complaint says the incident happened in the handicapped accessible shower in the prison infirmary. The inmate suffers from severe scoliosis and untreated, extreme weight loss and has to get help to return to his dormitory, the lawsuit says.

When he rang a bell to receive help an officer cursed him for filing the lawsuit and forced him to the floor, handcuffed him behind his back, put his knee in his back and ground his face into the floor, according to the complaint.

Another officer and two nurses saw the incident but did not help the inmate, the complaint says. The inmate was unable to get up because of his physical condition and the handcuffs and remained on the floor for two hours until an officer came and helped him, the complaint says.

An inmate at Kilby Correctional Facility who had received insulin injections since 1969 and who is a plaintiff in the case was switched to oral medication in May without explanation, the lawsuit says. Since then he has suffered side effects and his blood sugar has increased. In June, he asked for his injections to be resumed, but was taunted and told to tell his lawyer.

A couple of other incidents of alleged retaliation were listed.

Thomas issued a statement in response to the allegations.

"The Alabama Department of Corrections does not retaliate against inmates who make a complaint," he said. "Even though prisoners are litigious, they must follow rules while incarcerated. Retaliation for making a complaint is unacceptable and is not part of the problem solving process important in corrections. ADOC has and will continue to make sure this message is clear to all staff. We look forward to defending our position in court."

Forty inmates filed the lawsuit last month. The new complaint adds a few more named inmates.

The lawsuit claims that:

-- Prison medical care for inmates is inadequate, results in cruel and unusual punishment and violates the Eighth and 14th amendments to the Constitution.

-- Mental health care is inadequate.

-- Prisoners are denied due process because they are medicated without consent.

-- The prison system violates the rights of prisoners with disabilities.

The new complaint adds a fifth claim, retaliation in violation of prisoners' First Amendment rights to talk to lawyers and file lawsuits over prison conditions.

The lawsuit asks the court to make the case a class action on behalf of all state inmates and future inmates.

The lawsuit asks the court to declare that the prison health care system is unconstitutional and to order the state to develop a plan that would ensure adequate health care staff levels; provide timely access to care, response to emergencies and access to medications; provide sanitation that does not promote the spread of infections; provide timely access to mental health care, medication and therapy; and accommodate prisoners with disabilities.

When the SPLC and the ADAP released a report on problems in the prison health care system last month, Thomas issued a statement that said, in part, the DOC was "committed to ensuring that every individual incarcerated in our system is confined in an environment that complies with the United States Constitution."

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Big bucks in brewing, but how does Alabama stack up?

Al.com

July 27, 2014

Kelli Dugan

According to figures compiled by the national Brewers Association, the craft brewing industry contributed nearly \$40 billion to the U.S. economy in 2012, supporting more 360,000 jobs that included 108,440 direct jobs at breweries and brewpubs.

The Boulder, Colo.-based association, which represents small and independent craft brewers across the United States, also estimated national craft beer sales totaled \$14.3 billion in 2013 – less than one-fifth of the nation's overall \$100 billion beer market that year – or 20 percent more than the niche market's total sales one year earlier.

Of the overall \$40 billion economic impact – which includes the total impact of beer brewed by craft brewers as it moves through the three-tier system of breweries, wholesalers and retailers as well as all non-beer products such as food and merchandise that brewpub restaurants and brewery taprooms sell – Alabama's contribution for 2012 totaled \$238 million.

The top five states, however, accounted for more than one quarter, or nearly \$13 billion, of the total 2012 economic impact.

TOP 5

- California: \$4.7 billion
- Texas: \$2.3 billion

- New York: \$2.2 billion
- Pennsylvania: \$2 billion
- Colorado: \$1.6 billion

So how did Alabama fare against its southeastern neighbors?

2012 craft beer economic impact in the Southeast

- Florida: \$876 million
- North Carolina: \$791 million
- Georgia: \$671 million
- Virginia: \$623 million
- Louisiana: \$462 million
- Tennessee: \$446 million
- Kentucky: \$271 million
- South Carolina: \$254 million
- Alabama: \$238 million
- Arkansas: \$212 million
- Mississippi: \$150 million
- West Virginia: \$118 million

[Click here for the complete Brewers Association 2012 economic impact report.](#)

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Opelika building targeted with letter

Opelika-Auburn News

July 27, 2014

Michael Hill

After receiving a letter stating his business was out of compliance with the Americans with Disabilities Act (ADA), Vandy Harper was served legal documents stating he is being sued in federal court for non-compliance.

Harper, who owns the building which is now home to Opelika's Cock of the Walk restaurant, said he received a complaint from the ADA Group in Montgomery last month with Michelle Graaf listed as the complainant. According to PACER, the federal lawsuit lists Christopher Thornton as the plaintiff; it was also filed by the ADA Group.

"When we received the letter, we got the ball rolling to see what we needed to do," Harper said. The suit was filed July 11, just over a month from the time he received the complaint letter.

"The only thing I could have done to get anything done quicker was close the restaurant," Harper said. "I would have lost a tenant because he would have gone broke."

