

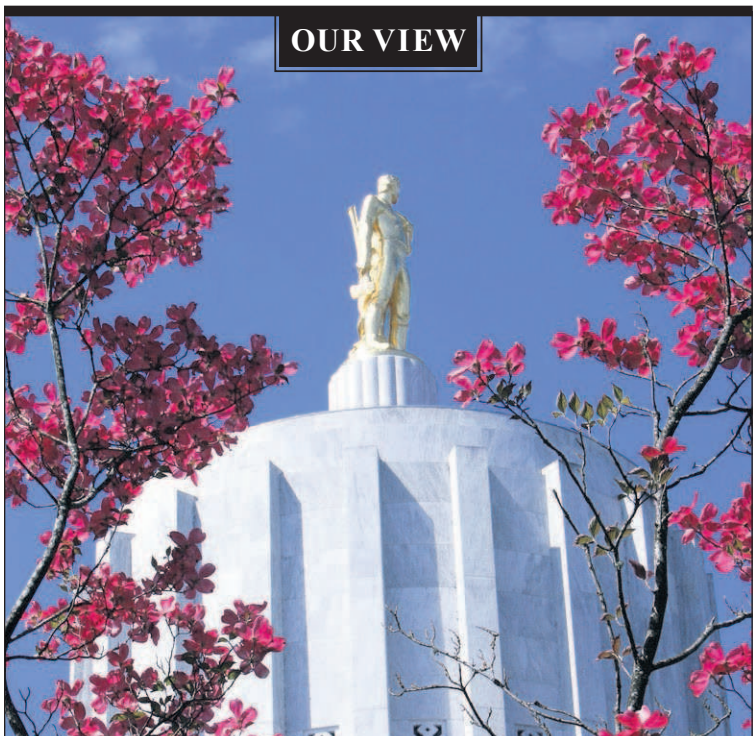
# THE DAILY ASTORIAN

Founded in 1873



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## OUR VIEW



AP Photo/Don Ryan

The new session of the state Legislature opens Wednesday in Salem.

## Lawmakers are heading into difficult session

The 2017 Oregon Legislature will convene Wednesday amid acrimony, political silliness and dire predictions.

This is all part of the ritual dance that launches each legislative session, as the Republicans and Democrats, House and Senate, and individual lawmakers jockey for political leverage.

Gov. Kate Brown and legislative leaders from both parties predict this could be the most difficult legislative session in years, as lawmakers struggle to balance the state budget, develop a transportation package and provide needed funding for educational improvement.

At some point — probably late spring, if this session follows the usual pattern — legislators will begin the difficult compromises on the budget and other contentious issues. No one wants a repeat of the era in which the Legislature repeatedly was called back to the Capitol to revise the state budget.

As state Senate Majority Leader Ginny Burdick, D-Portland, said last week, “I think everybody just needs to take a deep breath.”

Legislators can speed the political process by abandoning some of their political silliness, especially in the House, where Republicans are threatening to slow daily business.

Democrats outnumber Republicans 35-25 in the House and 17-13 in the Senate. Those numbers give Republicans little influence except on tax measures, which require a supermajority for approval.

That is why Republicans may demand that the House devote far more time to publicly reading legislation aloud, word-for-word. That would slow the legislative process to a crawl, ensuring fewer bills become law, which some Oregonians might see as a blessing. But that threat also gives Republicans a bargaining chip: Give us more of what we want and we won't slow the process.

Whether that is obstructionism or pragmatism is in the eye of the beholder. House Republican Leader Mike McLane of Powell Butte had a fair point when he noted that the Democratic leaders in Congress also now employ such “obstructionist” tactics because their party is in the minority.

Congress is an awfully low bar for comparison though. Oregonians expect more of their Legislature. That includes having the majority party make concessions to work well with the minority party, and vice versa.

Republican leaders have admitted that the 2017-19 state budget will be untenable without more revenue. Democrats need Republican votes for any tax increases, which require a supermajority for passage. In return, Democrats should accept the need for continued reforms to hold down the cost of government, including the bloated Public Employees Retirement System.

