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**OUR VIEW**

# Tip of the hat; kick in the pants

**A tip of the hat to any kind folks who did a good deed this holiday season.**

We're thinking specifically of the anonymous family who left a \$500 tip on their bill at Denny's restaurant in Pendleton.

That tip went to Sarah Stevens, a waitress who was struggling to pay her December rent while also trying to give her three children a good Christmas. Stevens told an *East Oregonian* reporter who tracked her down that the tip could not have come at a better time, and she was grateful to the family who left it to her.

After we reported the story, Stevens' tale went viral. According to our Facebook stats it was viewed by more than 122,000 people, making it one of our most popular social media posts ever.

That's nice to see. Because we know plane crashes and political scandals and war in the Middle East are top of mind for most readers. And rightfully so. But it's important to tell the story of small, good things, too. It's those little gestures, charities and kindness that keep us going and give us the determination to fight those big, bad problems.

Unsigned editorials are the opinion of the East Oregonian editorial board of Publisher Kathryn Brown, Managing Editor Daniel Wattenburger, and Opinion Page Editor Tim Trainor. Other columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the East Oregonian.



**OTHER VIEWS**

## An Uber compromise

*The Oregonian*

Uber's decision to break into the Portland market certainly cost the controversial ride-sharing company PR points that it didn't have to spare.

But challenging the city for failing to adapt its taxi regulations to allow for new competitors like Uber has quickly paid off. In the two weeks that Uber drivers started picking up Portlanders using Uber's mobile-phone app, the city fumed, plotted, sued, fined ... and then reached a compromise with Uber, moving through the stages of grief with impressive efficiency.

Mayor Charlie Hales has set up a task force to study and develop changes that would allow Uber and similar app-based ride-sharing companies to legally operate in Portland. He and City Commissioner Steve Novick even pledged to issue a temporary license if the city can't meet an April 9 deadline for approving changes.

Uber, reviled just a couple weeks ago for its arrogance and greed, now has a path to legitimacy.

This could and should have happened months ago. Uber's interest in Portland has been clear for more than a year — and was amplified in November when the service rolled out in the suburbs around Portland. But the city's response, even in November, has been a noncommittal "we'll look into it" with Novick saying he would appoint a task force, but never setting a timeline for review.

Uber aside, there are plenty of reasons to look at the taxi system. The city itself acknowledges its "private for-hire" regulations are "antiquated." Data showed a persistent demand for taxis that was going unmet. And the current system isn't helping taxi drivers much — a 2012 study conducted by the city showed drivers were making only \$6.22 an hour on average.

That's partially because the 460 taxi licenses in the city are held by six taxi

ownership groups — not by the drivers who must pay a weekly amount to the companies for the opportunity to drive a licensed taxi.

In this case, by waiting to take action, the city's pride took a hit. But that's a small price to pay. The city would have to acknowledge the changing reality at some point. It's preferable that happen before the city incurs significant legal fees in a lawsuit whose outcome is uncertain.

And Hales and Novick did win a concession from Uber to withdraw from Portland for three months. The retreat, while helping the city save face, is a smart move for Uber as well — it may smooth over relations with those Portlanders who were put off by the San Francisco-based startup's "my way or the highway" arrogance.

Most important, the compromise gives clear definition to the city's to-do list — and when it needs to be done. The priority in the next few months is to look at what kinds of safety

requirements the city should insist upon, said Josh Alpert, Hales' director of strategic initiatives. That could include requiring vehicle inspections, a minimum level of driver's insurance coverage and thorough background checks.

With Uber in so many cities, Portland task-force members can evaluate how other cities are managing Uber, Lyft and other such companies.

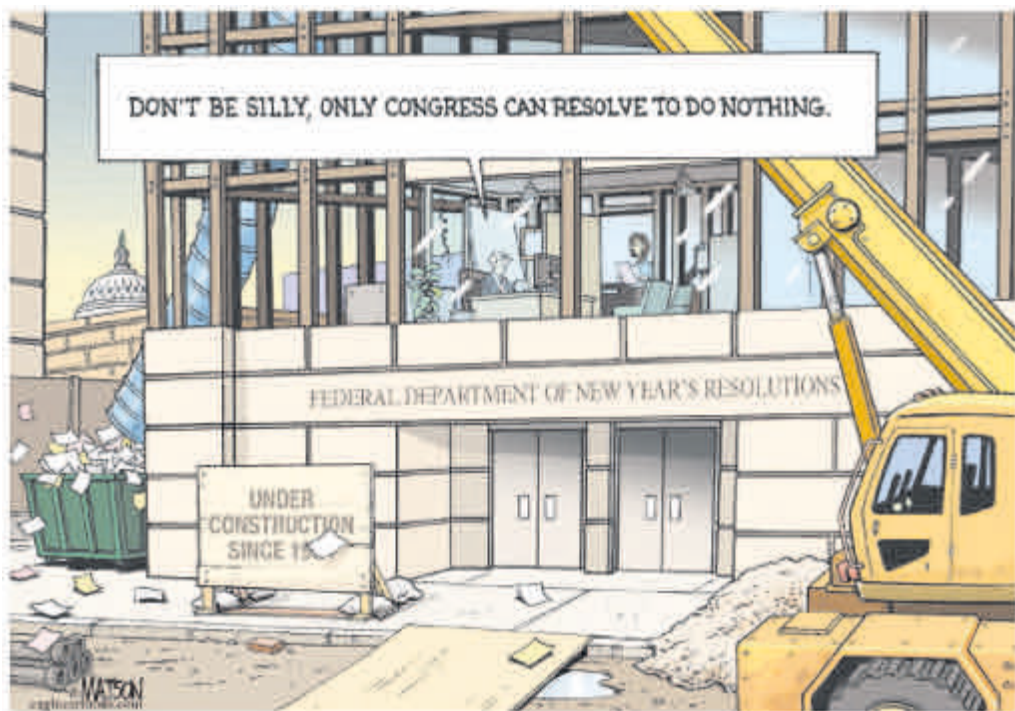
The path to get to a peaceful co-existence between taxis and Uber-like competitors won't be easy. Expect a free-for-all of sorts in which the city will ease restrictions on its taxis in order to get a very real market-based view of problems and solutions, Alpert said.

