

O EAST OREGONIAN PINION

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Tip of the hat, kick in the pants

■ A kick in the pants to the bureaucratic red tape that’s keeping Ginger and Brian Afdahl from doing the necessary work to protect their property being further destroyed by floodwaters.

It’s no use kicking Mother Nature’s pants — everyone knows she’s a nudist anyway — but we’d like to think there’s better recourse than watching runaway river water destroy 30 years of development on the family ranch near Milton-Freewater. Once the river jumps its banks there should be a quick remedy to putting it back where it belongs.

There’s good reason people shouldn’t mess with creek beds and river channels without proper oversight, as short-sighted damage can have a serious impact on fish habitats and other ecological concerns. But the U.S. Army Corps of Engineers has the know-how, and should be able to provide a quick answer on how a property owner can proceed.

There are also the lingering effects of this flood, including the potential of a

new property line once the river resettles. We hope these issues can be solved without unnecessary complications for the Afdahls.

■ A kick in the pants to Lost Valley Farm, the new mega-dairy near Boardman accused of violating environmental rules just months after opening.

The Oregon Department of Agriculture reported finding two rules violations in December, as wastewater and manure were discharged into places they shouldn’t have been. The dairy also failed to have enough lagoon storage capacity for runoff in case of a storm.

The state fined the dairy \$10,640 and a hearing is in the works.

We’ll follow along as the civil penalties are addressed, but it’s disheartening to see an already contentious project fail to comply so early in its lifespan. Plans call for 30,000 cows to eventually reside on the farm, and this does not bode well.



Staff photo by E.J. Harris

The North Fork Walla Walla River flowing over the property line, roughly where the fallen tree is, of the Afdahl’s ranch Wednesday east of Milton-Freewater.

Agriculture is the heart of our region, but every producer must show it can develop its goods in a responsible way.

■ A tip of the hat and welcome to town to the city of Pendleton’s newest department heads, Liam Hughes and George Cress.

Hughes has some big ideas for the city’s parks and recreation department

and a proven track record of event coordination, a valuable asset for a town that could always use another party.

Cress steps in with some familiarity in the region — he was previously an economic development director for the Confederated Tribes of the Umatilla Indian Reservation.

We wish them both a warm “howdy” and best of luck in their new jobs.

OTHER VIEWS

The taming of a demagogue

Recent political history has offered few spectacles more depressing than the acquiescence of leading Republican politicians to the rise of Donald Trump. The selection of a nominee for president is an act of moral gravity, and party elites have an obligation to resist and exclude figures who are ethically and temperamentally unfit to wield the presidency’s powers. That so many Republicans, while obviously believing Trump unfit on both counts, followed strategic failure with moral abdication and essentially shrugged at his ascent was an indictment of their leadership and a reason to root for their defeat.

I am less persuaded, however, by the argument that what leading Republicans have done since Donald Trump was elected president has been somehow more disastrous and morally culpable than their original surrender, and that conservatives who declined to vote for Trump but otherwise still voted Republican in 2016 should look at what’s happened since and begin voting lock step for the Democrats.

