New Texas traffic, criminal laws set to go into effect September 1

Below is a list of selected changes to traffic and criminal statutes. Unless otherwise listed, all laws below take effect September 1, 2011. Please note that this is not a comprehensive list of all new laws passed by the Texas Legislature.

**Criminal Laws**

- Certain synthetic compounds deceptively labeled as “bath salts” and synthetic marijuana products (K2 or spice) have been added to Penalty Group 2 of the Texas Controlled Substances Act. (HB 2118, SB 331) Bath salts contain dangerous stimulants, and K2 mimics the effects of marijuana. Both have been sold in convenience stores and head shops, and have side effects that can be harmful and long-lasting.

- The electronic transmission or possession of visual material depicting a minor engaging in sexual conduct ("sexting") has been added as an offense in the Penal Code. The penalty can range from a Class C misdemeanor to Class A misdemeanor, depending on the circumstances. This does not apply to minors involved in a dating relationship or spouses. (SB 407)

- The possession or use of tire deflation devices, commonly known as caltrops, for any purpose other than law enforcement use or as an antique or curio is prohibited. Criminal organizations have increasingly used caltrops as they attempt to evade apprehension, resulting in damage to patrol vehicles and innocent vehicles on the road. (SB 1416)

**Traffic Laws**
- Tow trucks have now been added to the slowdown or move over laws, which require drivers to slow down 20 miles per hour below the speed limit, or to vacate the lane closest to the stopped emergency vehicle that has emergency lights activated if the road has multiple lanes traveling in the same direction. (HB 378)

- Speed limits will now be the same during night and day driving, and separate speed limits for trucks have been eliminated. The maximum speed limit on state highways may be raised to 75 miles per hour if approved after a finding by TxDOT that the increased speed would be reasonable and safe following an engineering and traffic investigation. (HB 1353)

- A driver may not allow a child under 18 to ride in a watercraft while it is being towed on a street or highway. This does not include watercraft being towed on a beach or in a parade. (HB 2981)

**Driver License**

- Hardship driver licenses will be suspended if the holder is convicted of two or more moving violations during a 12-month period. DPS may no longer waive the driver education requirement to issue a 60-day hardship license. (HB 90)

- Drivers subject to the Driver Responsibility Program will be able to pay the entire three-year amount of surcharges owed for a violation in advance, rather than paying across all three years. (HB 588)

- Veterans will be exempt from the fee for a personal identification certificate if they can show honorable discharge and at least 60 percent service-related disability. Disabled veterans are exempted from driver license fees under current law. (HB 1148)

- A veteran designation will be displayed on a driver license for applicants who provide proof of military service and honorable discharge. (HB 1514)

- The Sunset Commission has been charged with reviewing the current oversight structure of driver education and driver safety schools, which are currently overseen by the Texas Education Agency, and determine if another state agency should have oversight. Providers of driver education courses, including DPS for the purposes of parent taught driver education, will be able to provide certificates of completion directly to those who have completed driver education courses. (HB 2678)

- DPS will establish a deferral program for surcharges assessed under the Driver Responsibility Program to military personnel actively deployed outside the U.S. for the duration of the individual's deployment. (HB 2851)

- Voters will be required to present a driver license, personal identification certificate, military identification, election identification certificate, United States citizenship certificate passport, or concealed handgun license to participate in an election. DPS must create an election identification certificate to be issued by DPS for registered voters who do not have any of the other acceptable forms of photo identification. The election identification certificate will be distinguishable from a driver license or personal identification certificate, and will be issued free of charge to persons only if they do not hold any other acceptable form of identification, as listed in Election Code 63.0101. These forms of identification include a driver license, personal identification certificate, military identification, a United States citizenship certificate, passport, or concealed handgun license. (SB 14)
A four-hour driving safety course was approved for drivers under 25 years old. Drivers under 25 who are cited for a moving violation may be required to take this course. (SB 1330)

Applicants for a driver license or identification certificate must provide proof that the applicant is lawfully present in the United States. Applicants who are not U.S. citizens, legal permanent residents, or admitted to the U.S. as refugees or asylees are considered temporary visitors. Driver license and identification certificates issued to temporary visitors expire concurrent with the end of the applicant’s lawful presence, or after one year if the legal stay is indefinite. Driver license and identification certificates issued to temporary visitors are to be in the same format and contain the same information as those issued to U.S. citizens and legal permanent residents. (SB 1, 82nd 1st Called Session, effective September 28, 2011)

**Weapons**

- A person may carry a handgun, knife, or club in a watercraft under the person’s ownership or control. The handgun, knife, or club may not be in plain view, used while engaging in criminal activity, or carried by a member of a criminal street gang. (HB 25)

- Employers may not prohibit employees with a concealed handgun license from having firearms or ammunition in their personal cars in the employer’s parking lot. This does not apply to employees of public, private or charter schools, or employees of chemical manufacturers or oil and gas refiners. (SB 321)

**Crime Labs**

- Crime laboratories are required to preserve biological evidence used in the investigation or prosecution of a felony for at least 40 years, or until the applicable statute of limitations has expired if there is an un-apprehended actor associated with the offense. (SB 1616, effective June 17, 2011)

- Law enforcement agencies are required to submit DNA evidence in active sexual assault cases to an accredited laboratory within 30 days of receipt. Once the evidence has been analyzed, the DNA must be compared by DPS to state and federal DNA databases. The bill requires law enforcement agencies to submit unanalyzed DNA evidence collected after September 1, 1996, to DPS for analysis. (SB 1636)

**Miscellaneous**

- A new category of missing person alerts may now be issued for missing persons with intellectual disabilities. Activation of this alert includes a requirement of documentation of a qualifying intellectual disability. (HB 1075)

- DPS must create a pass for expedited access to the state Capitol building. To be eligible, an applicant must meet the criteria to apply for a concealed handgun license, with the exception of handgun proficiency requirements. (HB 2131, effective May 30, 2011)

- The Texas Fusion Center Policy Council was created to assist DPS in monitoring fusion center activities in Texas. The council is required to establish a privacy advisory group, recommend best practices for fusion centers in Texas and annually submit a report to the Governor and the Legislature regarding the council’s progress. (HB 3324, effective June 17, 2011)
Tom Vinger

Asst. Chief of Public Affairs

Public Affairs and Policy

Texas Department of Public Safety
(512) 424-2607

tom.vinger@dps.texas.gov (Please note new email address.)
The U.S. Justice Dept. rejected South Carolina's voter ID law today. In light of that and General Holder's recent comments in Austin, I'm hoping one of you could offer a comment. As you know, this was an emergency measure for Gov. Perry.

Ralph
512-445-3604

---
Ralph K.M. Haurwitz | Staff Writer
Austin American-Statesman
Blog: www.statesman.com/go/kowdown
rhausenwitz@statesman.com | www.statesman.com
I was just wondering if I could get a comment about the letter National and local civil rights groups are releasing today to the Department of Justice, opposing pre-clearance of the Voter ID law. Here's an article that has run. The link to the letter is in there.


Thanks so much for your help. Hope y'all are doing well.

Anna M. Tinsley
Senior Reporter
Fort Worth Star-Telegram
817-390-7610
follow @annatinsley on Twitter
AUSTIN - Gov. Rick Perry today ceremonially signed Senate Bill 14, which requires voters to present photo identification at a polling place. The governor was joined by Lt. Gov. David Dewhurst, House Speaker Joe Straus, Sen. Troy Fraser, Rep. Patricia Harless, and other state lawmakers for the signing ceremony.

“The right to vote is simply too important for us to take the act of voting lightly,” Gov. Perry said. “Today with the signing of this bill, we take a major step forward in securing the integrity of the ballot box and protecting the most cherished right we enjoy as citizens.”

SB 14 requires a voter to show as a valid form of photo ID, either a driver’s license, Department of Public Safety issued photo personal identification card, U.S. military ID card, U.S. citizenship certificate that contains a photograph, U.S. passport or Texas concealed handgun license. The bill creates a free election identification certificate with a photograph issued by DPS for registered voters who need a photo ID. The bill also increases the penalty for voting illegally to a second degree felony, and increases attempted illegal voting to a state jail felony.

“Texas has taken a stand for fair and fair elections by making Voter ID the law of the land,” Lt. Gov. Dewhurst said. “We have a responsibility to protect and defend the Constitution, as well as the laws of our state and nation, and I’m proud to stand with Gov. Perry, members of the Texas Legislature and my fellow Texans to uphold the sanctity of our most fundamental democratic principle: one person, one vote.”

“This session, we have taken major steps to ensure elections are fair, legal and without fraud, and Texans can know that we are working to make sure their vote is secure and counts,” Speaker Straus said. “I thank Rep. Patricia Harless for her diligent work in passing Voter ID.”

Voters who fail to show a photo ID at the polling place may cast a provisional ballot, which is only counted if they appear at the county voter registrar’s office within six days after Election Day with the appropriate photo identification.

“Photo ID is simply putting into practice the intent of the current law – that the person who shows up at the polls is who he or she claims to be,” Sen. Fraser said. “Voter impersonation is a serious crime, but without a photo ID requirement we can never have confidence in our system of voting.”

“We must do all we can to guarantee our elections are conducted fairly and without fraud,” Rep. Harless said. “This bill takes a significant step to ensure the integrity of the ballot box by providing a means to deter and detect in-person voter fraud.”