But considering that the regulatory framework is "so antiquated now, I'm not sure it can get worse," he said.

It probably can. But in any event, it may be a necessary headache in order to figure out how to update a regulatory framework that has ignored competition and technology for too long.



The East Oregonian welcomes original letters of 400 words or less on public issues and public policies for publication. Send letters to 211 S.E. Byers Ave. Pendleton, OR 97801 or email editor@eastoregonian.com.



**OTHER VIEWS**

## Will Obama defy Congress over Gitmo prisoners?

President Obama has long advocated closing the U.S. terrorist prison in Guantanamo Bay, Cuba. He likely would have done it long ago, had Congress not stopped him.

Now, however, Obama is not in the mood to abide by anything Congress says. And he is again talking about closing Guantanamo.

The result could be an ugly and protracted fight between the president and lawmakers of both parties. But it's also possible Obama will avoid a conflict and simply use his executive authority to release a prisoner here, a prisoner there, until Guantanamo is very nearly empty — all done without any meaningful debate.

Meanwhile, as he has done with immigration, the environment and Cuba, Obama will essentially dare Congress to do anything about it. It's all part of the new executive-action presidency.

Back in 2010, when the House and Senate were still controlled by Democrats, huge bipartisan majorities opposed Obama's plan to close Guantanamo and transfer its inmates to the United States. A defense spending bill passed unanimously by the Senate in December 2010 barred the president from spending any funds to transfer inmates to the United States or to close the prison.

That prohibition remains. The latest spending bill, the so-called "CRomnibus," forbids spending for any transfers to the United States or any effort to house Guantanamo prisoners in this country.

But Congress has not barred Obama from transferring Guantanamo inmates to other parts of the world. So far, Obama has released 96 prisoners and is preparing to free more of the remaining 132 detainees.

Just recently, the president released four Afghans who had been held almost since Guantanamo opened in 2002. While some estimates suggest one-third of released inmates have returned to the battlefield, the Obama administration argues that the recidivism rate is falling.

Whatever the case, Obama will soon face an essentially unsolvable problem. Of the 132 remaining inmates, there is a hard core of perhaps 40 or 50 who, because of the nature of their terrorist activity and their detentions, the United States will never charge with crimes, will never put on trial and will never release.

In a May 21, 2009, speech at the National Archives outlining detainee policy, Obama admitted that those inmates present "the toughest

single issue that we will face" in trying to close Guantanamo. "These are people who, in effect, remain at war with the United States," the president said.

Granted, it is not a good thing that there are prisoners whom the United States must keep behind bars for life without ever charging or trying them. But that is just one of the baleful effects of the war on terror. The question is, where should those prisoners be held?

Obama, the constitutional law professor, appears to believe there is some magic way to bring them into the United States, put them in the civilian justice system, and never grant them the basic constitutional rights of charge and trial. Who would be comfortable with that?

It seems obvious that the best place for such prisoners is somewhere outside the United States. If such detentions have to exist — and they do, for this small group — it just so happens there is a prison at an American facility in Cuba that is perfect for the job.

That's what bipartisan majorities of Congress have said over and over again. Nevertheless, Obama wants to act on his own. "I'm going to be doing everything I can to close (Guantanamo)," the

president told CNN recently. "It is contrary to our values and it is wildly expensive."

Obama conceded that "there's going to be a certain irreducible number that are going to be really hard cases, because, you know, we know they've done something wrong and they are still dangerous, but it's difficult to mount the evidence in a traditional Article Three court. You know, so we're going to have to wrestle with that."

The president can wrestle all he wants, but he's not going to find a way to imprison inmates inside the United States without charge or trial that is, in Obama's words, "consistent with our values." The best way to deal with those cases is to keep them in Guantanamo until they die.

The *New York Times* recently reported that the administration hopes that "if it can shrink the inmate population to below 100, Congress will revoke a law that bars the transfer of detainees into the country." That was unlikely when Democrats controlled Congress, and it is more unlikely with Republicans in charge. The only question is whether Obama will try to find a way around Congress and the law.

Whatever the president does, he can't change the fact that Guantanamo is the best answer to a very difficult problem.

Byron York is chief political correspondent for *The Washington Examiner*.



**BYRON YORK**  
Comment

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