

opinion



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SESSIONS'S IMMIGRATION ORDERS THREATEN JUDICIAL INDEPENDENCE



GETTY IMAGES

Attorney General Jeff Sessions issued a memo on Dec. 5 outlining his strategies for reducing the immigration courts' backlog.

• An executive memo just released by Attorney General Jeff Sessions promises to reduce the crushing caseload in immigration courts nationwide. Unfortunately, the memo contains dubious assertions about the current state of our immigration court system and appears poised to lead to improper hiring, dangerous quotas, a threat to judicial independence and the further erosion of the rights of non-citizens, including lawful permanent residents and asylum seekers.

It's true that the immigration courts face an unprecedented backlog of more than 650,000 pending cases. But it's not for the reasons asserted by Sessions.

For one, Sessions alleges that policy changes have slowed down the adjudication of cases and "incentivized further illegal immigration." Unfortunately, the policy changes he cites — the just-ended Deferred Action for Childhood Arrivals (DACA) program, prosecutorial discretion and provisional waivers — do neither.

In fact, none of these three avenues to potential lawful status is actually adjudicated by the immigration courts...

But there's more. Sessions goes on to allege that "representatives of illegal aliens" — those he has referred to as "dirty immigration lawyers" — have used tactics designed to delay, such as requesting continuances to prepare cases. Immigration law is notoriously complex. Describing the immigration statute, the Fifth Circuit has lamented that even for experienced judges, "morsels of comprehension must be pried from mollusks of jargon." Add to that non-citizens who may be very young, very old, deeply traumatized, and seeking asylum and protection in the United States, and it's no wonder that immigration attorneys need time to adequately prepare and argue their cases...

Sessions's newest pronouncement targets noncitizens facing deportation, whose sensitive, complicated and high-stakes cases would be rushed through an increasingly unfriendly and unforgiving machine. More insidiously, it targets the independence of an entire judicial system.

— Sarah Sherman-Stokes

HOW TRUMP IS PROTECTING EUROPE FROM RUSSIAN NUKES

• The Trump administration may not have many diplomatic wins to speak of but it should get credit for its moves on the Intermediate-Range Nuclear Forces (INF) Treaty.

The INF treaty, signed by Presidents Gorbachev and Reagan 30 years ago, banned ground-launched cruise missiles with a range of 500-5000 kilometers...

Upon taking office, the Obama administration began to harbor suspicions that Moscow was cheating on this treaty, as it now customarily does on arms control agreements. The administration did not go public until 2014, did not

specifically list the weapon in question, and failed to retaliate or persuade major European allies who are the targets of these Russian weapons.

As a result, the issue of stationing new weapons under U.S. command in Europe as part of NATO's arsenal remained moot, while allied doubts about U.S. policy and intelligence — and Russian impunity — all continued.

That is no longer the case. On Nov. 29, Christopher Ford of the National Security Council publicly identified the weapon that violates the treaty as the Novator 9M729...

The administration announced that it was beginning research on such a weapon as permitted under the treaty. Secretary of Defense Jim Mattis at the same time brought the evidence to NATO and demanded that it support U.S. efforts to engage Russia on the treaty and continue this research. Last week, NATO essentially agreed to U.S. demands. This process must be reckoned as a victory for the Trump administration and a step forward for European security.

Predictably, Russia refuses to admit its chicanery and, typically, has launched its own spurious charges against the U.S. that it has violated the treaty. But at the same time, and equally predictably, it has also publicly called for new negotiations with the U.S. ...

It does appear clear that the only way to consolidate NATO and the administration's victory here is actually to deploy a weapon that threatens Russia in ways that it cannot answer, force a retraction of the violation, and obtain a return to compliance...

Russia has abundantly shown its intention to threaten, if not use, such weapons in Europe; this debate, which the U.S. must lead, is unavoidable. It might be a bruising debate since few members are even now willing to admit that Russia is essentially at war with Europe. But on the heels of this victory, strengthening NATO capabilities to threaten Russia will have a salutary effect on Moscow and on European and global security.