Gov. Perry: SB 14 Takes a Major Step in Securing the Integrity of the Electoral Process

Signs legislation requiring voters to present photo ID at polling places
Exemptions to the photo ID requirement are available to people who have a religious objection to being photographed, and disabled individuals who provide written documentation from the Social Security Administration or Department of Veterans Affairs confirming their disability and a statement that they do not have any form of photo identification. A disabled voter would then be issued a registration certificate to show in order to vote.

###
Governor’s Press Office: 512-463-1826
Katherine Cesinger: kesinger@gov.texas.gov
Catherine Frazier: cfrazier@gov.texas.gov
Lucy Nashed: lucy.nashed@gov.texas.gov

Gov. Perry: Texas is on the Path to Even Greater Prosperity
Touts fiscally responsible budget without raising taxes, passage of emergency items;
Calls for swift action in special session

AUSTIN – Gov. Rick Perry today highlighted legislative accomplishments of the 82nd Legislative Session, and urged lawmakers to take swift action on unfinished legislative business as outlined in his call for a special session. The governor was joined by Lt. Gov. David Dewhurst and House Speaker Joe Straus, where he commended legislative action that passed the state budget without raising taxes while preserving the Rainy Day Fund, and measures that addressed emergency items and other priority legislation.

“The voters of Texas made it clear last November that they wanted a leaner, more efficient state government with no new taxes, and I’m proud of what we’ve accomplished together to deliver that and more,” Gov. Perry said. “The steps taken over the past 140 days have placed Texas on the path to even greater prosperity in the years to come. I look forward to lawmakers taking quick action on the important issues remaining before them in the special session.”

Gov. Perry praised legislators for making the tough choices necessary to keep Texas living within its means in the face of one of the most significant budget challenges in our state’s history. Lawmakers have passed a fiscally responsible budget without raising taxes, while maintaining essential services and preserving more than $6 billion in the Rainy Day Fund to keep the state equipped to respond to potential natural disasters or ongoing national economic challenges.

The governor also applauded lawmakers for their work in passing key issues he declared emergency items. These include measures that strengthen Texas’ legal climate by implementing a loser pays system to cut down on frivolous lawsuits; protect the integrity of elections by requiring voters to present a photo ID at the polls; protect life by requiring a woman to receive a sonogram before electing to have an abortion; strengthen private property rights by passing eminent domain protections into law; and call on the U.S. Congress to pass a balanced budget amendment. Additionally, Gov. Perry highlighted important legislation that will combat human trafficking, giving prosecutors the tools to ensure those that commit this crime are brought to justice and strengthening the penalties for those who are convicted.

Yesterday, Gov. Perry issued the call for a special session to address fiscal matters necessary for the implementation of House Bill 1, including measures that will allow school districts to operate more efficiently, and measures to address healthcare cost containment, access to services through managed care, and the creation of economic and structural incentives to improve the quality of Medicaid services.

For more information about the 82nd Legislative Session, please visit http://governor.state.tx.us/news/bills/.

###
Gov. Perry: New Laws Further Strengthen Texas’ Robust Economy

Touts fiscally responsible budget without raising taxes

AUSTIN – Gov. Rick Perry today highlighted important legislation, passed during the 82nd Legislative Session that takes effect September 1, including a balanced budget that doesn’t raise taxes, and key measures that protect the lives of the unborn and strengthen the state’s legal climate, private property rights, and penalties for those convicted of human trafficking.

“This session we further strengthened our state’s robust economy the way we said we would: by living within our means, balancing our budget without raising taxes and protecting the Rainy Day Fund,” Gov. Perry said. “Texans can be proud of the steps we have taken to cut down on frivolous lawsuits; protect the lives of the unborn and the integrity of elections; strengthen private property rights and increase penalties for human traffickers and sex offenders who exploit the most vulnerable in our communities.”

This past legislative session provided a balanced budget for the 2012-13 biennium without raising taxes, allocating more than half of state funds to education, preserving more than $6 billion in the state’s Rainy Day Fund, and extending the tax exemption for small businesses to 2014, a measure Gov. Perry fought to continue, that will keep taxes low for thousands of employers across the state.

Several key measures, along with issues the governor declared as emergency items during the regular session, become law on September 1, including:

- HB 274, which implements several changes to streamline and lower the cost of litigation in Texas courts, allowing parties to resolve disputes more quickly and fairly, and less expensively.
- HB15, which requires a physician to perform a sonogram 24 hours before an abortion, except in cases of medical emergency.
- SB 18, which requires local and state governmental entities interested in acquiring private property to first make an offer, in writing and based on an appraisal, to the landowner to purchase the property through a voluntary sale for a fair price. The bill also clarifies eminent domain may only be used for public use.
- HB 3000 and SB 24, which create stiffer penalties and fines for individuals who commit human trafficking in Texas.
- HB 3, which increases the punishment for repeat sex offenders convicted of continuous sexual abuse of a young child, including certain sexual assault and aggravated sexual assault offenses, to life without parole.

Other important legislation passed this session, which are already in effect or will take effect after September 1, includes:

- SB 14, which requires voters to show a valid form of photo ID at polling places, increases the penalty for voting illegally to a second degree felony, and increases attempted illegal voting to a
state jail felony. Certain provisions of this bill take effect September 1 and the remainder will take effect January 1.

- SB 7, which provides Texas $467 million in savings by streamlining inefficiencies in the Medicaid program.
- SB 1736, which helps expedite the entry of military veterans and service members into the workforce by allowing colleges and universities to develop programs that give them credit for experience, education and training obtained during their military service.
- HB 3, passed during the special session, which reforms the Texas Windstorm Insurance Association to protect Texans from the effects of devastating hurricane seasons while keeping insurance coverage available to Texans living along the coast. It also implements reforms that will ensure the association timely and adequately compensates its policyholders without enriching trial lawyers or further undermining the organization’s financial stability.

For more information on these measures and other legislation passed during the 82nd Legislative Session, please visit [http://governor.state.tx.us/news/bills/](http://governor.state.tx.us/news/bills/).

For a full list of bills that were passed during the regular session that take effect September 1, please visit [http://www.leg.state.tx.us/sessions/effDates/billsEffective82.cfm#September11](http://www.leg.state.tx.us/sessions/effDates/billsEffective82.cfm#September11).

###
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND TEXAS LEGISLATURE, REGULAR SESSION:

I, RICK PERRY, Governor of the State of Texas, pursuant to Article III, Section 5, of the Texas Constitution and by this special message, do hereby submit the following emergency matter for immediate consideration to the Senate and House of Representatives of the 82nd Legislature, now convened:

Legislation that requires a voter to present proof of identification when voting.

Respectfully submitted,

RICK PERRY
Governor

Austin, Texas
January 20, 2011
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND TEXAS LEGISLATURE, REGULAR SESSION:

I, RICK PERRY, Governor of the State of Texas, pursuant to Article III, Section 5, of the Texas Constitution and by this special message, do hereby submit the following emergency matter for immediate consideration to the Senate and House of Representatives of the 82nd Legislature, now convened:

Legislation that will provide for a federal balanced budget amendment to the United States Constitution.

Respectfully submitted,

RICK PERRY
Governor

Austin, Texas
January 20, 2011
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND TEXAS LEGISLATURE, REGULAR SESSION:

I, RICK PERRY, Governor of the State of Texas, pursuant to Article III, Section 5, of the Texas Constitution and by this special message, do hereby submit the following emergency matter for immediate consideration to the Senate and House of Representatives of the 82nd Legislature, now convened:

Legislation that requires a voter to present proof of identification when voting.

Respectfully submitted,

Rick Perry
Governor

Austin, Texas
January 20, 2011
TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND TEXAS LEGISLATURE, REGULAR SESSION:

I, RICK PERRY, Governor of the State of Texas, pursuant to Article III, Section 5, of the Texas Constitution and by this special message, do hereby submit the following emergency matter for immediate consideration to the Senate and House of Representatives of the 82nd Legislature, now convened:

Legislation that will provide for a federal balanced budget amendment to the United States Constitution.

Respectfully submitted,

Rick Perry
Governor

Austin, Texas
January 20, 2011
Gov. Perry Adds Voter I.D. and Balanced Budget Amendment To Emergency Items for Legislative Session

AUSTIN – Gov. Rick Perry today declared additional emergency items for the 2011 legislative session. The emergency items are:

- Legislation to require a voter to present proof of identification when voting; and
- Legislation to provide for a balanced budget amendment to the U.S. Constitution.

"Fiscal discipline, balanced budgets and the integrity of the ballot box are critical to the people of Texas," Gov. Perry said. "Under this emergency declaration, Texas lawmakers will be able to address these priority issues more quickly."

Gov. Perry, Lt. Gov. David Dewhurst and Speaker Joe Straus agree these issues are important to Texans, and this emergency designation will allow lawmakers to begin considering these issues in the initial 30 days of the legislative session.

Gov. Perry previously announced two other emergency items for the 82nd Legislative Session – protecting private property rights/addressing eminent domain issues, and abolishing sanctuary cities in Texas.

###

Please DO NOT REPLY to this message. It comes from an un-monitored mailbox. If you have any questions regarding this announcement, please contact the Governor’s Press Office at (512) 463-1826.
Thank you, Speaker Straus and thank you, Governor Dewhurst for your leadership and service to our state. The three of us are bound together by shared duties, shared responsibilities, and, most importantly, shared outcomes. When the final gavel sounds on this legislative session, we won’t get points for our speeches or extra credit for our process. Instead, we’ll be judged on our results, by the outcomes we achieve for the people of Texas.

I’m confident our efforts will be found wise, prudent and effective.