Some people want to delay PERS discussions, possibly until a special session. That is a very bad idea. Special legislative sessions come with no guarantees.

Likewise, the 2017 Legislature should meet both Democrats' and Republicans' needs in putting together a transportation-finance package. There is widespread agreement that Oregon must reinvest in its roads and bridges, and make its public transit systems more effective. But the majority Democrats should heed Republicans' desire for flexibility in the state's low-carbon fuel standards for vehicles — a flawed program that Democrats rammed through the 2015 Legislature. They also must develop a sustainable funding mechanism to support statewide educational improvement.

Those are real issues. The sooner that legislators can get past the acrimony and obstructionism, the sooner they can make progress on the problems.

### THE 2017 OREGON LEGISLATURE

State House and Senate committees start meeting at 8 a.m. Wednesday. The House and Senate will convene floor sessions at 11 a.m.



## SOUTHERN EXPOSURE

## Cannon Beach, meet WikiLeaks

By R.J. MARX  
*The Daily Astorian*

This column could get me arrested.

Something only a little more extreme happened to journalist Barrett Brown, released in November after serving three years in federal prison for sharing a link to hacked emails from the intelligence group known as Stratfor. He was released from prison in late November 2016.

In a video on Brown's website, Trevor Timm of the Freedom of the Press Foundation says Brown “took information that may have been stolen or leaked and used it to do investigative journalism in the public interest.”

While originally facing up to 100 years in prison for sharing other Stratfor hacked links in a chat room with other journalists, 11 of 12 charges were dropped and Brown ended up pleading guilty to transmitting threats, aiding hackers and obstructing authorities from carrying out a search warrant resulting in his three-year incarceration. Many of the charges were a result of the leak of credit-card numbers — six months after the hack was revealed, giving Brown's defense argued, credit companies plenty of time to protect the accounts.



“This was a failure on our part,” Stratfor CEO George Friedman told investigators eight days after the hack and months before the leaks were shared by Brown. Unwisely, Brown, who said he was withdrawing from heroin at the time, threatened an FBI agent prior to his arrest in 2012. Along with jail time, Brown was ordered to pay more than \$829,000 in fines.

On a journalist's salary, he'll still be paying that back when Donald Trump Jr. is in the White House.

### Data dumps

I can assure you I am not withdrawing from heroin, printing any leaked credit-card numbers or issuing any challenges. But as any self-respecting muckraking local journalist would do, I poked around on WikiLeaks and typed in the search term “Cannon Beach.”

Who knew what juicy items I might stumble on?

Two particular items caught my attention.

One document was obtained by WikiLeaks from the U.S. Congressional Research Service.

According to the WikiLeaks site, the research service is a congressional “think tank” with a staff of around 700. Reports are commissioned by members of Congress on topics relevant to current political events.

Despite taxpayer costs of more than \$100 million a year, its electronic archives are, as a matter of policy, not made available to the public.

The link to Cannon Beach? Pretty tenuous, a mere footnote, referring to a 2005 opinion by U.S. Supreme Court Justice Sandra Day O'Connor on the subject of property takings — usually involving disputes between property owners and municipalities.

A 1994 Supreme Court decision held that Cannon Beach's denial of an oceanfront property owners' permit application to construct a seawall in the dry sand area of their property “does not constitute an

### WikiLeaks Document Release

<http://wikileaks.org/wiki/CRS-RS22227>  
 February 2, 2009

Congressional Research Service

Report RS22227

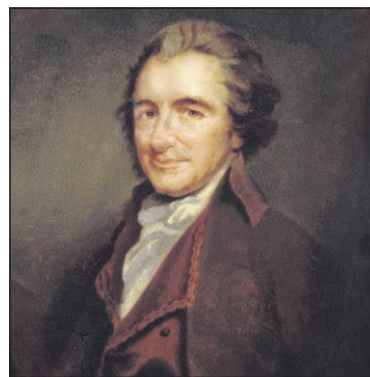
Property Rights “Takings”: Justice O'Connor's Opinions

Robert Meltz, American Law Division

August 19, 2005

Submitted Photo

A link to a Supreme Court case involving Cannon Beach is included in this document released by WikiLeaks.