Tracy Birdsong, attorney with the ADA group, said she could not comment on pending cases.

She previously said that if a business did not reach a settlement, which consists of the payment of attorneys' fees, and they were not in full compliance, they would be open to litigation by her firm or someone else who does not give them the chance to resolve the issues first.

She also said the firm works "hand-in-hand" with the businesses that they engage, and said they help show them the least expensive ways to renovate their businesses.

Harper is the process of renovations, and said that he has to repave the parking lot. He has installed a new restroom.

"If I had known we weren't in compliance I would have fixed it a long time ago," Harper said.

Although Graaf is a life-long resident of Auburn, the complaint states that Thornton is "both a resident and citizen of this district within Alabama," referring to the U.S. District Court Middle District of Alabama. It says that "Mr. Thornton regularly travels to Opelika, Alabama."

The Middle District of Alabama website states the district is divided into three divisions; Northern, Eastern, and Southern. The District encompasses 23 counties.

According to PACER, Thornton has been listed as the plaintiff in five other federal lawsuits filed by attorneys Birdsong and Landis Sexton dating to December 2012. Three of those cases were dismissed with prejudice; all parties had to pay their own costs and fees.

Two of the three remaining active cases are against Auburn businesses, and one against a Prattville business.

House Speaker Mike Hubbard of Auburn said he has talked to business owners in the area to discuss this issue.

"The ADA is important, and I am confident that our Auburn businesses are doing everything they can to comply with its provisions, not only because it is law, but because it's the right thing to do," Hubbard said.

He said he has assured businesses he will do everything in his power to assist them.

"Often times, greedy trial lawyers will exploit a law that was passed with the best intentions in order to fuel their hunger for money," Hubbard said. "I hope this is not the case here." Hubbard said he has already had conversations with Congressman Mike Rogers, and said he will continue working with Alabama's Congressional delegation.

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Governor traveling more on state plane

Times Daily

July 26, 2014

Mary Sell

MONTGOMERY — Gov. Robert Bentley's use of state-owned aircraft increased in the first quarter of this year as he flew around Alabama more often than in the previous three years.

His communications officials said the travel was all related to his role as governor and not his re-election campaign. Any campaign expenses incurred by his office have been reimbursed by his campaign.

Bentley's flight logs, but not the trips' costs, are listed on his office's website. The log for the second quarter — April, May and June — had not been posted as of late last week.

Most of Bentley's flights are on an older-model Alabama Department of Transportation jet. In June, The Decatur Daily filed an open records request with ALDOT for the cost of each trip taken by Bentley from January through June 3, the GOP primary.

The department turned over records, for a \$118 fee, on 35 flights totaling about \$83,600. Bentley's office occasionally uses other state agency aircraft, including that belonging to the department of public safety.

"The governor uses the plane as necessary to fulfill the duties of being governor," Jennifer Ardis, spokeswoman for the governor's office, said Thursday in an email. "His goal is to meet with people outside of Montgomery in order to understand local issues and communicate his message of job creation, government efficiency savings, etc."

"These flights also include trips taken by the governor to manage and respond to natural disasters like the ice storms, tornadoes and flooding the state has experienced this year."

According to reports, last year, Bentley and staff spent \$621,712 on travel in state-owned airplanes in his first 21 months in office. His staff pointed out the cost wasn't much more than what former Gov. Bob Riley spent during his first 21 months. The department of transportation billed Bentley about \$598,000. Riley's bill was about \$527,000.

Other agencies also use the ALDOT plane. Records showed a January flight to Cincinnati by five Department of Commerce officials for \$6,800.

Rebekah Caldwell Mason, Bentley's campaign spokeswoman, said the governor has never used state aircraft for campaign purposes. The Bentley campaign has made payments to the state's General Fund as reimbursement for campaign-related travel in state vehicles, as required by state code.

Records on the secretary of state's website show Bentley's camp has paid \$758 to the General Fund since August of last year for transportation and administration cost reimbursements.

Mason is listed as being on at least one flight paid by taxpayers, according to the online flight logs. Before she was his campaign spokeswoman, Mason was director of communications in the governor's office.

“When the Governor’s Communications Office is short-staffed, I volunteer at no cost to the taxpayers, and the law allows for that,” Mason said of why she was on the flight.

Almost all of this year’s flights were in-state, with the exception of the most expensive: a \$9,000 trip to Washington, D.C., for a governor’s association conference in February.

In-state flights are less. The governor’s February flight to the Shoals for his economic recovery tour — he’s visited multiple counties on this tour since last year — and the Music Hall of Fame dinner cost \$2,600, according to ALDOT. Similarly, the flight for his economic recovery tours of Morgan and Etowah counties was \$2,600.

Bentley, who hasn’t taken a salary in his first term as governor, has said his favorite part of the job is getting out of Montgomery and visiting Alabamians.

