

Gun background-check bill heads to Senate

By KRISTENA HANSEN
Associated Press

SALEM — A contentious proposal to extend the waiting period on gun purchases from three to 10 days to allow more time for background checks to clear has passed its first major hurdle in the Oregon Legislature.

The controversy playing out in Oregon over House Bill 4147, which now heads to the Senate after passing the House on Monday, speaks to the broader debate about gun control among policymakers in the wake of numerous mass shootings across the nation in recent years.

Initially, Oregon lawmakers sought to use HB 4147 as a vehicle for closing the so-called "Charleston loophole." The phrase refers to a man accused of shooting people in a South Carolina church in 2015 who was able to purchase a weapon after the three-day waiting period while his background check was pending.

The vast majority of background checks are completed right away, allowing many gun purchases to clear on the same day. Under current Oregon law, in those more rare instances where background checks take longer than three days, it's up to the sellers' discretion to sell the gun.

Oregon lawmakers aimed to close that loophole by requiring background checks to clear before guns can be purchased, regardless of the length of time. But after weeks of heated debate and testimony from gun rights advocates, HB 4147 was scaled back to simply extend the waiting period to 10 business days, following similar wait times in Hawaii, California and Washington, D.C.

"It doesn't close the loophole, but it makes it tight enough to catch a few more people who might exploit it ... It changes little for lawful purchasers, but it makes it a little harder for an unlawful purchaser to obtain a weapon," Rep.

Lew Frederick, a Democrat from Portland, said before casting his 'yes' vote Monday. "Our thoughts and prayers are cold comfort when innocent lives are taken by someone with no business having access to a weapon. Our communities need help preventing the next tragedy."

The House was supposed to cast that vote Friday — when former Arizona Congresswoman Gabrielle Giffords, who was shot in the head in a 2011 shooting in Tucson, Arizona, visited Portland to launch an anti-gun violence coalition. However, the vote was delayed amid concerns the bill didn't have support from Democrats, who control the chamber.

When the decision came down Monday, HB 4147 squeaked by on a 31-28 vote, a narrow approval for the majority party after three Democrats sided with the Republican minority in opposing the bill.

"Everyone wants to stop violence," said Rep. Sherrie Sprenger, a Republican from Scio and a former sheriff's deputy. "Sometimes in the process and gut-wrenching drive to solve a terrible, terrible things, we want to bring another law ... just because we pass a law doesn't mean we're going to get the desired result."

The bill now heads to the Senate, where the lively debate will likely continue.

Emails seem to contradict Oracle's Cover Oregon claims

Company says 'cherry picked' docs don't tell the story

By NICK BUDNICK
Pamplin Media Group

The words you are about to read are ones that Oracle has been fighting to keep secret.

The multinational software giant insists that it's not to blame for the website fiasco turned national punchline known as Cover Oregon.

However, a document reviewed by Pamplin Media Group last week contains internal communications that seemingly contradict what Oracle has been telling politicians and the public, and suggest the company's own employees felt Oracle did not give Oregon its money's worth.

The interoffice correspondence has never been disclosed publicly in the two years since the faulty health care exchange cost the state more than \$300 million.

In fact, the California-based contractor, with annual revenue of about \$38 billion, is battling in court to keep its internal communications under wraps.

Oracle repeatedly has blamed the failure of the Cover Oregon website project on state mismanagement and politics. It has found plenty of backing in thousands of documents already released publicly by the state of Oregon.

The state, meanwhile, has argued that Oracle knew its work was faulty and kept vital information from the state. What's more, the state in court says it now has internal documents that support that claim. But, because Oracle has designated the docu-

ments as confidential, the state has been unable to share publicly what it calls proof of its claims.

Last month the Oregon Attorney General's Office submitted a 24-page brief in Marion County Circuit Court arguing that Oracle was wrongly classifying its internal documents as confidential. The brief said several examples of Oracle's internal correspondence are not trade secrets and should be disclosed. But, because the documents remain under seal, the passages are redacted — covered with a black bar.

Last week, however, the Pamplin Media Group was able to review a version of the brief without the redactions. The passages include summaries (and a few selected quotes) of private exchanges between Oracle employees. They reveal:

- Some of Oracle's own employees in reports and emails dissed the company's work for Oregon, according to the brief. One company assessment in November 2013 found its software development "didn't pass the 'laugh test.'"

- In a Nov. 22, 2013, internal email that appears to contain two typos, one Oracle developer wrote that an "army" of programmers for the company was "raiding the state of Oregon on something that will never work well," according to the brief.

- Yet another passage, from a March 16, 2012, internal email, suggests a company executive may have opposed the state's plan to hire a prime contractor to oversee Oracle's work out of a desire to preserve the company's lucrative position as Cover Oregon's prime contractor. Oracle now, in contrast, says this lack of oversight is at the heart of the project's problems.