Submitted Photo

Thomas Paine, whose “Common Sense” is still considered a model of journalistic dissent.

uncompensated taking under the Fifth Amendment to the U.S. Constitution.” It affirmed the state's goals of limiting development on “conditionally stable dry sand and the implementing city ordinances and department regulations do not constitute taking of the owners' property.”

This is not the stuff of Cold War espionage — it can also be found at [supremecourt.gov](http://supremecourt.gov).

The second WikiLeaks reference to Cannon Beach comes in a hacked email from Stratfor, a global intelligence agency based in Austin, Texas.

In February 2012, WikiLeaks began publishing the Global Intelligence Files, more than five million hacked emails from the Texas headquartered Stratfor. The emails date between July 2004 and late December 2011. These were the leaks that got Brown, then a contributor to The Guardian and Vanity Fair, in trouble. According to WikiLeaks, the leaked Stratfor emails reveal “the inner workings of a company that fronts as an intelligence publisher, but provides confidential intelligence services to large corporations, such as Bhopal's Dow Chemical Co., Lockheed Martin, Northrop Grumman, Raytheon and government agencies, including the U.S. Department of Homeland Security, the U.S. Marines and the U.S. Defense Intelligence Agency.”

The WikiLeaks site says “the emails show Stratfor's web of informers, pay-off structure, payment laundering techniques and psychological methods.”

Among the material was several thousand emails exchanged by staff members between 2004 and 2011, including a short wire service report about the crash of a U.S. F-15 fighter jet into the ocean 35 miles off Cannon Beach. The single-seat aircraft, based at the Portland Air Base, was from the 142nd Fighter Wing of the Oregon National Guard, and went down while on a training mission.

The incident was nationally reported by United Press International (cited in the leaked document) and results of the investigation — that the pilot became disoriented during flight — published by The Seattle Post-Intelligencer, The

Washington Post and others.

### Protections needed

Releasing hacked emails from WikiLeaks became a characteristic of the 2016 presidential campaign, contributing to the demise of Hillary Clinton and her top aides, notably campaign vice chairwoman Huma Abedin (wife of the notorious nude Tweeter Anthony Weiner) and John Podesta, former chairman of the Clinton campaign.

To me, the email revelations were about as exciting as somebody else's Chinese food order. But they upset a lot of people on both sides and arguably led to a Trump win, along with a nudge-nudge wink-wink from the nation's FBI chief James Comey.

What do the Cannon Beach WikiLeaks reveal?

That a federal agency and international think tank really may not know much more than the rest of us: analysis of a 1994 Supreme Court decision and the rehashing of old news. Intelligence agencies, it appears, get the news from ... the newspaper.

With huge data dumps available to anyone with an internet connection, secrecy is only as good as your encrypted software.

Even Stratfor's intelligence information is available to the public with a subscription — \$39 a month or \$349 a year. A year of the Cannon Beach Gazette is a lot less and apparently has much of the same information.

According to FreeBarrettBrown.com, Brown is now working at D Magazine in Dallas, living in a half-way house while out on parole.

Brown's defenders seek to turn him into a cause célèbre, but he is far from the only journalist at risk for doing their job.

An arrest warrant was issued for Democracy Now! host Amy Goodman when she covered the Dakota Pipeline protest story — charges later thrown out by a North Dakota judge. The Committee to Protect Journalists lists 259 jailed reporters worldwide; 81 of those are in Turkey, a U.S. ally.

On Jan. 10, we observed the anniversary of “Common Sense,” Thomas Paine's classic plea for independence and a model of journalistic dissent.

Shockingly, the United States is listed as No. 47 out of 180 countries in the world in terms of press freedoms, described by the international journalists' group Reporters Without Borders as especially weak in terms of federal protections for whistleblowers and lacking a federal shield law to protect sources.

Maybe I'm watching a little too much “Homeland,” but I'm wondering if a little more public information just might make us a lot safer.

R.J. Marx is *The Daily Astorian's* South County reporter and editor of the *Seaside Signal* and *Cannon Beach Gazette*.