ALDOT records show multiple trips to Tuscaloosa, where the governor and his wife have a home. There are 11 flights listed to or from Tuscaloosa and they vary in cost from \$1,200 to \$1,400 to \$1,600 each.

Tony Harris, spokesman for ALDOT, said the department charges the governor’s office \$2,000 per hour for the jet. The flight times to and from Tuscaloosa can vary, Harris said, based on things like air traffic control instructions, flight path deviations and head or tail winds.

The \$2,000-an-hour rate also explains the \$9,000 trip to D.C., Harris said.

The records also show flights to the same two Alabama cities on back-to-back days in February. There was a Feb. 14 flight to Gulf Shores for \$2,400, and one to Gulf Shores on Feb. 15 for \$4,600. On Feb. 17, the ALDOT plane took the governor and others from Gulf Shores to Huntsville for \$4,200. There were trips to Huntsville on Feb. 18 and 19. Those flights cost \$2,600 and \$2,400.

Ardis said those dates coincided with important job announcements, including Remington and Toyota.

“The companies set those dates, and the governor always makes a priority to attend job announcements,” she said.

According to campaign finance reports, Bentley’s campaign spent about \$21,000 on transportation expenses from January through early June. But almost all of that was to reimburse staffers and consultants; they did not reflect travel by the governor.

During the same period, Democrat Parker Griffith claimed no transportation expenses, according to his campaign reports.

Griffith said Thursday his campaign’s transportation and travel costs are handled through advertising agency Fletcher Rowley.

“The good thing about it is that we’re doing it with volunteers,” Griffith said. “We’re trying to keep our expenses as low as possible; we’re on a pretty tight budget.”

According to the latest campaign contribution information, Griffith has about \$19,000 on hand. Bentley has nearly \$3 million.

Last year, ALDOT officials said they were considering replacing the 25-year-old jet used for the governor’s travel. Harris said then the department was considering leasing a plane at about \$55,000 to \$60,000 per month, rather than spending \$9 million to \$10 million to buy one. On Thursday, Harris said no decision had been made.

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Judge: Mercedes violated labor laws regarding unions; ruling did not impose any fines

Tuscaloosa News

July 25, 2014

Patrick Rupinski

A National Labor Relations Board administrative law judge has ruled that Mercedes-Benz U.S. International in Vance committed three violations of labor laws in dealing with employees interested in forming a union.

The 27-page ruling, issued Thursday, did not impose any fines but ordered MBUSI to revise the rules in its employee handbook on the solicitation and distribution of materials at the auto manufacturing plant in Vance.

NLRB Administrative Law Judge Keltner W. Locke issued the ruling in response to a complaint, filed last year, that accused Mercedes management of unfair labor practices.

Locke conducted a three-day trial-like hearing in Birmingham in April at which the United Auto Workers and Mercedes employee Kirk Garner, the lead plaintiff, said Mercedes managers had stymied pro-union employees’ efforts to distribute information about the union at the plant.

Mercedes’ attorneys contended the only restrictions imposed were designed to assure worker safety and smooth production on the auto assembly lines and other production areas.

In his ruling, Locke said employees who are not on working time can solicit support for a union from other employees who are not on work time even if they are in work areas. He specifically mentioned the atrium inside the main entrance area of the plant, where employees gather before heading into the plant and team centers inside the plant near the employees’ work areas where employees gather before the start of their shifts and where they often go during breaks and lunchtime.

According to testimony at the April hearing, a Mercedes supervisor had told employees they could not solicit for a union in the atrium, but the company had rescinded that action and allowed

union discussions in the atrium. Mercedes' attorneys argued at the hearing that that part of the complaint was moot, but Locke said he wanted it included in his order.

Locke also ordered Mercedes to post a notice to its employees advising them that the NLRB has found the company in violation of the federal labor law. That notice will state that the company will not prohibit employees who are not on work time from distributing literature or discussing unions or other matter relating to wages, hours, terms and conditions of employment with other employees not on work time.

Mercedes, in a written statement to The Tuscaloosa News, said:

“The judge’s ruling largely validates our position that we never violated any team member’s rights. We are especially pleased that the judge found no credible evidence of threats or harassment. The judge also stated that MBUSI truly sought to be neutral at all times and not to interfere with team members.

“There are aspects of the ruling that we don’t agree with and we are evaluating next steps. In the meantime, we will continue to focus on building world-class vehicles and growing the positive team culture that has produced over 20 years of success.”

Tom Scroggins, an attorney at Rosen Harwood PA who specializes in labor law, but who was not involved in the case, said after reading the decision that the judge “ruled in favor of the UAW on some very minor violations.”

Both sides have 28 days to appeal the decision to the National Labor Relations Board. If no appeal is made, Locke’s orders take effect.

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NPR reports on how Alabama judges impose death penalty over jury recommendations

Al.com

July 28, 2014

Mike Cason

MONTGOMERY, Alabama --- Alabama is the only state where judges still override jury recommendations of life sentences to impose death sentences, National Public Radio reported Sunday.