- Concerns about the project

prompted Oracle's founder, billionaire Larry Ellison, to request daily progress reports in a Nov. 16, 2013, email.

In a statement in January, Oracle said the state's motion includes "misleading statements." Asked Monday about the excerpts, Oracle issued a comment, attributed to spokesperson Deborah Hellinger, which characterizes the state's motion as "a handful of cherry picked documents out of more than 2 million documents in this case. There are thousands of documents that tell the true story and that clearly establish that the State was responsible for the outcome of Cover Oregon."

Secrecy questioned
According to the state's motion, the passages above and other documents that are labeled secret "believe Oracle's public relations story, undermine its litigation defenses, and strongly support plaintiffs' claims."

Oracle defended its use of the confidentiality designation, saying some "involve personal information about individuals. Still others include information about Oracle's other customers and trade secrets."

But the state contends that Oracle has misused the confidentiality order to prevent the state from "providing the Oregon Legislature, Congress, federal authorities, and Oregon citizens with a complete history" of the project.

Oracle also sealed documents that already are public, as well as innocuous emails such as ones accepting a meeting, booking a conference room, and forwarding a state email without comment, according to the state's motion.

Tung Yin, a Lewis & Clark Law School professor, says the state's

motion may well be a hardball attempt to extract a generous settlement. Citing emails such as the one saying Oracle programmers were "raiding" Oregon may be intended to show the company how this would look in court.

Since the "o" and "l" are adjacent on keyboards, Yin says "raiding" appears to be a typo for "raping."

"The worst possible reading of that email would be, I think, that there were people who knew (of the website) would never work, but they were still selling it to Oregon and taking the money," Yin says.

Even if that isn't what the email's author meant, the quote could force Oracle to play defense in court, Yin adds. The art of settlement negotiations "is always about making your case look as strong as possible and your opponents' case as weak as possible."

Executive opposed oversight
Perhaps the most interesting excerpt of Oracle correspondence concerns the state's initial plan to bring in the equivalent of an IT general contractor, to oversee Oracle and manage the project.

The failure to hire an integrator was, in Oracle's more recent portrayals, an incredibly dumb move.

"Oracle has never worked on a project of this size and complexity

without a systems integrator in place," according to a PowerPoint presentation Oracle shared with members of Congress.

Not filling that position created a huge management void and "created massive problems" for the Oregon project, the Oracle PowerPoint continued.

According to the state's motion, however, an Oracle executive in March 2012, recommended in an internal email that the company discuss how to stop the state from hiring an integrator, apparently because it would diminish Oracle's role in the project.

If the state hired an integrator, it "could displace or reduce our role significantly," wrote the Oracle executive, according to the version of the state's brief reviewed by Pamplin Media Group. "It isn't clear what we can do about this other than pray that they keep deferring the SI (systems integrator) selection. But since hope is not a strategy, this topic deserves some discussion."

The email substantiates one of the most explosive claims in the state's lawsuit against the company, that a former Oracle employee said the firm engaged in a secret effort to dissuade the state from hiring an integrator. Oracle told Oregon it would fill the role instead, the state lawsuit claims.

Corrections

A story in the Feb. 20-21 weekend edition of the *East Oregonian* gave incorrect information about a new egg production facility in Milton-Freewater. Mahlon Zehr moved onto the 40-acre farm two and a half years ago, and sold his flooring and carpet business in November. The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

EAST OREGONIAN
— Founded Oct. 16, 1875 —

211 S.E. Byers Ave., Pendleton 541-276-2211
333 E. Main St., Hermiston 541-567-6211
Office hours: Monday through Friday, 8 a.m. to 5 p.m.
Closed major holidays

www.eastoregonian.com

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East Oregonian (USPS 164-980) is published daily except Sunday, Monday and Dec. 25, by the EO Media Group, 211 S.E. Byers Ave., Pendleton, OR 97801. Periodicals postage paid at Pendleton, OR. Postmaster: send address changes to East Oregonian, 211 S.E. Byers Ave., Pendleton, OR 97801.
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Single copy price:
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COMMERCIAL PRINTING
Production Manager: Shane Weston
541-966-0825 • sweston@eastoregonian.com

AccuWeather.com Forecast

TODAY **WEDNESDAY** **THURSDAY** **FRIDAY** **SATURDAY**

Plenty of sunshine Intervals of clouds and sun Partly sunny Sun and clouds Clouds and sun with a shower

PENDLETON TEMPERATURE FORECAST
55° 28° 51° 33° 54° 32° 57° 38° 58° 37°

HERMISTON TEMPERATURE FORECAST
56° 27° 53° 30° 56° 30° 57° 37° 59° 37°

ALMANAC

PENDLETON
through 3 p.m. yesterday

| TEMPERATURE | HIGH | LOW |
|-------------|------------|-----------|
| Yesterday | 50° | 30° |
| Normals | 49° | 30° |
| Records | 68° (2002) | 5° (1894) |