So let me begin by greeting my fellow statewide officials, members of the judiciary and the Legislature, distinguished guests, friends and fellow Texans. I am honored to uphold our constitutional tradition, and speak to you today on the state of our state.

As you know, I owe everything I am to Texas, for raising me, blessing me with opportunity, and teaching me the value of good, old fashioned hard work.

The shaping process that began under the watchful eye of my loving parents, Ray and Amelia Perry, continues to this day through the greatest gift of my life, Anita Thigpen Perry. She represents all that is good about Texas women, with her grace, strength and compassion and wonderful smile.

She also shares in my greatest joy: our children, Sydney, Griffin and his wife, Meredith.

I also credit the Boy Scouts for molding my character and shaping my values. I want to recognize the Scouts from the Capitol Area Council who are with us today, and congratulate the Boy Scouts of America at the conclusion of their Centennial Celebration.
Throughout my life and service to this state, my optimism about Texas and its people has never wavered, and, by any meaningful measure, the state of our state is strong.

As I look out over this chamber and see the familiar faces of so many friends and colleagues, I’m reminded of those who are no longer with us, especially my old roommate and mentor, Edmund Kue-mpel. His passing was a reminder to all of us that life is fleeting, that friendship matters and that we only have a short time to make a difference.

As legislators, you get 140 days to make that difference, and the clock is ticking.

As this session gets rolling, some folks are painting a pretty grim picture of our situation, so we need to balance their pessimism with the good news that continues to flow from our comparatively strong economy.

Have the doomsayers forgotten that Texas added more jobs in 2010 than any other state? Last year, the growth rate of Texas jobs was nearly double that of any other top ten state.

Some partisan commentators have tried to downplay our economic success by giving sole credit to our energy industry. Now, let me tell you, I’m mighty proud of what our energy industry has done and still does for our state, but our economic strength is built on a much broader base.

Our job growth occurred across a wide variety of sectors, including business services, healthcare, construction, manufacturing, hospitality, and, of course, our substantial energy industry.

According to the Brookings Institute, Texas had six of the nation’s 20 Strongest-Performing Metros.

Those figures paint a much more encouraging picture, don’t you think?

Our economic strength is no accident. It’s a testimony to our people, our entrepreneurs and, yes, to the decisions made in this building. Employers from across the country and around the world understand that the opportunity they crave can be found in Texas, and they’re headed our way, with jobs in tow.

People are seeking opportunity as well, and newcomers arrive every day, ready to pursue their dreams. For the sixth year running, research from Allied Van Lines showed that Texas was the top destination for relocations.

Need I go on? Well, don’t mind if I do.

Newsweek magazine had four Texas cities on their list of “Top 10 American Cities Best Situated for Recovery”, and Forbes considers our growth prospects best in the nation, based on projected increases in jobs, income, and gross state product.

In a category that really affects the bottom line for Texas families, our state leads the nation in strong home values. According to one industry analyst, the strongest appreciation in home values over the next seven months, will take place in the Houston area, the Metroplex and Amarillo.

According to our meticulous, hardworking Comptroller, Susan Combs, Texas has ten consecutive months of sales tax growth.

I could keep listing accolades, but I don’t want to give the other states a complex, and we’ve got a lot of ground to cover this morning. So let me boil it down to these simple truths:, the core elements of our economy are strong, and Texas is still the envy of our nation.

We have a strong advantage over those states that care more about the expansion and extension of government than the freedom and prosperity of their citizens. As Exhibit A, I submit the Illinois legislature’s recent decision to raise taxes as much as 66 percent. That may have seemed like an easy fix from Springfield, Illinois, but it takes on a completely different meaning, for families on a budget or employers on tight margins.

Some experts have predicted that other states will follow their lead, including our key competitors like California and New York. When those states dig deeper into their citizens’ wallets, Texas looks even better by comparison.
I can assure you that we will compete and win jobs from those states, or should I say more jobs, since we’ve already won thousands.

It might be time to send a few more letters to their employers, inviting them to move to Texas. I’d include stories about business leaders like some that are here in this historic chamber today.

About ten years ago, a small group of entrepreneurs in Los Angeles created a company called LegalZoom, that grew rapidly. When it came time to expand, they looked to Texas, where they found the right mix of factors including our workforce, our quality of life, and investments from the Texas Enterprise Fund and the city of Austin.

We are proud to welcome them and their 600 jobs to Texas, and thank them for their contribution to our economy. Those jobs are among the tens of thousands of jobs that the Enterprise Fund has brought to Texas, along with nearly $15 billion in capital investment.

As the nation struggles to recover from the ongoing economic crisis, and states go head-to-head for new jobs, now is not the time for Texas to roll up our tents and go home. Instead, it’s time to keep attracting good Texas jobs by funding our premiere economic development tools like the Enterprise Fund, and the Emerging Technology Fund.

If we pulled the plug on our economic development efforts, no one would be happier than my fellow governors, in states like Oklahoma and New Jersey, who are creating their own versions of the TEF, to compete for the jobs we’ve been landing.

We owe it to our citizens to maintain our competitive edge, especially because our economy’s relative prosperity does not extend into every single Texas home. I am deeply concerned about those Texas families that are dealing with joblessness and the fear and uncertainty that it cultivates. These are friends who live in our neighborhoods, worship in our churches, then wonder how long they’ll have a roof over their heads.

An unemployment level that has hovered about a full point below the national average is a good indicator of our comparative strength, but it also tells a tough story for more Texans than any of us can or should accept. When it comes to our vision for this state, our work will not be done until every Texan who wants a job has a job.

Research and experience tell us that the only way to create those jobs is to knock down the senseless obstacles to economic growth. For more than a decade, those of us elected to serve in this building have been working diligently to remove those obstacles, and create a level playing field, following a few simple rules.

For example, setting aside resources for a rainy day has given us a resource that other states would love to have, and some in our state would love for us to spend dry. Emptying the savings account to pay for recurring expenses is a bad idea, whether it happens at home, the workplace or in our state budget.

That approach would not only postpone tough, necessary decisions, but also leave us ill-equipped to handle bigger emergencies in the future. Therefore, we must protect the Rainy Day Fund.

Second, we’ve created a predictable regulatory environment, so that employers know what to expect from one quarter to the next. I’m talking about programs like our flexible permitting program that has contributed to cleaner air and economic development in Texas.

Between 2000 and 2009, this program helped Texas achieve a 27% reduction of statewide ozone levels, more than any other state. NOx has fallen by 53-percent and almost every metropolitan area is meeting the current air standard. For those of you keeping track, Dallas is within just one part per billion of meeting the standard as well. In true Texas style, we made those air quality improvements, while Texas employers were creating more private sector jobs, than any other big state in the nation.

Third, we’ve reformed our legal system to cut down on frivolous lawsuits, so employers and doctors don’t spend all their time in court. Since tort reform took effect, more than 26,000 medical license applications have been received, and 33 counties got their first emergency room physician. Since the passage of reforms, Senator Lucio, the Rio Grande Valley has added 220 physicians to care for its growing population.
Joining us today is Dr. Javier Cardenas, an OB/GYN who returned to his hometown of McAllen to practice medicine, thanks to tort reform. He represents all those doctors who are able to practice medicine in our state without the ever-present threat of a frivolous lawsuit. Those doctors represent better access to care, a higher quality of life, and, more importantly, lives saved.

Fourth, thanks to leaders like Representative Rob Eissler and Senator Florence Shapiro, we’ve increased accountability in our public schools. We’ve engaged legislators, local districts, teachers and parents in the process and genuinely reformed education in our state.

Over the past decade, the state’s share of public education spending increased from $11 billion per year, to $20 billion in ’09. That’s an 82% increase. Part of our push for accountability has included a sharper focus on the basics like math, science, English & social studies.

Those efforts are paying off in the lives of our young people. For example, Texas has been recognized as one of only four states closing the achievement gap in math. On the latest National Assessment of Educational Progress, Texas children scored significantly higher than their peers.

The quality of education in our state is getting better and better preparing hardworking Texans to apply their legendary work ethic and provide for their families.

Those families sent a pretty clear message with their November votes. They want government to be even leaner and more efficient, and they want us to balance the budget without raising taxes on families and employers.

Fortunately, the leaders in this room, led by Chairman Ogden and Chairman Pitts, have balanced the budget before and they’ll do it again. We just can’t forget that dollars do far more to create jobs and prosperity in the people’s hands, than they can in the government’s.

Taking more money away from Texas families and employers is not the answer to our challenges because they’ve already sacrificed plenty. Balancing our budget without raising taxes will certainly set a nice example for the rest of the nation, but we have a bigger motivation.

Balancing our budget without raising taxes will keep us moving forward out of these tough economic times, creating more jobs and opportunity and leaving Texas more competitive than ever.

Now, the mainstream media and big government interest groups are doing their best to convince us that we’re facing a budget Armageddon. Texans don’t believe it and they shouldn’t because it’s not true.

Are we facing some tough choices? Of course, but we can overcome them by setting priorities, cutting bureaucracy, reducing spending and focusing on what really matters to Texas families.

Fortunately, we saw this challenge coming. That’s why we didn’t touch the Rainy Day Fund during the last legislative session. That’s why Lt Governor Dewhurst, Speaker Straus and I called on state agencies to get involved in the process.

Starting in January 2010, we asked them to identify 5 percent savings in the 2010-2011 biennium and 10 percent for the ’12-’13 biennium. Those agency leaders responded with a concerted effort, taking stock of their organizations and coming up with proactive cuts, that will keep Texas moving in the right direction. To keep that momentum going, the three of us recently asked agencies to identify an additional 2.5 percent savings for the 2011 fiscal year.