The NPR story focuses on the case of Courtney Lockhart, convicted in the 2008 slaying of Auburn University student Lauren Burk of Marietta, Ga.

A Lee County jury recommended life without parole in the slaying, but Judge Jacob A Walker III imposed the death penalty instead.

Lockhart, an Iraq war veteran from Smiths Station, is appealing the sentence to the Alabama Supreme Court, according to the story.

According to evidence at the trial, Lockhart kidnapped Burk from a campus parking lot, forced her to undress, shot her in the back when she tried to escape from the moving vehicle and left her to die.

Defense lawyers argued that Lockhart had mental troubles caused by his combat experiences in Iraq. The judge, in imposing the death sentence, noted that Lockhart was a suspect in a string of robberies that the jury did not know about.

NPR reports that Florida and Delaware are the only two other states that still have laws on the books that allow judicial override but that they are not done in those states.

Last year, the U.S. Supreme Court declined to hear the appeal of an Alabama inmate sentenced to death over the jury's recommendation in the 2006 slaying of a Montgomery police officer.

Some critics of overrides in Alabama say it inserts politics into life-and-death decisions because judges are elected.

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Cam Ward: When it comes to energy, Alabama's future is now: guest opinion

Al.com

July 27, 2014

Alabama Gov. Robert Bentley recently appointed me to serve on his Industrial Energy Advisory Team. As the chairman of the Senate Energy Committee and a member of the Permanent Joint Task Force on Energy, energy issues play a dominant part in my daily policy arena. It is an area I have always been interested in – and one that will play a part in shaping the future of our state, our country and our world.

America is currently in the middle of an energy renaissance. Who would have thought just 10 years ago that we would be discussing the notion of an energy independent nation? With the advent of newer and cleaner technologies such as hydraulic fracturing, and the discovery of large deposits of shale gas and bituminous coal in northern and western states, America is set to become not only energy independent, but a net energy exporter – if we allow businesses and entrepreneurs to safely develop our resources and the infrastructure to transport energy products.

This is where Alabama comes in: We have a chance to play a critical role in the area of energy production and the transportation of these resources to the rest of the world.

Alabama can help lead the way to our country's energy independence.

Right now Alabama is 13th in the nation for energy production but that ranking may rise if we can develop shale deposits that exist in the northern third of our state. According to the Geologic Survey of Alabama, oil sands in Alabama may contain up to 7.5 billion barrels of hydrocarbons.

This is why last year Gov. Bentley and Mississippi Gov. Phil Bryant entered into a memorandum of understanding to explore this potential resource.

Our state government must plan ahead for this potential influx of energy development, not just let it happen to us in a haphazard manner. There are public safety and environmental concerns that need to be addressed, including:

How do we make sure that railroad and pipeline transportation means are protected, and that workers and the public are kept safe?

How do we make sure that the transporters have the wherewithal and emergency planning procedures in place to deal with possible transportation accidents?

With the expansion of energy infrastructure, how do we ensure that the Alabama Department of Environmental Management can protect the pristine environments used for outdoor activities like hunting, fishing and hiking?

We need to put some elbow grease and intellectual capital into answering these questions before other states surpass us, and before there is an accident that we can't manage because we don't have the proper infrastructure or procedures in place.

One major issue I see being a challenge is the overburdening of our rail system while pipeline development to refinery production continues to lag. States such as North Dakota are already experiencing this problem. With our state-of-the-art port in Mobile ready to export the nation's energy resources to the rest of the world, we must be prepared to have the most advanced and safest methods of energy transportation available.

Infrastructure upgrades must be a part of any energy development to ensure public safety and economic viability. Our state's oversight agencies like ADEM need to be adequately funded and staffed.

As always, I remain optimistic about our energy future as Alabamians and Americans. Together we can tackle these challenges, create jobs and help our country achieve energy independence.

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AU partners with Dufners, End Child Hunger campaign

Opelika-Auburn News

July 25, 2014

Kristen Oliver

The Auburn University Athletics Department joined the End Child Hunger in Alabama (ECHA) campaign and the Dufner family Friday to proclaim childhood hunger as a priority initiative in the department.

Auburn athletic director Jay Jacobs joined Jason and Amanda Dufner and ECHA spokesperson Lt. Gov. Kay Ivey Friday at the Boys and Girls Clubs of Greater Lee County to announce the new partnership between the campaign and the department.

“Great leadership, great vision and great teammates is how you accomplish greatness,” Jacobs said. “That’s how we’re able to tackle daunting challenges laid in front of us. We certainly appreciate Lt. Gov. Kay Ivey’s leadership and look forward to her continued leadership not only with this initiative, but many others.”

Ivey said End Child Hunger in Alabama was born out of the Auburn University Hunger Solutions Initiative. According to the initiative, approximately 20 percent of children in Lee County and 28 percent in the state are food insecure.

“Our goal is to move Alabama from the bottom third of states with food insecurity to the upper 25 percent of states that have food security,” Ivey said.

