

# Judges hammer attorneys on both sides of travel ban case

By **SUDHIN THANAWALA**  
Associated Press



Greg Lehman/Whitman College via AP

**In this 2008 photo provided by Whitman College, U.S. District Judge James Robart, right, talks with students at the college in Walla Walla. Robart ruled Feb. 3 in federal court in Seattle to suspend President Donald Trump's travel and refugee ban.**

SAN FRANCISCO — President Donald Trump's travel ban faced its toughest test yet Tuesday as a panel of appeals court judges hammered away at the government's arguments that the ban was motivated by terrorism fears but also directed pointed questions to an attorney who claimed it unconstitutionally targeted Muslims.

The contentious hearing before three judges on the San Francisco-based 9th Circuit Court of Appeals focused narrowly on whether a restraining order issued by a lower court should remain in effect while a challenge to the ban proceeds. But the judges also jumped into the larger constitutional questions surrounding Trump's order, which temporarily suspended the nation's refugee program and immigration from seven mostly Muslim countries that have raised terrorism concerns.

The hearing was conducted by phone — an unusual step — and broadcast live from the court's website to a record audience.

Judge Richard Clifton, a George W. Bush nominee,

asked an attorney representing Washington state and Minnesota, which are challenging the ban, what evidence he had that the ban was motivated by religion.

"I have trouble understanding why we're supposed to infer religious animus when in fact the vast majority of Muslims would not be affected."

Only 15 percent of the world's Muslims were affected, the judge said, citing his own calculations. He added that the "concern for terrorism from those connected to radical Islamic sects is hard to deny."

Noah Purcell, Washington

state's solicitor general, cited public statements by Trump calling for a ban on the entry of Muslims to the U.S. He said the states did not have to show every Muslim is harmed, only that the ban was motivated by religious discrimination.

Clifton also went after the government's attorney, asking whether he denied statements by Trump and former New York City Mayor Rudolph Giuliani, who said recently that Trump asked him to create a plan for a Muslim ban.

"We're not saying the case shouldn't proceed, but we are saying that it is extraordinary for a court to enjoin the

## Iranian baby with heart defect admitted to Oregon hospital

PORTLAND (AP) — An Iranian infant in need of life-saving heart surgery arrived Tuesday at a Portland hospital with her family after being temporarily banned from coming to the U.S. by President Donald Trump's immigration orders.

Iranian doctors told Fatemeh Reshad's parents weeks ago that she needed at least one urgent surgery to correct serious heart defects, or she will die, according to her uncle, Samad Taghizadeh, a U.S. citizen who lives in Portland.

The family previously had an appointment in Dubai to get a tourist visa. But it was abruptly canceled after Trump announced his executive order banning the entry of people from seven countries with Muslim majorities. The girl and her parents had to return to Iran.

A Seattle judge issued a temporary restraining order on the ban the same day a waiver was granted for the baby.

"Fatemeh looks well," said Dr. Laurie

Armsby, interim head of the Division of Pediatric Cardiology at OHSU Doernbecher Children's Hospital. "Our tests this morning have confirmed her diagnosis and the urgent need for treatment."

U.S. Sen. Jeff Merkley, an Oregon Democrat, was instrumental in getting the waiver for the baby's family, as were New York Gov. Andrew Cuomo and immigration attorneys.

The hospital issued a statement saying that the family "would like to extend their heartfelt thanks to everyone who helped make their trip possible. The family would like to give special thanks to the congressional delegations and governors of Oregon and New York."

Jennifer Morrissey, a Portland immigration attorney who championed the baby's cause, said "This was truly a team effort to beat the clock, given the medical and legal hurdles Fatemeh was facing."

president's national security decision based on some newspaper articles," said August Flentje, who argued the case for the Justice Department.

Under questioning from Clifton, Flentje did not dispute that Trump and Giuliani made the statements.

Judge Michelle T. Friedman, who was appointed by President Barack Obama, asked whether the government has any evidence connecting the seven nations

to terrorism.

Flentje told the judges that the case was moving fast and the government had not yet included evidence to support the ban. Flentje cited a number of Somalis in the U.S. who, he said, had been connected to the al-Shabab terrorist group.

The ban has upended travel to the U.S. for more than a week and tested the new administration's use of executive power.

The live broadcast of the oral arguments on the court's YouTube site had 137,000 connections — by far the largest audience for an oral argument since the 9th Circuit began live streaming about two years ago, said David Madden, a spokesman for the court. Some news outlets also carried the live stream.

Whatever the court eventually decides, either side could ask the Supreme Court to intervene.

# As Trump fears fraud, GOP votes to kill election commission

WASHINGTON (AP) — A House committee voted on Tuesday to eliminate an independent election commission charged with helping states improve their voting systems as President Donald Trump erroneously claims widespread voter fraud cost him the popular vote.

The party-line vote came less than two days after Trump vowed to set up a White House commission helmed by Vice President Mike Pence to pursue his accusations of election fraud.

"We're going to look at it very, very carefully," Trump said of voter fraud in an interview with Fox News that aired Sunday. "It has to do with the registration, and when you look at the registration and you see dead people that have voted."

Reports that Trump told congressional leaders in a meeting last month that 3 to 5 million ballots were cast illegally during the 2016 race were met with discomfort on Capitol Hill. While top Republicans have refused to disavow his charges of election fraud, they haven't pushed for action on the issue, which remains a low priority for congressional leadership.

The vote in the House Administration Committee underscored, once again, the political differences between the Republican president



AP Photo/Evan Vucci

**St. Charles, La. Parish Sheriff Greg Champagne, the president of the National Sheriffs Association, listens at left as President Donald Trump speaks during a meeting in the White House Tuesday.**

and the party's rank-and-file. The GOP majority on the committee eliminated the Election Assistance Commission, which was created by Congress after the 2000 Florida recount to upgrade voting technology and provide election-related information to federal entities, state officials and election administrators.