My office is an agency as well, and we cut $34.6 million in this cycle, which equates to almost 11 percent of our budget. As all Texans tighten their belts, we need to do more than just shave off a dollar here and there.

If ever there was a time to truly reform our approach to governance and streamline our organization, it is now. Frank discussions about the true purpose of state government, must be followed by a willingness to act on our convictions.
There should be no sacred cows in this business and that reality is reflected in the budget that I submitted this morning. To eliminate duplication, let’s consolidate functions, like moving the Department of Rural Affairs into the Department of Agriculture.

Let’s suspend non-mission-critical entities like the Historical Commission or the Commission on the Arts until the economy improves. Let’s take an even closer look at the way we deliver essential services, to make sure we’re taking the most efficient, cost-effective approach.

We should follow the lead of HHSC, whose inspector general has saved the state more than $5.3 billion dollars since its creation in 2004. Applied across all state agencies and departments, these practices could significantly reduce wasteful spending, and save taxpayers’ money. A state Inspector General would work directly with the agencies, enhancing the state auditor’s efforts and improving efficiencies.

While we’re at it, let’s be sure we’re not burdening local authorities with unfunded mandates, because they’re facing their own budget challenges.

In the end, our decisions should always reflect a fundamental truth: we work for the people, not the other way around.

With a balanced budget as our foundation, I encourage you to move quickly on the emergency items I’ve submitted. Most Texans, regardless of party, believe the integrity of elections would be improved, by requiring participants to show a valid photo identification before voting. I wholeheartedly agree and thank Senator Fraser for carrying that bill.

We also need to protect property ownership with tougher eminent domain laws using the approach taken by Senator Estes & Representative Geren in their bill.

We need to protect the unborn by fast-tracking the sonogram bill, so that women are fully, medically informed before they make the life-changing decision to terminate a pregnancy.

We also need to hold Washington more accountable, with a bill calling for a balanced budget amendment to the U.S. Constitution.

As those bills come to my desk for signature, I hope they’ll be closely followed by others aimed at improving our public education system, especially efforts to reduce our dropout rate.

So let’s expand our Virtual School Network, with a Virtual High School that will not only enable students who have dropped out to earn a diploma online, but also give students across the state access to classes their own schools may not offer.

To encourage students to stay in high school, let’s require them to either be enrolled or working towards a GED, if they want to get and/or keep their Texas driver’s license.

Let’s also create an incentive program for employers who encourage their employees to continue their high school education.

Let’s offer employers a $1,500 tax incentive for every employee who earns their diploma or GED after receiving two hours off per week with pay to study or go to class.

Let’s expand our STEM academies, those innovative schools that teach young Texans the science, technology, engineering and math skills they need, to compete for high tech jobs and college scholarships.

We also need to help school districts reduce their expenses in these tight budgetary times, made worse by a certain Texas Congressman who singled out our state for punishment in pursuit of his own agenda.

One approach is to encourage districts to enter into shared service arrangements with other entities in their area.

On the higher education front, we’ve experienced enrollment growth over the last two years higher than any time in Texas history. Our public institutions had 200,000 more students enrolled in 2010 than they did in 2008, so let’s be sure those students and their families are getting the best value for their time and money.
Change does not come easily or naturally to these big institutions, but it is critical to educational effectiveness and efficiency. Back in September of '09, I ordered a review of cost efficiencies at our universities as a way to make education more affordable.

One idea that emerged from that process is called “Outcomes-Based Funding” in which a significant percent of undergraduate funding, would be based on the number of degrees awarded. Texans deserve college graduation for their hard-earned tax dollars, not just college enrollment.

As families continue to struggle with the cost of higher education, I am renewing my call for a four-year tuition freeze, locking in tuition rates at or below the freshman level for four years.

As leaders like Senator Zaffirini search for more low-cost pathways to a degree, it’s time for a bold, Texas-style solution to this challenge, that I’m sure the brightest minds in our universities can devise. Today, I’m challenging our institutions of higher education to develop bachelor’s degrees that cost no more than $10,000, including textbooks.

Let’s leverage web-based instruction, innovative teaching techniques and aggressive efficiency measures to reach that goal. Imagine the potential impact on affordability and graduation rates, and the number of skilled workers it would send into our economy.

Speaking of skilled workers, we have a ready source of technical skills living among us that too often goes untapped. Countless Texas veterans receive top-level training in the military, but have a hard time getting credit for their knowledge and skills when they return to civilian life. We should support what one school calls “College Credit 4 Heroes.”

With the support of Senator Van de Putte, the Texas Workforce Commission is working with Higher Education Coordinating Board and our community colleges on a plan to offer veterans credit for their skills & experience. The goal is to accelerate them into the Allied Health Occupations, which are critically needed across our state, and offer immense opportunity to these brave men and women.

As we increase the opportunity inherent in our economy, let’s increase the accountability, transparency and efficiency of our legal system as well. Let’s take the next step in our fight against lawsuit abuse by sparing our citizens and our job creators the financial burden of defending themselves from frivolous lawsuits.

Texas needs a “loser pays” component in our legal system, in which those who sue and lose are required to pay the court costs and legal expenses of those they sued.

Texas is one of a very few states who don’t have an “early dismissal” option for obviously frivolous lawsuits...but we should. We need to make our system more accessible to the little guy, by setting up expedited trials and limited discovery, for lawsuits with claims between $10,000 and $100,000 dollars.

These reforms would further improve the legal climate in our state, and impart even more energy, stability and security to our economy.

The pursuit of true stability and security also requires us to maintain law and order and keep our citizens safe. Last fall, I proposed legislation targeting sex offenders, to better protect our citizens. We should empower prosecutors to seek life without parole for certain repeat sex offenders, and requiring active GPS monitoring of high risk offenders for three years after they’ve done their time and been released by TDCJ.

On a broader scale, we should also continue our investment in border security because the threat of cross-border violence has only grown, as the drug wars escalate. I don’t raise the issue of border security as a criticism of our neighbors to the south, but to show our resolve and unity in the struggle, as they deal with a wave of violence unlike anything outside of the world’s war zones.

Our relationship with Mexico predates our establishment as a state, and our proud Hispanic citizens are friends, neighbors, partners and family. Our desire is to strengthen our trade and cultural ties with Mexico through a climate of law and order, that brings peace and security to our border region.
The vicious criminals who murdered American missionary Nancy Davis just two weeks ago, are, no doubt, inflicting the same violence and intimidation on the people of Mexico, and they must be brought to justice. I must admit that news of Mrs. Davis’ death brought the events of this last fall rushing back, as we grieved with Tiffany Hartley over the loss of her husband, David, at the hands of narco-terrorists on Falcon Lake.

Tiffany is with us here today. Tiffany, know that we continue to pray for you as we demand the perpetrators of this brutal crime be brought to justice.

Tiffany’s presence reminds us that border security is not just a hot button issue for the talk shows, but a matter of life and death for American citizens, in the border region and in communities across our state.

We must keep taking the fight to vicious Mexican drug cartels, and the gangs that operate in our state on their behalf, as we support the men and women of law enforcement who remain on the front lines of this struggle.

I also want to thank Senator Williams and Representative Solomons for supporting my efforts to abolish sanctuary city policies, restrictions that handcuff our police officers as they work to uphold the law and protect our communities.

Joining us today is Officer Joslyn Johnson from Houston, whose husband, Rodney, was killed by an undocumented alien, who had previously been in police custody multiple times. Texas law enforcement professionals must have the discretion to use their judgment; judgment honed by years of training and experience, when it comes to inquiring about immigration status during lawful detentions and apprehensions. Thank you, Sgt. Johnson for being here and for your grace and courage in these difficult times.

It is also time to seriously address the demand side of illegal immigration. We must establish criminal penalties for employers who knowingly hire workers who are here in violation of immigration law.

At the same time, we need to increase the heat on the parasites who repeatedly exploit those seeking a better life in our state. I want to commend Representatives Senfronia Thompson and Randy Weber for their unrelenting focus on Human Trafficking, which impacts far too many in our state. It’s time to target the worst offenders with a 25-year minimum sentence for a first conviction for Continuous Human Trafficking, and life without parole for repeat offenders.

I’ll tell you, it’s frustrating that we’re still having these border security conversations, but Washington remains an abject failure in this area. It is part of that frustrating paradox where Washington neglects their responsibility for areas clearly within their purview, while interfering in other areas in which they’re neither welcome nor authorized.

Despite our frequent requests, Washington has yet to dedicate sufficient resources to secure our international border. We still need 1,000 National Guard troops to support current law enforcement operations on our border until they can provide those 3,000 more border patrol agents. We also need Predator drones flying along the Texas-Mexico border, providing real time intel to our state and local operation centers.

It’s time for our delegation in Washington, on both sides of the aisle, to step up and speak out in support of our state’s needs. If it seems that their interest in this legislative session is higher than usual, that’s to be expected in a redistricting year.

When you do hear from our Congressmen, try guiding the conversation away from redistricting, and suggest that they should be asking “How can I help Texas by ending federal mandates or easing the growth of Medicaid costs?”

Then ask them about their progress on repealing the Doggett amendment that is taking more than $830 million from Texas schoolchildren and teachers right now.

Enlist them in our ongoing battle with an activist EPA, intent on derailing our Texas air quality program, which is cleaning our air as we create jobs.