Jason Dufner thanked Ivey and Jacobs for helping create awareness and support of the initiative to end childhood hunger. The Jason Dufner Charitable Foundation funds Blessings in a Backpack, which provides snacks for kids to take home on weekends during the school year.

“I think a lot of people in the state of Alabama, like myself and like Amanda, are unaware of what the numbers really look like,” Jason Dufner said. “It’s easy to say, ‘Well that doesn’t happen where I live.’ But when we started our foundation a couple years ago and started pulling the layers back of what was really going on ... we saw that childhood hunger, not only in Lee County but in the whole state of Alabama, was a real big issue.”

End Child Hunger 15

The Dufners provided food for approximately 800 children during the 2013-2014 school year and fed children throughout the summer at sites including the Boys and Girls Clubs.

“Child hunger is a health issue, it’s an educational issue and it’s a workforce development job readiness challenge,” Ivey said. “If folks are hungry, especially our young people, they can’t do well. We’re here to move our young people out of food insecurity to food security.”

Jacobs said the athletic department will focus on raising awareness. He said student athletes at Auburn are required to do a certain number of service hours each semester, and many will focus their service efforts on fighting hunger.

Dufner said his foundation has already worked with the men’s basketball team, the women’s soccer team and the women’s softball team to pack backpacks with food for children in summer programming. He said Thursday alone they packed over 400 bags.

“It just really means a lot to myself, being a graduate from Auburn and both of us still living here in Auburn, to have this support, to bring more awareness and to really pool our resources together to end childhood hunger,” Dufner said. “I think that’s just a great thing.”

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Jeff Sessions wants Americans to call Congress on immigration and ask about President Obama's allegedly planned action

Al.com

July 26, 2014

Jim Stinson

U.S. Sen. Jeff Sessions, R-Ala., is trying to get every American to call Congress in the next few days and demand to know where they stand on immigration.

Sessions put out the plea on Friday after learning the president may use executive action and extend amnesty program to millions more people who are in the country without documentation.

"It has now been extensively reported that these executive actions will likely expand his Deferred Action program (DACA) to apply to an additional 5 to 6 million adult illegal immigrants," Sessions said in a statement that soon zipped through the Internet and blogosphere.

Sessions was likely referring to reports in Time magazine and elsewhere made only a few days ago that Obama is inching closer to a major executive order on undocumented residents.

Sessions said Obama's initial Deferred Action on undocumented immigrants was widely misunderstood, and misrepresented in the media.

Jeff Sessions.jpg

U.S. Sen. Jeff Sessions, R-Ala.

"The executive action did not, as The Hill writes today, only result in 'deferred deportations for young undocumented immigrants,'" Sessions said. "Illegal immigrants in the interior of the U.S. have already, as a practical matter, been immune from enforcement under this administration. Deferred Action applies to individuals up to 30 years of age and provides actual amnesty papers, photo ID, and work permits to illegal immigrants -- who can then take any job in America."

Sessions says the planned action by Obama would effectively "nullify" American immigration law.

Sessions ended his statement by urging Americans to call Congress.

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Jeff Sessions makes history by being unopposed for U.S. Senate, and re-election campaign is in no hurry

Al.com

July 25, 2014

Jim Stinson

Jeff Sessions is the safest bet this year in the U.S. congressional midterm elections.

The incumbent U.S. senator from Mobile was unopposed in the Republican primary on June 3. And on Nov. 4, he will be unopposed in the general election.

That's a historic first, according to Richard Winger of Ballot Access News, a publication Winger has edited since 1985.

A Republican has always been opposed by a Democrat for a U.S. Senate seat in Alabama since selection of U.S. senators was given to the voters in 1914, said Winger, 70, of San Francisco. Winger said he examined two of his favorite election-history tomes, "United States Congressional Elections, 1788-1997," by Michael J. Dubin, and "Congressional Quarterly's Guide to U.S. Elections."

Usually, in Alabama history from 1914 until present day, the Democrat won the U.S. Senate race.

And sometimes the GOP didn't even field a candidate. Indeed, Alabama didn't elect a Republican senator by popular vote until 1980, when Jeremiah Denton won one term during the Reagan landslide. Denton died last March at the age of 89.

Sessions became only the second Republican to win popular election to the U.S. Senate from Alabama, in 1996 -- and that, of course, excludes the years of Reconstruction in the 1800s. (Richard Shelby, elected as a Democrat in 1986 and 1992, switched parties, and won re-election as a Republican in 1998.)

Sessions' unopposed status this year helps seal Alabama's reputation as a "red" Republican state.

It's a 180-degree turn from Alabama's status as unfriendly territory for the GOP. Winger cites 1950, 1956 and 1974 as times when Democrats won election to the U.S. Senate without major opposition, or with no opponent at all. Until 2014, however, Republicans were never given the same pass.

The Democrats, nationally and statewide, just didn't think opposing Sessions was a worthwhile expenditure of time and money. So Sessions became the only unopposed Republican senator in this year's midterm elections.

Perhaps most importantly to Sessions, the tea party passed on challenging Sessions within the Republican Party, perhaps the only place where a challenger could compete.