PRECIPITATION
24 hours ending 3 p.m. 0.00"
Month to date 0.82"
Normal month to date 0.90"
Year to date 2.33"
Last year to date 1.49"
Normal year to date 2.28"

HERMISTON
through 3 p.m. yesterday

| TEMPERATURE | HIGH | LOW |
|-------------|------------|------------|
| Yesterday | 54° | 24° |
| Normals | 50° | 30° |
| Records | 71° (1988) | 13° (1993) |

PRECIPITATION
24 hours ending 3 p.m. 0.00"
Month to date 0.34"
Normal month to date 0.75"
Year to date 1.44"
Last year to date 1.05"
Normal year to date 2.03"

SUN AND MOON

| | |
|----------------|-----------|
| Sunrise today | 6:45 a.m. |
| Sunset tonight | 5:33 p.m. |
| Moonrise today | 6:50 p.m. |
| Moonset today | 7:07 a.m. |

Last New First Full
Mar 1 Mar 8 Mar 15 Mar 23

REGIONAL FORECAST

Coastal Oregon: Partly sunny today. Increasing clouds tonight. Clouds yielding to some sun tomorrow.

Eastern and Central Oregon: Sunny to partly cloudy today. Partly cloudy tonight. Clouds and sun tomorrow.

Western Washington: Sunshine and some clouds today. Some clouds tonight. Periods of clouds and sun tomorrow.

Eastern Washington: Plenty of sunshine today. Patchy clouds tonight. Intervals of clouds and sun tomorrow.

Cascades: Partly sunny today. Partly cloudy tonight. Times of sun and clouds tomorrow.

Northern California: Partly sunny today. Partly cloudy tonight. Partly sunny tomorrow.

REGIONAL CITIES

| | Today | | | Wed. | | |
|---------------|-------|----|----|------|----|----|
| | Hi | Lo | W | Hi | Lo | W |
| Astoria | 58 | 42 | pc | 58 | 41 | pc |
| Baker City | 43 | 23 | s | 47 | 24 | pc |
| Bend | 52 | 29 | pc | 57 | 32 | pc |
| Brookings | 61 | 46 | pc | 60 | 46 | pc |
| Burns | 41 | 18 | s | 44 | 21 | pc |
| Enterprise | 45 | 22 | s | 49 | 25 | pc |
| Eugene | 56 | 39 | pc | 58 | 41 | pc |
| Heppner | 52 | 29 | s | 52 | 33 | pc |
| Hermiston | 56 | 27 | s | 53 | 30 | pc |
| John Day | 52 | 28 | s | 60 | 36 | pc |
| Klamath Falls | 51 | 27 | pc | 58 | 29 | pc |
| La Grande | 47 | 29 | s | 52 | 29 | pc |
| Meacham | 45 | 29 | s | 50 | 28 | pc |
| Medford | 61 | 37 | pc | 63 | 39 | pc |
| Newport | 58 | 45 | pc | 57 | 45 | pc |
| North Bend | 63 | 45 | pc | 61 | 45 | pc |
| Ontario | 52 | 29 | s | 52 | 29 | pc |
| Pasco | 56 | 29 | s | 54 | 32 | pc |
| Pendleton | 55 | 28 | s | 51 | 33 | pc |
| Portland | 57 | 41 | pc | 59 | 41 | pc |
| Redmond | 54 | 25 | s | 59 | 29 | pc |
| Salem | 58 | 38 | pc | 60 | 39 | pc |
| Spokane | 45 | 27 | s | 47 | 30 | pc |
| Ukiah | 47 | 25 | s | 52 | 30 | pc |
| Vancouver | 56 | 40 | pc | 58 | 40 | pc |
| Walla Walla | 53 | 33 | s | 52 | 36 | pc |
| Yakima | 53 | 29 | s | 54 | 32 | pc |

WORLD CITIES

| | Today | | | Wed. | | |
|-------------|-------|----|----|------|----|----|
| | Hi | Lo | W | Hi | Lo | W |
| Beijing | 38 | 14 | s | 44 | 22 | s |
| Hong Kong | 62 | 54 | r | 60 | 56 | c |
| Jerusalem | 52 | 41 | pc | 61 | 48 | pc |
| London | 47 | 29 | s | 45 | 28 | pc |
| Mexico City | 79 | 44 | pc | 78 | 42 | pc |
| Moscow | 36 | 27 | sn | 36 | 28 | sn |
| Paris | 47 | 31 | r | 45 | 32 | pc |
| Rome | 61 | 44 | pc | 62 | 48 | pc |
| Seoul | 39 | 15 | pc | 35 | 20 | s |
| Sydney | 87 | 71 | s | 88 | 73 | s |
| Tokyo | 52 | 42 | c | 46 | 35 | pc |

WINDS

| (in mph) | Today | Wednesday |
|-----------|--------|-----------|
| Boardman | NE 4-8 | NE 3-6 |
| Pendleton | SE 4-8 | N 3-6 |

UV INDEX TODAY

0 2 3 2 0 0

8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.