Tell them it’s time to repeal Obamacare, with its mandates that will cripple our healthcare system, and a price tag that will bust our budget.
Our Medicaid population and accompanying financial burden are growing as we speak, and, in 2014, ObamaCare will cause them to explode. This Washington-centric healthcare plan puts many states on a collision course with bankruptcy.

Instead of oppressive mandates, we need solutions like block grants, and the freedom to improve health care delivery, with innovation, flexibility and local input from leaders like Senator Jane Nelson.

We most definitely do not need Washington encroaching even further on our individual liberties.

I hope you’ll support Representative Creighton’s legislation stating the simple truth – upheld by at least two federal courts, that it’s unconstitutional and wrong for the government to force someone to buy health insurance.

In this and other areas of overreach, we must be united in sending one clear and simple message to Washington: “Enough.”

The differences between Texas values and Washington’s self-serving games have never been more stark than they are right now. The federal government’s efforts to accumulate more power, by bribing us with our own tax dollars are simply unacceptable.

We must continue to call attention to the essential truth of the 10th Amendment and commit these 28 words to memory: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Our founders knew that a federal government powerful enough to run our lives would be powerful enough to rob us of our liberties. In this chamber, where so many great Texas leaders have served, we affirm the principle of state sovereignty, and proclaim without reservation that Texans can run Texas better than bureaucrats in Washington DC.

Where Washington encroaches upon the rights of states, this state will push back with resolve and the full force of the law. In that regard, we are blessed to have a leader with the wisdom and courage of Attorney General Greg Abbott, who is using every resource at his disposal and working with Texas lawmakers to protect the best interests of our state.

Some will say we’re just spoiling for a fight, and I’ll admit that Texans rarely walk away from a tussle, but we’ll also never walk away from our freedom. Our state was built on that that freedom and its unlimited opportunity.

The spirit of discovery and adventure that drove the earliest settlers still beats in the hearts of Texans everywhere, as they push past the known into the unknown, in the laboratory, in the marketplace and in our universities.

Long known for our bountiful natural resources, Texas is now esteemed for its greatest resource, the intellect and character of our people.

Our culture of sturdy pragmatism, forged through centuries of exploration, exertion and endurance strengthens our resolve, and equips us to overcome the challenges we now face together.

As other states flounder about, oppressing their citizens with more taxes and driving away jobs with bad policy, Texas will make the right decisions, and emerge stronger.

As I’ve said before, I believe this will someday be regarded as the Texas century, as our resolve, our discipline and our commitment to one another carry us to brighter days, and blazes a path for other states and even for our federal government to follow. Our charge is to lead and, together, we will blaze this path.

May God bless you all and, through you, may He continue to bless the great state of Texas.

###
Gov. Perry: New Laws Further Strengthen Texas’ Robust Economy

Touts fiscally responsible budget without raising taxes

AUSTIN – Gov. Rick Perry today highlighted important legislation, passed during the 82nd Legislative Session that takes effect September 1, including a balanced budget that doesn’t raise taxes, and key measures that protect the lives of the unborn and strengthen the state’s legal climate, private property rights, and penalties for those convicted of human trafficking.

“This session we further strengthened our state’s robust economy the way we said we would: by living within our means, balancing our budget without raising taxes and protecting the Rainy Day Fund,” Gov. Perry said. “Texans can be proud of the steps we have taken to cut down on frivolous lawsuits; protect the lives of the unborn and the integrity of elections; strengthen private property rights and increase penalties for human traffickers and sex offenders who exploit the most vulnerable in our communities.”

This past legislative session provided a balanced budget for the 2012-13 biennium without raising taxes, allocating more than half of state funds to education, preserving more than $6 billion in the state’s Rainy Day Fund, and extending the tax exemption for small businesses to 2014, a measure Gov. Perry fought to continue, that will keep taxes low for thousands of employers across the state.

Several key measures, along with issues the governor declared as emergency items during the regular session, become law on September 1, including:

- HB 274, which implements several changes to streamline and lower the cost of litigation in Texas courts, allowing parties to resolve disputes more quickly and fairly, and less expensively.
- HB 15, which requires a physician to perform a sonogram 24 hours before an abortion, except in cases of medical emergency.
- SB 18, which requires local and state governmental entities interested in acquiring private property to first make an offer, in writing and based on an appraisal, to the landowner to purchase the property through a voluntary sale for a fair price. The bill also clarifies eminent domain may only be used for public use.
HB 3000 and SB 24, which create stiffer penalties and fines for individuals who commit human trafficking in Texas.

HB 3, which increases the punishment for repeat sex offenders convicted of continuous sexual abuse of a child, including certain sexual assault and aggravated sexual assault offenses, to life without parole.

Other important legislation passed this session, which are already in effect or will take effect after September 1, includes:

- SB 14, which requires voters to show a valid form of photo ID at polling places, increases the penalty for voting illegally to a second degree felony, and increases attempted illegal voting to a state jail felony. Certain provisions of this bill take effect September 1 and the remainder will take effect January 1.

- HB 3, which increases the punishment for repeat sex offenders convicted of continuous sexual abuse of a child, including certain sexual assault and aggravated sexual assault offenses, to life without parole.

- SB 7, which provides Texas $467 million in savings by streamlining inefficiencies in the Medicaid program.

- SB 1736, which helps expedite the entry of military veterans and service members into the workforce by allowing colleges and universities to develop programs that give them credit for experience, education and training obtained during their military service.

- HB 3, passed during the special session, which reforms the Texas Windstorm Insurance Association to protect Texans from the effects of devastating hurricane seasons while keeping insurance coverage available to Texans living along the coast. It also implements reforms that will ensure the association timely and adequately compensates its policyholders without enriching trial lawyers or further undermining the organization's financial stability.

For more information on these measures and other legislation passed during the 82nd Legislative Session, please visit http://governor.state.tx.us/news/bills/.

For a full list of bills that were passed during the regular session that take effect September 1, please visit http://www.lrl.state.tx.us/sessions/effDates/billsEffective82.cfm#September11.

###

Please DO NOT REPLY to this message. It comes from an un-monitored mailbox. If you have any questions regarding this announcement, please contact the Governor's Press Office at (512) 463-1826.
SIREN: CHILLING STORY TO DRIVE DEBATE FOR '12 AND SUPERCOMMITTEE -- “Coke chief criticises US tax rules” in Financial Times video interview at Clinton Global Initiative: “Coca-Cola now sees the US becoming a less friendly business environment than China, ... citing political gridlock and an antiquated tax structure. ... Muhtar Kent, Coke’s chief executive, said ‘in many respects’ it was easier doing business in China, which he likened to a well-managed company. ‘You have a one-stop shop in terms of the Chinese foreign investment agency and local governments are fighting for investment with each other ... They’re learning very fast, these countries ... In the west, we’re forgetting what really worked 20 years ago. In China and other markets around the world, you see the kind of attention to detail about how business works and how business creates employment.’ ... 

“Kent argued that US states did not compete enough with each other to attract businesses while Chinese provinces were clamouring to draw investment from international companies. ... Kent’s remarks came a month after Coke said it was ramping up its investment in China ... Kent said that US tax burdens and political polarisation were creating uncertainty for businesses and hurting investment. ‘I believe the US owes itself to create a 21st century tax policy for individuals as well as businesses ... If you talk about an American company doing business in the world today with its Chinese, Russian, European or Japanese counterparts, of course we’re disadvantaged ... A Chinese or Swiss company can do whatever it wants with those funds [earned overseas]. When we want to bring them back, we are faced with a very large tax burden. ... When a country is in trouble, you can’t have a polarised political process ... There’s too much comfort. We need more needles to stick in politicians.’"

--PLAYBOOK FACTS OF LIFE: This is a massive wakeup call for official Washington, which keeps putting itself on the back for solving crises that shouldn’t be crises, while ignoring the crumbling of the system’s pillars. The Coke dude’s sentiments, which we hear CONSTANTLY and CONSISTENTLY from executives around the country, explain why an independent presidential candidate could have historic support, and why big money is panting after New Jersey Gov. Chris Christie. This certainly reflects the loss of business confidence in President Obama, which has occurred with startling finality. BUT WISE UP, GOP: These people don’t like or trust you, either, dawg. The story of the year ahead: Will/can anyone lead?

Good Tuesday morning. OUT TODAY – Nicolle Wallace’s second novel, “It’s Classified” (Atria Books; 327 pages) – Publisher’s précis: “Charlotte Kramer, the nation’s first female president, returns for her second term ... Her best friend and former Chief of Staff, Melanie Kingston, is ... back as the newly appointed Secretary of Defense. Dale Smith, former network correspondent and girlfriend of President Kramer’s ex-husband, joins the staff as Senior Communications Advisor to Tara Meyers, now the Vice President of the United States.”

--EXCERPT: “Charlotte walked with her secretaries of defense and state toward the conference room where the bilateral meeting with the Russians that had been added to her G8 schedule at the last minute would be held. ... Three middle-aged women – a blur of Armani power-suits perfect blowouts, and sensible stilettos – walked in tandem toward the meeting room where they’d stare down Russia’s old guard. ‘Can we bluff a little bit on the new sanctions language?’ Charlotte asked her secretary of state, Constance Friedman ... Charlotte dispensed with the niceties. The Russians didn’t appreciate them anyway. ... The defeated Russians and their translator left the room in single file. ... ‘Madam President, I think the technical term for what you just showed him might start with a b and rhyme with walls.’”
--DANA PERINO review, on Amazon: “[T]he details she provides -- the back and forth with the White House press corps, ... and even what's best to order from the White House Mess -- give her books a leg up on anything I've read in this genre. ... Nicolle is a dear friend, ... being one of the colleagues at the White House whose door I could close to have a good old-fashioned rant and cry without any judgment.” $15.83 on Amazon http://amzn.to/nWxBTz

STEPHANIE CUTTER, one of the Democratic Party’s most battle-tested crisis managers, will leave the White House at the end of the year to move to Chicago at the end of the year to deputy campaign manager for communications, press, policy and research, with responsibility for managing the long-term message plan. Cutter, who currently has the title of deputy senior adviser, will be a senior member of the campaign strategy team, and a national campaign surrogate. She plans to make the switch between Thanksgiving and Christmas.