But tea party groups liked Sessions' record on taxes, the budget and immigration -- Sessions is perhaps the Senate's leading hawk on illegal immigration -- and declined to challenge him. And Sessions is sitting on \$3.37 million, as of June 30, according to the Federal Election Commission database.

"He's one of our strongest conservative senators in our country," said Zan Green, founder of the Rainy Day Patriots of Alabama. "He is the strongest conservative senator in the country."

The unopposed status may be good for Sessions, but it also means Sessions' campaign for re-election is unusually quiet.

Sessions Facebook

[View full size](#)

Sen. Jeff Sessions' campaign Facebook page was founded in May 2013, but has not a single post. [Facebook](#)

The campaign's Facebook page, founded in May 2013 and linked to the campaign website, has not a single post.

Its official Twitter feed has only two tweets.

Attempts to contact the campaign were unsuccessful.

The Senate office of Sessions declined to talk about the campaign, saying it could not discuss the election.

Sessions has also been free to do a few things an incumbent facing re-election might pass on. Earlier this month, he attended an event for Republican Chip Beeker of Eutaw.

Beeker was seeking to unseat incumbent Republican Terry Dunn from the Public Service Commission, Place 2, in the July 15 runoff.

Beeker prevailed on July 15 and faces no opposition on Nov. 4 for the Place 2 PSC seat.

An incumbent in the middle of re-election usually stays out of internal GOP or Democratic primaries.

Sessions, however, has been using his freedom to his advantage, even on Capitol Hill, wading into the immigration fight with zest.

He even criticized fellow Republican Sheldon Adelson of Las Vegas, the billionaire who wants looser immigration laws to fill employment markets.

Sessions mocked Adelson and former Microsoft CEO Bill Gates in a recent floor speech, posted below. He noted Microsoft will cut 18,000 jobs in 2015. Sessions has often been saying undocumented workers have been crowding out documented U.S. workers in the labor market.

"I feel a deep duty ... to ask what is in (Alabamians') interest," said Sessions.

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2 Alabama farmers to be recognized as 'Champions of Change' by the White House

Al.com

July 28, 2014

Lucy Berry

Two Alabama farmers will be recognized as "Champions of Change" this week by the White House and U.S. Department of Agriculture, The Associated Press reports.

Tanner-based Bill Bridgeforth and Cullman's Lee Haynes were two of 15 people selected as recipients of the Champions of Change program, which honors "ordinary Americans [who] are doing extraordinary things in their communities to out-innovate, out-educate and out-build the rest of the world," according to the White House website.

A fourth-generation Limestone County farmer, Bridgeforth is chairman of the National Black Growers and participates in agricultural programs through Alabama A&M University in Huntsville.

Haynes, an egg farmer in Cullman County, returned to his family's farm after earning a business degree from the University of Alabama, the AP says.

Read the full AP report.

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Montgomery's new Park Crossing High School featured at National Building Museum in Washington, D.C.

Al.com

July 25, 2014

Kathryn Jacoby

Montgomery's new Park Crossing High School was featured this month as part of an exhibition at Washington D.C.'s National Building Museum. The school features storm shelters designed by Alabama architectural and design firm Goodwyn, Mills and Cawood that can protect students and teachers from winds up to 250 mph. An entire storm shelter just like the ones at Park Crossing was set up inside the museum.

The exhibit, entitled, "Designing for Disaster," features buildings and structures around the country that are built to withstand natural disasters including hurricanes, tornadoes, floods and fire. Because Alabama is the only state to require "tornado safe rooms" to be built as part of all new schools, the state—and Park Crossing High School—were featured.

According to a statement by architects Goodwyn, Mills and Cawood, the shelters are unique because they are smaller and integrated into classrooms throughout the school, making them safer than one large singular space. They are also enclosed by rebar-reinforced concrete walls, and steel shutters in the classrooms can be closed to block flying debris during a storm.

Park Crossing has enough safe areas to protect 1,200 students and teachers.

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Beretta, moving production out of Md., joins gunmakers heading to friendlier states

Washington Post

July 27, 2014

During nearly 40 years making guns in southern Prince George's County, Beretta USA has endured a complicated relationship with a state dominated by Democratic lawmakers and left-leaning voters- who don't usually embrace the famous gunmaker's products.

"Some people considered the factory a good source of jobs," said Kelly Canavan, a longtime resident and local activist in Accokeek-, Md., the company's home since 1977. "But a lot of other people have been disturbed that this huge gun factory is right here, extremely close to a lot of children and families."

The culture clash escalated after the 2012 shooting at Sandy Hook Elementary School in Newtown, Conn., where Adam Lanza killed 27 people, including 20 first-graders. In the political furor that followed, Maryland banned 45 types of assault weapons and put in place tough fingerprint, photo identification and training requirements — restrictions viewed by Beretta as the legislative equivalent of a declaration of war on its operations.

Last week the gunmaker fired back, announcing that it will move its manufacturing operations before the Free State tries to impose even more onerous restrictions.