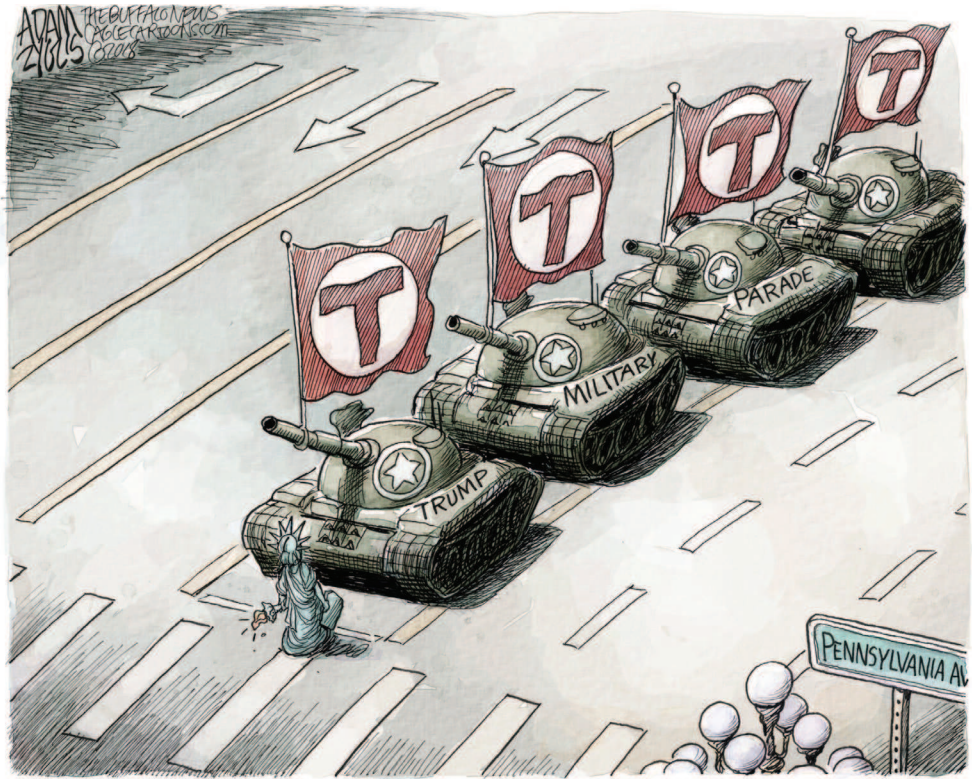
You hear this argument implied by liberals of all stripes, but it’s brought to a sharp point in The Atlantic this month by Ben Wittes and Jonathan Rauch, both writers who generally deserve the label “centrist.” Urging a “boycott” of the GOP, they write that “the Republican Party, as an institution, has become a danger to the rule of law and the integrity of our democracy,” and that it therefore makes sense not only for swing voters but even for principled conservatives to cast ballots for the Democrats at every level until the danger of Trumpist authoritarianism has passed.

As a conservative who opposed Trump, attacked the party for nominating him, argued that he could reasonably be removed from office for unfitness, and generally regards the GOP as a broken vehicle for serious policymaking, I am pretty close to the target audience for the Rauch and Wittes argument. So let me explain why — for now — I think their case falls short.

Basically, Republican politicians who accommodated themselves to Trump during the 2016 campaign offered the following reassurance to their more Trump-wary voters: Vote for us, and we will contain him. Yes, the Republican nominee indulged in wildly irresponsible and authoritarian rhetoric; yes, if he followed through on many of his promises, various disasters could ensue. But vote for us, and we will contain him.

There were good reasons to be skeptical of this promise. The presidency’s powers (over foreign policy especially) have waxed as Congress’ have waned, the bully pulpit belongs to the White House, and since Trump’s populist ideas on economics were more popular than the existing Republican agenda, it was easy to see how he could roll over efforts at containment.

But a year later, the project of containment has been much more successful than its critics feared. Here is a short list of moves — some authoritarian, some just destabilizing — that



Trump promised or threatened during the campaign: reinstating waterboarding and allowing torture, even over military objections; shaking up NATO and striking a deal that abandons American allies to a Russian sphere of influence; pulling the United States out of NAFTA; changing libel laws to make it easier to bankrupt his critics in the press; launching a major trade war with China; pulling the United States out of the Iranian nuclear deal; installing cronies and relatives in high judicial posts; banning Muslim entry to the United States; and deporting millions of illegal immigrants in an enormous sweep.

A year later none of these things have happened; few have even been meaningfully attempted. In almost every case the establishment Republicans crowding his Cabinet or influencing him from the Senate have had a gentling or restraining (or, from an alt-right perspective, cucking) effect upon Trump’s presidency. You could argue, if you squint, that versions of the last two policies have been pursued — but even there the case is weak, the Trump administration’s behavior less than authoritarian. The travel ban the White House put forward affected a small fraction of the world’s Muslims and has been easily impeded in the courts. Likewise, interior immigration enforcement has become more aggressive and punitive than under Barack Obama — but this increase in arrests has already run into a bureaucratic and judicial backlog that will make mass deportation impossible unless Trump actually short-circuits the judicial process ... which, to date, he conspicuously has not.