--David Axelrod, the campaign's chief strategist, emails: "Stephanie is as talented, smart and committed as anyone in politics. Her day-to-day leadership, coupled with [press secretary] Ben LaBolt and the talented team already in place, will ensure that we get our campaign message out effectively every single day."

--Cutter, a Georgetown law graduate, will play a crucial role in defining both the president and his Republican opponent. She was a senior adviser to then-Sen. Obama during his '08 campaign, and improved Michelle Obama’s image by introducing her to the American people without a political filter. Cutter’s White House portfolio includes strategy and message coordination, as deputy to senior adviser David Plouffe. She was Mrs. Obama’s chief of staff during the campaign, then became chief spokesperson for the transition. Stephanie was a counselor to Treasury Secretary Tim Geithner for the first five months of the administration, then moved to the White House. The Massachusetts native is a longtime adviser to the Kennedy family, and was communications director of the Kerry-Edwards 2004 campaign.

“MORNING JOE”: SAYS CHRISTIE COULD STILL GET IN:

--Joe Scarborough: “[The clamor] will NOT happen again. Because four years from now, if Barack Obama’s elected, it’s gonna be Jeb Bush or Marco Rubio or a very big – the Republican bench is extraordinarily strong, unlike the Democratic bench. THIS IS CHRIS CHRISTIE’S SHOT. And yet he may not have the experience to do it. ... He’s an EXTREMELY strong leader. Whether you agree with him or not, he is a guy that has bent the arc of history in New Jersey. He has shaped events himself. ... I think he could run.”

--Mika Brzezinski: “I haven’t seen someone on the political landscape with [Christie’s] ability to cut through the B.S. and answer questions and take on opponents with the kind of almost tactfulness of an EXPERIENCED politician. He has this sort of RAW POTENTIAL ... So, lack of experience? Yes. Ability to cut through it and get to people? He may have it. ... They’re going to drag him into it.”

--Mark Halperin: “Herman Cain’s success shows that people want an outsider.”

LIVESTREAM OF CHRISTIE’S SPEECH TODAY at the Reagan Library, 9-10 p.m. ET, on “Real American Exceptionalism”: “The speech uses President Reagan's transformative leadership to depict how the United States’ role and significance in the world is defined by who we are at home.”


OVERHEARD, on yesterday’s 9 a.m. Acela to NYC: Newt Gingrich, complaining about the paucity of big-name GOP donors contributing to his presidential campaign. His soliloquy was interrupted by the ringing of his cell phone, with Abba's "Dancing Queen" as his ringtone. Next time, Quiet Car?

SPOTTED: Facebook’s Andrew Noyes, doing a 90 minute stair-stepper routine because of all the junk food he ate at last week’s f8 Facebook developer conference in S.F.

SEN. MARCO RUBIO (R-Fla.) is circulating a 20-page proposal (that he wrote himself, with research help) for a memoir that likely would come out in late 2012 or early 2013. About a dozen publisher are interested:
Some came to Rubio and some came straight to superlawyer Robert Barnett, just ASSUMING (correctly) that he represented Rubio. Part of the author’s proceeds will go to Florida charities. A decision about a collaborator will depend on the deadline.

CHICAGO WELCOME WAGON: James Kvaal is the policy director on Obama for America. He served in the Obama administration as a deputy undersecretary at the Department of Education, and a special assistant to the president at the National Economic Council. Prior to that, he worked at the Center for American Progress.

TAMPA WELCOME WAGON – James Davis writes friends and family: “I am leaving the Brunswick Group … to accept the Communications Director job at the 2012 Republican National Convention. This is an exciting journey for my amazingly supportive wife, Patricia, our two daughters – Isabella, age 7, and Paloma, 13 months -- and me. We’ll be leaving for Tampa on October 8th and I’ll start the new job on Oct 10th.”

FIRST LOOK -- TOP CANTOR AIDE TO BLANK ROME: Shimmy Stein, House Majority Leader Eric Cantor’s senior policy adviser, will join Blank Rome Government Relations as a principal on Oct 3. From the forthcoming release: “Stein will expand the firm’s capabilities by lending his policy expertise in tax, financial services, trade, foreign affairs, and defense in addition to other core services. … Stein [served in] Cantor’s office for 10 years. He was a primary policy liaison between the Majority Leader’s office, the House Republican Leadership and the Ways and Means, Armed Services, Foreign Affairs and Select Intelligence Committees. … Stein spent part of his career in Washington advising Senator John Ashcroft (R-MO) and then-Representative Jim Talent (R-MO) and at the United States Department of Justice … He received his Bachelor of Arts degree in political communications from The George Washington University.”

HOUSE BUDGET CHAIRMAN PAUL RYAN, to CNN’s Gloria Borger: “I gave fear up for Lent this year.” (hat tip: James Hohmann’s “Morning Score”)

**A message from Google: It's hard to miss a place like Heimie's Haberdashery. Located in downtown St. Paul, Minnesota, the haberdashery sells tailored clothing, handmade leather gear, cigars, and more. Anthony Reed Andler, the President of Heimie’s, is a fifth-generation tailor and opened the shop just ten years ago. Since then, he's used the web to show off beautiful custom-made Heimie's products to potential customers. Local businesses like Heimie's are growing. And Google is helping. Watch their story on this YouTube: http://goo.gl/gswZo.

BIRTHDAYS: ABC 7’s Tim Traylor … DNC Chair Debbie Wasserman Schultz (helmet tip: Tommy Boy) … Juleanna Glover … CNN’s Megan Grant (hat tips: Patrick Gavin) … Jeff Birnbaum is 55. He’s stuck in New York for much of today, but his wife Deborah is planning a small dinner with friends Friday at Darlington House. … Shaun Cassidy is 53 … Gwyneth Paltrow is 39 … Michelle Carrier … Kathy Heiman … Abby Curran (h/ts Teresa Vilmain).

BIRTHDAY TOMORROW: House Democratic Leader Nancy Pelosi (h/t Manatos)


ABOUT LAST NIGHT – White House pool report from WashPost’s David Nakamura: “POTUS landed at L.A. International Airport at 4:40 p.m. PST, boarded helicopter, … touching down at about 5 p.m. PST. Loaded into motorcade and on the road a few minutes later to the House of Blues … There has been significant angst (and griping) from several aboard AFI, including Jay Carney and yours truly, about missing the Redskins-Cowboys Monday Night Football tilt. One cameraman vowed to stream it on his iPhone. Alas, your pooler uses a Blackberry. For the record, Carney said he is a ’Skins fan and a Red Sox fan since DC did not have a baseball team when he was in his formative years. … Motorcade wound through the streets of Los Angeles, where onlookers lined the road. One man held up the now-iconic two-toned Obama image with ‘HOAX’ written on it. But moments later a framed version of that poster with ‘HOPE’ written on it hung from the fence of a house.
Arrived at House of Blues, ... and pool was ushered into a very crowded bar with a packed, standing-only crowd. ...

"Appearing [next] at the Fig and Olive restaurant in West Hollywood, Obama spoke to a group of Hollywood and music industry big wigs who had paid $17,900 apiece to get in. The group included DreamWorks Animation CEO Jeffrey Katzenberg, who introduced the president, along with actor Jack Black, actor Danny DeVito, actress Rhea Perlman, producer Jon Landau, director Judd Apatow, music producer Quincy Jones, and Calif. Gov. Jerry Brown, among others. The celebs were seated at round tables with white table linens in the hip, modern, sleek restaurant, with high ceilings and a wall of wines in front of which Obama spoke. David Plouffe and Jay Carney were among those working the crowd before the remarks began. In his introduction, Katzenberg said: ‘I have a dependency on President Obama.... He was dealt adversity on all fronts, but he maintained his stature. ... We must keep fighting for him so he can keep fighting for us.’ Obama got a standing ovation”

--A Democratic official, on yesterday’s two L.A. funders, via pool report: “The first event is at the House of Blues in West Hollywood with Jesse Tyler Ferguson (Modern Family) as emcee. Performances will include B.O.B. and Weho Gay Men’s Chorus. 1,000 people are expected to attend. Ticket prices start at $250 (Gen44 [youth]) ... The second event the President will attend is a dinner at Fig and Olive ... Approximately 120 people are expected to attend and tickets are $17,900 a person. ... All fundraisers benefit the Obama Victory Fund. NOTE: The Obama Victory Fund is a joint account of the DNC and OFA [Organizing for America]. The campaign gets the first $5,000 of an individual contribution. A 5K contribution would account for both a primary and general contribution and be the max an individual could give the campaign for the cycle. $30,800 is the maximum an individual can give to a campaign committee per year.”