Instead, it will make its weapons in Tennessee, where an un-Maryland type of law went into effect this summer: Residents without carry permits can now keep loaded guns in their cars.

Joe Brown, 32, of Indian Head, Md., gets his hair cut at Bryans Road Barber Shop in Bryans Road, Md. He was laid off from Beretta after five years of employment. (Sarah L. Voisin/The Washington Post)

In moving south and taking 160 jobs with it, Beretta joins several other prominent gunmakers abandoning liberal states that passed tough gun laws after the Newtown shooting. PTR Industries left Connecticut for South Carolina. Kahr Arms is leaving New York for Pennsylvania. O.F. Mossberg & Sons decided to expand in Texas rather than in the Northeast.

Although there are often labor and operating cost savings that come with moving south — and big tax incentives from states desperate to attract new jobs — Lawrence G. Keane, general counsel for the National Shooting Sports Foundation, said that ultimately the most convincing pitch from states such as Tennessee is, "Our legislature will not pass these sorts of laws."

"At the end of the day, these companies are running a business, and they're reaching the point where the economics and aggravation are converging," Keane said.

Beretta, owned by the prominent Beretta family in Italy, arrived in Accokeek in the 1970s, when the area was far more rural than it is today. The population has grown 40-plus percent in the past

decade to just more than 10,000 residents, according to census data. Although it feels like the middle of nowhere, the trappings of suburbia have popped up, including large houses occupied by people who commute to Washington. The median household income is \$123,700.

Beretta took over a small gunmaker in Accokeek, F.I. Industries. Almost immediately, there was a confrontation. County politicians who backed state-insured loans for the company, thinking it would make only target pistols there, withdrew support after learning that the firm would make a gun then prohibited from being imported into the country. Residents also complained to local officials about guns being made in their back yards.

One of the politicians opposing the loan was Parris Glendening (D), then a county council member.

“The issue with them has always been resistance to any type of reasonable gun control,” said Glendening, who later, as Maryland’s governor, tangled with Beretta over an idea for personalized handguns. Making powerful handguns and assault rifles “is not part of the Maryland culture,” Glendening said. “It’s not who we are.”

Jeff Reh, a board member at Beretta, said county executives have never supported or even visited the company, despite the more than \$30 million it paid in state taxes during the past 15 years and its sponsorship of a nearby hospice and local community events.

The first governor to visit the plant was not from Maryland. It was Texas Gov. Rick Perry (R), who came last year to entice executives. In wooing and finally winning the company, Tennessee Gov. Bill Haslam (R) flew to Italy to meet with the Berettas.

“That’s an important distinction from a business point of view,” Reh said. “We’ve never had anything like that here.”

The average tenure of employees at the plant is 14 years, and about 50 percent of workers are minorities. A good number are women. The company declined to allow a reporter to speak with any current workers.

Over the years, former employees said they have felt a disconnect between the pride taken in their work and what people outside think of it, especially after high-profile mass shootings that generate negative headlines for the industry.

“This was a means to finance a household, to have a decent life,” said John Chanslor, who worked at the plant from 1987 to 1996. “We didn’t see ourselves as building guns to kill people.”

There was extreme honor, Chanslor said, in making the M9 handgun for the military. At the beginning of the first Iraq war, he hung an American flag on the assembly line.

“And I heard nothing but cheers,” he said. “So you tell me how people felt working there.”

Joe Brown, who said he was let go from the plant last week because of attendance problems, made \$10.23 an hour machining gun barrels. He loved the work. Waiting to get his hair cut at a barbershop not far from the plant, Brown said employees “were getting more frustrated than they used to be” with Maryland’s gun laws.

“Some of them think Maryland is forcing them out,” he added.

Glendening rejected that idea. “They don’t avoid these regulations simply by moving to Tennessee,” he said. “No state should be forced to take public policies that are harmful to their citizens under the threat of losing jobs.”

Reh, the Beretta board member, said some of the 160 employees affected by the decision have expressed interest in moving to Tennessee, and one group of workers — the gunsmiths — are disappointed that their jobs aren’t moving. They want to live in a less restrictive state for gun owners, but because of their role in customer service, they are staying in Accokeek, along with executives and administrative workers.

Moving to Tennessee will give Beretta’s firearms a symbolic but increasingly important marketing component: engraving that says the guns are made in Tennessee, not Maryland. The location marks are a federal requirement, and Keane, the general counsel for the National Shooting Sports Foundation, said gun enthusiasts are becoming more and more annoyed when they see reminders about unfriendly states on their purchases.

“The customer knows exactly where those guns are made,” Keane said.

Maryland has become a dirty word among some gun owners.

At B&J Carry-Out, a popular lavender-and-red, squat sandwich joint just off the main highway through town, opinions clashed on Beretta’s decision.

Ray Banks, a retired Vietnam veteran and 20-year resident of Accokeek waiting for his bacon-and-egg sandwich, said: “This isn’t about economics. It’s political. I don’t think that’s right. I think they’re overreacting to what the American public thinks about guns. There should be some controls.”