—Stephen Blank

WITHOUT HUMAN RIGHTS, SECURITY STRATEGY WON'T MEASURE UP

• President Trump is laying out his national security strategy today, Dec. 18. It focuses on a potential return to Cold War days between Washington and Moscow. There is a focus on "hard power," rather than "soft power," like leadership on human rights.

Earlier this month, on Dec. 10, was Human Rights Day. Was this a day for celebration or mourning? Such a day should be for festivity; but, this day was not a normal one. Why? The Iranian regime was and is a source of human rights abuses...

Human rights need to be incorporated into the National Security Strategy and the Iran Policy Review.

First, bring the Ayatollahs responsible for mass murder to a global court to prosecute human rights violators. The International Criminal Court (ICC), located in The Hague is one place. ...

Political prisoners were incarcerated, and eventually killed, at Evin Prison in the 1988 massacres. Some 30,000 dissidents were murdered across Iran, but particularly in Evin. Assassins carried out their deeds under direct orders of then-Supreme Leader Ruhollah Khomeini. He instructed guards to execute all those who opposed the regime...

Trump's White House speech rolling out his Iran Policy Review does not target Tehran's human rights record and hence does not expose the regime's intolerable abuses. A related State Department document only discusses topics, such as nuclear weapons, ballistic missiles, and Iran as a State Sponsor of International Terrorism.

For Trump's national security strategy to truly make a difference, we have no choice but to incorporate consideration for human rights.

—Raymond Tanter

LETTERS TO THE EDITOR

A president's missed opportunity

From Dr. Ken Druck, author of "Courageous Aging: Your Best Years Ever Reimagined"
When caught on tape last year, Donald Trump could have said:

"I'm ashamed of myself. My daughters, wife, and the women I work with have every reason to be ashamed of me as well. I've allowed myself to engage in shallow, hurtful, and disrespectful locker room talk about women. To show my remorse, restore my integrity, earn back their trust, and apologize to those I've hurt, I'm making a solemn promise to change my attitudes and behavior. I pledge to make our nation a safer and more just place for mothers, daughters, wives, sisters, and co-workers. And to show our sons what it looks like to treat a woman with dignity and respect. I'm so sorry."

An admission of guilt, a commitment to change, and a desire to seek redemption would have been a bold and courageous thing—a form of visionary, historic leadership. Yes, our president could have led the way to a much-needed and welcome change in our nation and world by taking the high road. Instead, he chose the path of cowardice and denial. Sanctioning the age-old precedent where men discredit and dismiss victims of sexual harassment, abuse and assault, he took the low road. By supporting the candidacy of an alleged serial pedophile for the United States Senate for political gain, he lost perhaps one of the greatest opportunities of his presidency.

Pointing out missed opportunities is something I use with leaders in business and government. Telling them what they did wrong, I've learned, sets them back on their heels and can help prevent them from hiding, denying, deflecting, justifying, rationalizing, excusing, blaming, shaming, lying, pleading ignorance and slandering the women they have wronged. Sometimes it works. Sometimes they see the light — and change. Sometimes they're so steeped in their own world that they can only defend themselves, and say or do whatever is necessary to escape responsibility and avoid consequences.

It's not too late, Mr. President. And if it's beyond you to take the high road, I call on the men of our great nation to stand tall in this moment, following the lead of the people of Alabama who elected Doug Jones. Let's use this opportunity to lift women up, rather than rationalizing that it's okay to throw them under the bus. Let's man up, gentlemen, do the right thing, and be the kind of men our daughters and granddaughters can honor and forever be proud of.

Del Mar, Calif.

Equal treatment for prostate cancer

Gordon E. Finley

Even though breast and prostate cancer have similar morbidity and mortality rates, funding for breast cancer research and treatments far outstrips that for prostate cancer ("Alabama Rep. Mo Brooks reveals he has prostate cancer," Dec. 13). A simple, everyday example illustrates this health gender gap. One national chain of car dealerships sells its cars with pink license plate frames in support of breast cancer. It sells no cars with blue frames in support of prostate cancer.

Does this mean that no man should buy a car from this national chain? Maybe, unless they stop discriminating against men with prostate cancer and support equal health-care treatments for both men and women and their cars sport both pink and blue plate frames.

Guys, when you are driving around, just notice who sells cars only with pink license plate frames.

Miami

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