GOP MONEY CHASE: PERRY STILL BUILDING MACHINE; ROMNEY NOT PUTTING IN OWN MONEY THIS QUARTER: Jonathan Martin and Maggie Haberman: “With the third-quarter fundraising deadline Friday, ... [the] big question: Can Rick Perry, after entering the race in mid-August, haul in more than Mitt Romney? ... Among Republican insiders, the assumption is that both will clear $10 million ... Asked if his candidate will clear $10 million, Perry’s chief strategist Dave Carney said: ‘I hope so. ... If every event reaches its goal we’ll be over $10 million.’ ... One stop that’s raising eyebrows in GOP money circles is a Thursday fundraiser in Houston – a city he already had an event in at the end of August. ‘If Perry is going back for a second round of Texas money that tells me he didn’t get as much as he had hoped to the first time,’ said one top Republican money man ... Republicans in Washington and New York indicate that Perry may need to squeeze as much as he can out of Texas because he’s only finding modest success in the two hubs of campaign money. That’s partly because the lobbyists and Wall Streeters who populate the Acela corridor’s donor class are notoriously cautious about getting behind anybody who’s not a sure thing. ... 

“The [Perry] campaign is still trying to figure out its fundraising structure, ... including ... titles for co-chairs. They also have yet to hire a professional fundraiser in New York, ... although they’re said to be in the process of doing so. Perry is handicapped in New York in a way Romney and others aren’t: SEC rules strictly curtail brokers involved in municipal bond deals from giving to certain elected officials, meaning his Wall Street haul has been limited. In the meantime, they’ve essentially been relying on the kindness of strangers in the tri-state area, getting help from a string of bundlers who were either supporters of Mike Huckabee who never went with another candidate, some Jewish donors who had remained uncommitted, and other New York influentials. ... Perry’s still struggling to break through in New York ... Two sources familiar with the numbers said his five events where fundraising took place in New York over two days last week didn’t clear much more than $500,000 ... 

“Romney was the runaway money winner in the last quarter, far outpacing the field by raising $18 million. A source familiar with the former Massachusetts governor’s third-quarter fundraising said they’d post a ‘strong’ number but said there was ‘no way’ they’d reach or surpass their [previous] total ... After spending tens of
millions of his own personal cash on his failed 2008 bid, Romney has made clear to associates that he’d prefer not to tap his own wealth the same way again. This time around, he’s only likely to reach for his own wallet to help with pricey TV ads if he gets into a heated primary fight. So just as in the previous quarter, Romney did not put any of his personal money into his campaign account this quarter, a campaign official said. … Multiple sources said that while some states - Florida and California among them - had been hot spots, cash-rich New York had been tough for him this quarter.” http://bit.ly/ozpwL1n

--ROMNEY LEADS PERRY IN HILL ENDORSEMENTS – Marin Cogan: “Romney [has] 20 endorsements to Perry’s 10. For the past year and a half, the former Massachusetts governor has courted about a dozen lawmakers — both natural allies and skeptics — for bacon and eggs confabs when he’s in town in the basement of Tortilla Coast … to talk politics and policy. Romney also pulled in Missouri Sen. Roy Blunt, a Capitol Hill insider with deep roots in the House and close ties to both leaders and rank-and-file conservatives, to lead his Hill outreach. He’s met one on one with both GOP leaders and rank and file, and his advisers reached out to GOP leadership aides to discuss his job plans and the National Labor Relations Board. … Romney backers … tend to be from swing states or moderate districts where the primary concern is choosing a candidate who can lure independent voters and beat President Obama. Perry backers represent the movement conservatives — Southerners and tea party sympathizers looking for someone who can ignite the base and translate the 2010 GOP congressional wave into a 2012 presidential victory.” http://politi.co/o6KGYc

THE MAP – OBAMA, WHO FLIES INTO DENVER TODAY, FACES 2012 “HIGH-WIRE ACT” IN COLORADO, a once reliably red state he won by 54-45 in ’08 -- Glenn Thrush, in Denver: “The president, who pitches his new jobs plan at a downtown Denver high school this afternoon on his way home from a three-day West Coast trip, faces a surprisingly tough fight in a state one Obama adviser recently labeled as ‘the bellwether of bellwethers.’ What is particularly worrisome for the Obama campaign is that Colorado in many ways is the most friendly of the high-stakes, fast-changing swing states — that also include Virginia, North Carolina and Wisconsin — that he’s banking on for 2012. … Unemployment has spiked [in Col.] to 8.5 percent, and with it the tea party’s popularity; Latino support is ebbing amid frustration over Obama’s failure to pursue comprehensive immigration reform … ‘A repeat of 2008 is very unlikely… I’d say he’s looking at a high-wire act here,’ warns former Democratic Gov. Bill Ritter … The current governor, Democrat John Hickenlooper, offers an equally sober assessment. ‘The president probably can win Colorado, but he’s got a lot of work to do,’ he told POLITICO … [O]ther Democrats say that fight will be even tougher if Republicans make a play for Latinos by nominating Florida Gov. Marco Rubio for vice president. …

“[T]he most distressing trend for Obama, Colorado Democrats say, is the souring of many younger voters, … a group that has been hit especially hard in the recession. Local Democrats predict twenty-somethings will still vote for Obama in overwhelming numbers next year … But operatives are less sure whether that group will provide the president with the massive volunteer army … that revolutionized local grass-roots politics in 2008. … Things are … off to a slower start on local campuses. Zach Werkowitch, a 22-year-old senior at Colorado State University in Pueblo, spent most of 2007 and 2008 as an Obama organizer in his home state of Missouri, but he said this year he’s not yet heeding the calls to return to the field. … [The Obama campaign] recently added staff in Pueblo, Boulder and Denver. … The DNC is airing TV ads touting the new jobs plan, while acting Commerce Secretary Rebecca Blank toured a medical center in a Denver suburb as part of a mini-Colorado blitz by the administration. And the president is likely to make at least one more trip to Colorado before year end.” http://bit.ly/qOTaiv

TOP STORY -- “Senate deal averts government shutdown,” by David Rogers: “House and Senate leaders agreed to take a series of steps intended to keep the government funded past Friday and defuse what’s become a partisan, even institutional fight over budgeting for disaster aid. The new plan … relies on enacting a short-term spending bill to keep agencies funded into early next week and having both parties put aside their differences on 2011 disaster funds since the fiscal year is almost over … The Senate gave its approval … on a 79-12 vote with 26 Republicans joining Democrats. While the House is gone this week, a pro forma session is slated for Thursday, and after a call with members Monday night, the leadership signaled it will quickly move the short-
term funding bill Thursday by unanimous consent. That will avert any threat of a shutdown and buy the time needed for the full House to return to deal with the substitute CR — without the contentious 2011 provisions — next Tuesday. ... Monday’s settlement followed 36 hours of negotiations beginning Sunday when Senate Majority Leader Harry Reid’s camp first proposed to the House the idea of stripping out the 2011 money.”


COMING ATTRACTIONS: Jose Antonio Vargas, the former WashPost reporter who admitted he was an undocumented immigrant, is speaking in New Orleans this afternoon at an Excellence for Journalism conference organized by SPJ and RTDNA. At the conference, Jose will unveil an essay he wrote for DefineAmerican.com. He interviewed a wide range of journalists and policy experts to explore the gap between what readers actually know about immigration and what readers need to know about immigration. Tina Griego, a veteran journalist for The Denver Post, told Vargas: "We in the media have failed in providing the basic information about the ins and outs of immigration and immigration law. But it can still be done." As a result of his reporting, Vargas calls for the news industry to elevate coverage of illegal immigration.

THE PRESIDENT’S DAY: POTUS wakes up in L.A. “In the morning, the President will travel to Denver, [where he] will visit Abraham Lincoln High School to highlight his American Jobs Act proposal to put workers back on the job by rebuilding and modernizing schools across the country. The American Jobs Act proposes a $25 billion investment in school infrastructure that will modernize at least 35,000 public schools — investments that will create jobs while improving classrooms and upgrading our schools to meet 21st century needs. While at Abraham Lincoln High School, the President will deliver remarks. Later, the President will return to Washington.”

--THE V.P.’s DAY: “In the morning, the Vice President will travel to New York City. At 12:45 PM, he will attend a campaign event at a private residence. Afterwards, the Vice President will travel to Boston ... At 4:15 PM, he will attend a campaign event at the Fairmont Copley Plaza Hotel. The Vice President will then attend a campaign event at the Grill 23 restaurant at 6:00 PM. The Vice President will return to Washington ... in the evening.”

SPORTS BLINK – PLAYING HURT – AP/Arlington, Texas: “Redskins cornerback DeAngelo Hall had hoped to get some hits on Tony Romo’s sore ribs [as the team suffered] an 18-16 loss to the Cowboys [on Monday Night Football] ... Knowing that Romo was back on the field eight days after breaking a rib and getting a small puncture in his lung, Hall had said he would be asking for some corner blitzes and hoping to put his helmet on whatever hurt for Romo. But Romo mainly avoided taking any hits in the first half by constantly getting rid of the ball in a hurry with short passes and handoffs. That changed right away on the first play of the second half, when Ryan Kerrigan swiped the ball out of Romo’s hand. ... Adam Carriker sacked him for a 5-yard loss. Eight plays later, Brian Orakpo blitzed without being blocked. Romo had to get rid of the ball in a hurry and threw an interception ... Because he got the ball out of his hands, Romo didn’t take the full brunt of a hit, but still ended up on the ground under Orakpo. ... The Redskins are on the road next week to play winless St. Louis (0-3).”