Republicans, who led the effort to terminate the agency, say it's a prime example of government waste. They've been introducing legislation to end the commission for years with little success.

"If we're looking at reducing the size of government this is a perfect example of something that can be eliminated," said Rep.

Gregg Harper, R-Miss., the committee chairman, after the bill passed on a 6-3 vote. "We don't need fluff."

Harper said he hadn't spoken to Trump about the legislation. "He's certainly welcome to call me at any time," he said.

In separate testimony on Capitol Hill, Homeland Security Secretary John Kelly endorsed providing states "as much help as we can to make sure that their systems are protected in future elections."

The bill was opposed by committee Democrats and voting rights groups, who argued that the federal agency plays a vital role in protecting elections from hacking and other types of

interference.

"At a time when the vast majority of the country's voting machines are outdated and in need of replacement, and after an election in which foreign criminals already tried to hack state voter registration systems, eliminating the EAC poses a risky and irresponsible threat to our election infrastructure," said Wendy Weiser, the democracy program director at the Brennan Center for Justice.

Congress allotted nearly \$3.3 billion to states and territories to support upgrading voting systems, and much of that money was placed into bank accounts

where it gained interest. As of October 2015, the most recent date available, nearly \$376 million remained unspent in dozens of states across the country.

"Each day we hear from state and local election officials who need our help to navigate the challenges they face," said EAC chair Thomas Hicks, in a statement. "We are focused on serving them and the American voters. Congress should remain a trusted partner in that effort."

The committee also voted to terminate the public financing system, which provides major party

presidential nominees a lump sum grant of roughly \$94.14 million in the general election. But by accepting the grant, a candidate may not raise any additional funds and is severely limited in how much of their own money they use.

President Barack Obama effectively ended the practice of candidates taking general election public financing in 2008, when he chose not to accept it. His Republican rival John McCain took the grant that year and was swamped by the Obama campaign's spending. Neither Hillary Clinton nor Trump accepted public financing this year.

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Please read this notice carefully as your legal rights are affected whether you act or do not act.  
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The Oregon Attorney General filed a lawsuit against certain manufacturers of Cathode Ray Tubes ("CRTs"). The lawsuit alleges that CRT manufacturers illegally agreed upon the pricing of CRTs. The Attorney General filed this action in her law enforcement capacity, and on behalf of the State of Oregon and Oregon natural persons, and sought equitable relief, restitution, civil penalties and injunctive relief.

Oregon has settled with five defendants for a total of \$3,645,000 ("Settlement Fund"). The State of Oregon and Oregon natural persons may be entitled to a portion of the Settlement Fund. "Oregon natural persons" means a human, not a business.

**Who Is Included?**  
The State of Oregon and Oregon natural persons who indirectly purchased at any time during the years 1995 to 2007, for their own use and not for resale CRTs incorporated in TVs or computer monitors. An indirect purchaser is someone that purchased products containing a CRT from someone other than the company that manufactured the CRT component, such as from an electronics retailer or a device manufacturer other than one of the Defendants.

**What Are My Rights And Options?**  
**Exclude yourself:** Oregon natural persons have the right to exclude themselves from this action. The State of Oregon cannot be excluded. If you opt out, you will not be legally bound by the litigation or these settlements, but you will not get any money or other benefits from this action or these settlements. You will retain any rights you currently have, if any. Please note that under Oregon law, authority to bring antitrust actions for indirect purchaser claims, like this action, was limited to actions by the Attorney General until January 1, 2010.  
To opt-out, complete the opt-out registration online at [www.OregonScreenSettlement.com](http://www.OregonScreenSettlement.com) or send a written letter stating that you want to be excluded from the case: *State of Oregon, ex rel Ellen F. Rosenblum v. LG Electronics, Inc. et al.*

Multnomah County Circuit Court case no. CV 120810246. The letter must include the case name, your name, address, telephone number, and signature. The letter must be **postmarked on or before March 18, 2017**, and mailed to: Oregon CRT Settlement, c/o GCG, P.O. Box 10240, Dublin, Ohio 43017-5740.

**File a claim:** Only Oregon natural persons need to file a claim to obtain benefits from these settlements. Claims can be completed online or by mailing the claim form, available for download at [www.OregonScreenSettlement.com](http://www.OregonScreenSettlement.com), to the Settlement Administrator. The Court has not set a deadline for filing claims, as the case has not concluded.

**Do nothing:** If you do nothing, you will continue to be represented by the Oregon Attorney General in the action. You will be bound by the terms of the settlements, and will release Defendants and related entities from any claims you may have relating to the allegations in this lawsuit. Oregon natural persons that do not file a claim will not be entitled to any benefits in this matter and will be bound by the terms of the settlement.

**Who Represents Me?**  
The Attorney General of Oregon represents the State and Oregon natural persons. You do not have to pay the Attorney General. The Attorney General will request the Court approve attorney fees and litigation costs from the Settlement Fund. Additional costs to administer the Settlements will also come out of the Settlement Fund. If you want to be represented by your own lawyer, and have that lawyer appear in Court for you, you must exclude yourself and hire an attorney at your own expense.

**How Do I Get More Information?**  
This Notice summarizes the lawsuits and the Settlements. You can get more information about the lawsuits and Settlements, the claims process or obtain a claim form at [www.OregonScreenSettlement.com](http://www.OregonScreenSettlement.com), by calling 1-877-940-7791, or writing to: Oregon CRT Settlement, c/o GCG, P.O. Box 10240, Dublin, Ohio 43017-5740.

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