So for the kind of Atlantic-reading, Whole Foods-shopping, Trump-skeptical Republican whom Wittes and Rauch are addressing, the trend in Trumpian policy offers considerable evidence that their elected representatives’ promise to constrain the president’s actions (if not his words) is actually being kept.

So, too, with the specific cases that the Atlantic essay focuses on: Trump’s

insouciance about Russian interference in the last presidential election, and his continuing attacks on law enforcement professionals over the probe into his campaign’s possible involvement with that interference. Just consider the following caveat that Wittes and Rauch append to their brief:

“We don’t mean to deny credit where it is due. ... Last year, pressure from individual Republicans seemed to discourage Trump from firing Attorney General Jeff Sessions and probably prevented action against Special Counsel Robert Mueller. Moreover, Republicans as a group have constrained Trump on occasion. Congress imposed tough sanctions on Russia over the president’s objections. The Senate Intelligence Committee conducted a serious Russia investigation under the leadership of Richard Burr. But the broader response to Trump’s behavior has been tolerant and, often, enabling.”

Now it’s quite true that other Republicans, especially in the House, have run interference for Trump’s attacks on Mueller’s probe, and encouraged rank-and-file conservatives and frequent “Hannity” viewers to believe the worst about the FBI and other “deep state” organs. But partisan attacks on a special counsel’s probe are not the same thing as a sustained presidential assault on democratic institutions. Nor are angry presidential tweets that lack any sustained follow-through: If the president yells about his persecutors and little or nothing happens — the Mueller probe continues, Rod Rosenstein keeps his job, etc. — what’s undermined is presidential authority, not the rule of law.

I wish that Trump were not the president; I blame Republicans for enabling his rise. But once his election was accomplished, their promise of containment became a reasonable approach. And so long as he remains weak and trammled and conventional in policy, the case that conservatives have a moral obligation to vote like liberals won’t convince.

OTHER VIEWS

Two state agencies fail to complete required audits

The Bend Bulletin, Feb. 6

Oregon’s Department of Energy has been wracked by so many problems that legislators have debated if it should be shut down and its work distributed to other agencies. So it may come as no surprise that the department has a new problem.

Both the energy department and the Oregon Department of Agriculture have failed to perform audits as required by state law.

State law requires bigger state agencies to take a closer look at how they operate and their risks at least once every five years. They are supposed to do what are called governance and risk management audits. These internal audits can help identify what an agency is doing that works and what doesn’t. They are also supposed to examine where an agency may be at risk for violating laws or rules.

Both the energy and agriculture departments have completed or participated in other audits — but not the governance and risk audit. They have excuses for not getting this one done. The energy department said it has not had an internal auditor since spring 2016. It has made an offer to an individual to take the position and that person is scheduled to start in the spring.

The agriculture department said it doesn’t have an auditor. It said it was unable to borrow the Oregon Department of Forestry’s auditor, as it had done in the past. So it didn’t do it. The agency plans to look into hiring a contractor to perform the work.

We should note that other state agencies had auditing vacancies and are up to date on this audit requirement.

The statute with the requirement for the audit doesn’t include a penalty. And it’s hard to know if the failure of these two agencies to do this audit is allowing problems to fester. But the agriculture department is responsible for inspection, certification and regulation of food in Oregon. That’s serious stuff.

The failure by the energy department is more worrying. The Department mismanaged the state’s Business Energy Tax Credit program so badly that the state closed the program. The department itself ended its Small-Scale Energy Loan program when it discovered it was \$20 million in the red. And in 2017 an energy department employee admitted he was guilty of taking nearly \$300,000 in bribes to help arrange sales of tax credits. “I’m dirty,” he said, according to *The Oregonian*. In January, he asked to change his plea.

Oregon’s state legislators are now busy creating new laws. Do they ever stop to check if existing laws are followed? There’s no telling what they might find at the energy department.

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