0-2, Low 3-5, Moderate 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

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NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

National Summary: Rain will soak part of the mid-Atlantic and the southern Plains today. Severe weather, including tornadoes, will occur from the upper Texas coast to the Florida Panhandle. Snow will wind down over the Rockies.

Yesterday's National Extremes: (for the 48 contiguous states)
High 88° in Thermal, Calif. Low -13° in Ely, Minn.

NATIONAL CITIES

| | Today | | | Wed. | | | | Today | | | Wed. | | |
|----------------|-------|----|----|------|----|----|----------------|-------|----|----|------|----|----|
| | Hi | Lo | W | Hi | Lo | W | | Hi | Lo | W | Hi | Lo | W |
| Albuquerque | 47 | 26 | sn | 56 | 29 | s | Louisville | 58 | 50 | c | 56 | 34 | r |
| Atlanta | 67 | 58 | r | 60 | 38 | r | Memphis | 60 | 46 | r | 47 | 37 | r |
| Atlanta City | 46 | 42 | r | 54 | 50 | r | Miami | 80 | 71 | pc | 84 | 65 | c |
| Baltimore | 43 | 38 | r | 54 | 49 | r | Millwaukee | 42 | 31 | c | 38 | 28 | c |
| Birmingham | 49 | 26 | pc | 46 | 25 | s | Minneapolis | 41 | 26 | sn | 36 | 26 | pc |
| Boise | 49 | 31 | s | 52 | 32 | pc | Nashville | 62 | 56 | c | 59 | 36 | pc |
| Boston | 40 | 33 | c | 45 | 40 | r | New Orleans | 77 | 50 | t | 60 | 44 | c |
| Charleston, SC | 74 | 60 | r | 75 | 46 | t | New York City | 40 | 34 | sn | 48 | 47 | r |
| Chicago | 59 | 47 | r | 63 | 37 | r | Oklahoma City | 50 | 36 | r | 57 | 32 | s |
| Chicago | 44 | 32 | c | 39 | 28 | sn | Omaha | 49 | 26 | c | 43 | 29 | s |
| Cleveland | 44 | 35 | pc | 45 | 34 | r | Philadelphia | 42 | 38 | r | 52 | 47 | r |
| Dallas | 51 | 41 | r | 58 | 37 | r | Phoenix | 76 | 51 | s | 78 | 52 | s |
| Denver | 40 | 17 | sf | 50 | 20 | s | Portland, ME | 34 | 27 | pc | 39 | 33 | i |
| Detroit | 43 | 32 | pc | 39 | 30 | s | Providence | 42 | 31 | c | 46 | 43 | r |
| El Paso | 61 | 30 | s | 60 | 31 | s | Raleigh | 52 | 47 | r | 69 | 47 | r |
| Fairbanks | 29 | 16 | s | 36 | 23 | pc | Rapid City | 47 | 21 | pc | 43 | 17 | s |
| Fargo | 34 | 24 | sn | 35 | 25 | sf | Reno | 57 | 29 | s | 66 | 34 | s |
| Honolulu | 79 | 66 | pc | 81 | 66 | pc | Sacramento | 70 | 41 | s | 72 | 43 | s |
| Houston | 70 | 46 | t | 63 | 38 | r | St. Louis | 52 | 38 | c | 40 | 32 | sn |
| Indianapolis | 50 | 35 | c | 41 | 29 | r | Salt Lake City | 44 | 26 | s | 46 | 28 | pc |
| Jacksonville | 80 | 61 | c | 78 | 45 | t | San Diego | 79 | 56 | s | 80 | 54 | s |
| Kansas City | 52 | 31 | c | 47 | 28 | s | San Francisco | 68 | 49 | pc | 67 | 51 | s |
| Las Vegas | 64 | 43 | r | 67 | 45 | s | Seattle | 55 | 40 | pc | 57 | 41 | pc |
| Little Rock | 54 | 41 | r | 54 | 35 | r | Tucson | 71 | 42 | s | 76 | 44 | pc |
| Los Angeles | 82 | 53 | s | 82 | 53 | s | Washington, DC | 45 | 41 | r | 57 | 50 | r |
| | | | | | | | Wichita | 54 | 32 | c | 56 | 30 | s |

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, i-ice.