Others couldn’t disagree more. “I don’t own a gun,” another customer said, “but everyone has a right to own a gun. It’s in the Constitution, right?”

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House, Senate negotiators reach deal on veterans bill

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Ed O’Keefe

House and Senate negotiators have reached a tentative agreement to deal with the long-term needs of the struggling Department of Veterans Affairs and plan to unveil their proposal Monday.

Sen. Bernie Sanders (I-Vt.) and Rep. Jeff Miller (R-Fla.), who lead the Senate and House Veterans' Affairs committees, continued negotiating over the weekend. Aides said they "made significant progress" on legislation to overhaul the VA and provide funding to hire more doctors, nurses and other health-care professionals. Sanders and Miller are scheduled to discuss their plan Monday afternoon.

Aides said that Sanders and Miller had worked out final language on the agreement, which would be circulated among lawmakers on Monday ahead of the formal announcement. One House aide, not authorized to speak publicly about the talks, said that the final agreement more closely mirrors a Senate measure overwhelmingly approved by Democrats and Republicans last month.

A final cost of the far-reaching measure was not immediately available Sunday but is expected to be critical to determining whether the legislation will enjoy the support of House Republicans, many of whom have been concerned about dramatically increasing costs for government-run programs.

According to a draft summary of the measure provided by House aides, Congress would give eligible military veterans a "Veterans Choice Card" and allow them to seek health care outside the VA medical system from Medicare-eligible providers, other federally qualified health centers or facilities operated by the Defense Department or federal Indian Health Service centers.

Veterans eligible to seek care outside the system would need to be enrolled by Aug. 1, or enroll for VA care within five years of ending their military service in Afghanistan and Iraq, according to the draft agreement. A veteran could leave the VA system if they're unable to receive an appointment within 14 days — the current VA wait-time goal, or if they live more than 40 miles from a VA facility.

In response to reports that workers improperly compiled written lists of patients waiting more than two weeks for appointments in order to avoid failing to meet VA guidelines on wait times, the new legislation would not allow scheduling and wait-time metrics to be used as factors in determining a worker's performance. Instead, most performance reviews would focus on the quality of care received by veterans, according to the draft summary.

The measure also would authorize \$5 billion in emergency spending to pay for hiring new employees; require VA to enter into 27 leases for new major medical facilities; expand a scholarship program for the surviving spouses of service members who died during conflicts since the Sept. 11, 2001, terrorist attacks; and allow VA to provide counseling care and other services to veterans who suffered sexual trauma while in the ranks. Additionally, VA would be

required to conduct regular audits on the accuracy of care and staffing levels at each major medical facility.

Word of a deal comes with just four legislative days left until Congress is scheduled to adjourn for a five-week recess Friday. With several significant, complex issues left unresolved, including President Obama's request for emergency funding to deal with the influx of immigrants along the U.S.-Mexico border, lawmakers have been saying for weeks that leaving for recess without resolving the veterans' health-care crisis would be embarrassing and would justifiably spark voter outrage.

"I'm embarrassed," Sen. John McCain (R-Ariz.), a lead GOP negotiator on the veterans' bill, said last week when asked about the lack of progress. "I'm utterly embarrassed if we leave without doing the VA bill. Are we going to leave our veterans in a lurch on a bill that was 93 to 3 here and unanimous over in the House? And we can't come together? That is obscene."

More than 110 House lawmakers co-signed a letter last week calling on House and Senate leaders to keep Congress in session into August if necessary to finish work on the VA bill.

"There's no excuse for continued inaction," one of the co-signers, Rep. Tulsi Gabbard (D-Hawaii), an Iraq war veteran, said Friday

In the wake of news reports about veteran health-care problems, the House and the Senate acted quickly but separately on legislative proposals to address allegations of mismanaged and delayed care for thousands of military veterans at VA hospitals and clinics nationwide. Senators voted 93 to 3 last month to approve a bipartisan plan that would allow the VA to contract more with private medical centers to meet demand for care, in addition to granting the department authority to shift \$500 million from its budget toward hiring additional medical staff and giving the VA secretary greater power to fire or demote senior executives for poor performance.

The House passed several standalone measures that addressed funding, hiring shortages and changes in hiring policy that would make it easier to remove poor-performing workers. Talks between House and Senate leaders began in June, and after weeks of delay, tensions broke out into the open last week as Democrats and Republicans accused each other of stalling tactics. Facing pressure to resolve differences, Sanders and Miller returned to the negotiating table over the weekend.

Allegations of wrongdoing at the VA forced the White House to conduct a top-to-bottom review of department operations and led to the resignation of Eric K. Shinseki as VA secretary. Obama has nominated Robert McDonald to serve as the veterans affairs secretary. Sanders's committee approved McDonald's nomination last week, and a full Senate confirmation vote is expected this week. Every VA secretary has been confirmed unanimously since the position was created in the late 1980s.