--“Rule Explanation from the New York Giants-Philadelphia Eagles Game” – NFL release: “Giants wide receiver Victor Cruz scored on a 28-yard touchdown reception with 8:07 remaining in the fourth quarter. The ruling on the field was a touchdown, which was then confirmed after an instant replay review. Referee Jeff Triplette announced: ‘After reviewing the play, the ruling on the field is confirmed. The receiver caught the ball, stuck it over the goal line — the plane — before he lost possession. It is a touchdown.’ Cruz had firm grip and control of the ball, touched both feet to the ground, and fulfilled the time requirement to complete the catch. At the point that Cruz completed the catch, he became a runner ... When Cruz, acting as a runner, extended the ball over the goal line, it was a touchdown at the instant the ball penetrated the plane of the goal line. ... When Cruz lost control of the ball, he was no longer attempting to catch a pass. He ... was a runner attempting to score a touchdown by extending the ball across the goal line. If the same situation occurred in the middle of the field, ... it would be a fumble.”

Defendant's Exhibit # 086
COLLEGE FOOTBALL SATURDAY – “Three Matchups of Ranked Teams & No. 1 LSU” – ESPN release:

“No. 8 Nebraska at No. 7 Wisconsin, Nebraska’s first game against a new Big Ten conference foe, at 8 p.m. on ABC ... No. 13 Clemson at No. 11 Virginia Tech in an ACC showdown between undefeated squads at 6 p.m. on ESPN2 and ESPN3 ... No. 14 Texas A&M vs. No. 18 Arkansas in a neutral site matchup at Cowboys Stadium in Arlington, Texas, at noon on ESPN, ESPN3 and ESPN Radio ... New No. 1 LSU against Kentucky on ESPN3 and the SEC Network at noon ... In addition, a three-game split-national telecast ... at 3:30 p.m. on ABC will include a matchup of unbeaten teams when No. 15 Baylor travels to Kansas State. The other two games – televised on ABC and ESPN2 – will include undefeated No. 21 Georgia Tech at NC State and Michigan State at Ohio State. All three games will be available on ESPN3.”
Allison Castle

From: Mike Allen [mallen@politicom.com]
Sent: Saturday, September 24, 2011 10:46 AM
Subject: OLITICO Playbook, presented by Altria - Christie fever rising - ZANDI: UNEMPLOYMENT LIKELY TO REMAIN HIGH FOR AT LEAST 3 YEARS - GOP straw poll in Orlando today - Amazon agrees to collect sales tax in Calif. - Today is Nickelodeon’s Worldwide Day of Play

Good Saturday morning. BRUNCH BUZZ: Texas Gov. Rick Perry’s debate stumble provided an opening for Ken Langone, co-founder of The Home Depot, to renew his effort to use donor pressure to lure New Jersey Gov. Chris Christie into the GOP race. Langone has been making calls to potential donors and bundlers, urging them to hold back on jumping to Perry or Mitt Romney, arguing that Christie might run. Christie is still reluctant, although the donor persistence is something the party hasn’t seen in 30 years. A person familiar with Christie’s mind phoned Playbook after Maggie Haberman and others disclosed the new frenzy:

“There are three reasons [Christie probably won’t take the bait.] One is: He genuinely believes that he’s not prepared on an issue and substance basis to address all of the things you have to address as a candidate, and he’s leery of learning on the fly. Two, the performance of Perry shows the dangers of late entry: It’s right in front of him. And while others use that as a reason for him to GET in, for him, it’s the opposite – it’s the reason that validates his decision NOT to get in this late. And the third is that ... you sit and look at the map ... and the path for Chris Christie [to get more delegates than Romney] is difficult to chart ... If he gets in, the first thing he has to do is beat Perry and establish himself as the REAL anti-Romney. And the path to doing that is difficult: Perry’s not going to just drop out.”

--A MISCHIEVOUS TOP GOP NOTES: “If you really wanted to tamp this down, all you need to do is a press release, or call you. I think he’s enjoying this a little bit.”

PERRY TELLS DELEGATE HE WAS “TIRED” IN DEBATE – The prolific Maggie Haberman: “Rick Perry is heading out of [Orlando] after an 8-minute speech to a room of about 1,100 Presidency Five straw poll-goers -- a last-minute pitch ... in which he didn't specifically ask for their votes, although he played up the value of the event and hit others for skipping it. Several voters ... said [his debate performance] was giving them pause about casting a ballot for him. Some said they had heard from friends involved in his campaign that he was tired, and one voter said Perry told him that directly, after the governor spent close to an hour working the room and taking pictures. Activist Neil Curley, who's on the Collier County Executive Committee, said, ... ‘I did get a chance to speak to him about that. And he said, “Yeah, I just got tired...I was tired, exhausted, and everyone's throwing the junk at (me).”’

BILL CLINTON has finished writing “BACK TO WORK: Why We Need Smart Government for a Strong Economy,” out Nov. 8 from Alfred A. Knopf. We’re told the 208-pager will be a powerful, supportive voice for President Obama and the Democratic Party, while offering blunter prescriptions than a sitting president would be able to advocate. The former president had been keeping notes for many months, and wrote the manuscript over the spring and summer.

--This book, like “My Life” and “Giving,” was written in longhand, with the help of longtime aide Justin Cooper. First printing is 300,000. Clinton, who won an Emmy for his audio recording of “My Life,” will once again record an audio version.

--Sonny Mehta, Knopf’s Chairman and Editor-in-Chief, said the book offers a plan to get American “back into the future business”: “Clinton ... offers specific recommendations on how we can put people back to work and create new businesses, increase bank lending and corporate investment, double our exports, restore our manufacturing base and create new businesses. He supports President Obama’s emphasis on green technology, saying that change in the way we produce and consume energy is the strategy most likely to spark a fast growing economy and enhance our national security.”
--WJC: “I wrote this book because I love my country and I’m concerned about our future … Our ability to compete in the twenty-first century is dependent on our willingness to invest in infrastructure: we need faster broadband, a state-of-the-art national electrical grid, modernized water and sewer systems, and the best airports, trains, roads and bridges. … There is no evidence that we can succeed in the twenty-first century with an anti-government strategy, with a philosophy grounded in ‘You’re on your own’ rather than ‘We’re all in this together’.” $12.62 on Amazon pre-order http://amzn.to/2qVb3C

WEDDING TODAY: White House “King of the West” Adam Abrams deserts the regional press office (temporarily) to marry Media Matters’ Sarah Pavlus at DAR Constitutional Hall, before sweeping his bride away to Tahiti for some out-of-pocket fun in the sun.

P-5 CHATTER from James Hohmann, who put out a weekend-extra edition of “Morning Score” from Orlando, in partnership with The St. Petersburg Times: “Rick Perry remains the favorite to win Florida’s Presidency 5 straw poll, though his … debate performance clearly hurt him. A surprisingly large number of the nearly 3,500 delegates were undecided before the debate, and Friday it was easy to find people shifting to Romney or at least reconsidering Perry. ‘A game changer,’ former GOP chairman and Romney backer John Thrasher said of the debate, predicting Romney will do ‘very well’ Saturday. Perry, who met privately with a dozen legislators Friday, [spoke] at a breakfast for delegates, and then bolt for Michigan [for the Michigan Republican Party’s 29th Biennial Mackinac Republican Leadership Conference] before PS actually kicks off. … Voting takes place from 4 p.m. to about 4:45, overseen by the Seminole County elections office. We should have results at about 5:30 ET. Florida Gov. Rick Scott will announce them to the crowd between 5:45-6.” http://politi.co/qLEtV1

--MINDMELD WITH ADAM C. SMITH, St. Petersburg Times political editor: “Who would have thought Massachusetts health care reform could prove to be less damaging to Mitt Romney than illegal immigration to Rick Perry? … Former Florida Gov. Jeb Bush supported driver’s licenses for undocumented immigrants and then-state Rep. Marco Rubio supported a bill similar to the Texas Dream Act Perry is getting pounded on. Those days are gone. Florida Gov. Rick Scott won his primary largely by bludgeoning Bill McCollum on immigration.”

--St. Pete Times/POLITICO VIDEO of Adam Smith and James Hohmann, chatting at the Orange County Convention Center http://bit.ly/oawmK1

THE NARRATIVE -- HuffPost banner, “FALLING LONE STAR: Some Conservatives Once ‘Ready To Marry’ Perry Now ‘Spooked,’” by Jon Ward, in Orlando: “Conservatives flocked to the three-day conclave here ‘ready to marry’ Perry, but left ‘spooked’ by his performance, said one Florida Republican with contacts among both campaign operatives and grassroots activists. … In several key moments during the past few weeks, the governor showed a tendency to undermine some of his best moments and to make tough or difficult moments even worse. His potential supporters have grown leery of Perry as the list of his unforced errors has grown longer. …

“[At a Wed. evening event, h]e started off well by speaking poignantly to a roomful of a few thousand activists here about his need for their prayers. … The connection in the room was palpable, and Perry added to it … by asking the crowd to pray for President Obama … But Perry … added a request that the activists pray for Obama that God ‘open his eyes.’ … [T]he implicit claim by Perry that his policy positions have divine [imprimatur] destroyed any … moral high ground.”

--KEY POINT FROM JON WARD: "[E]ven Tea Party groups like FreedomWorks [chaired by Dick Armey] signaled that their past opposition to Romney might soften if Perry continues to fumble.” http://huff.to/q3qpM6

Defendant's Exhibit # 086
**A message from Altria:** At Altria, how we conduct business is as important as the business results we achieve. Our tobacco companies are committed to marketing their products responsibly to adult consumers while helping to prevent underage access to tobacco products.**

**BIRTHDAYS:** Jess Schumer of the National Economic Council ... Hope Hall, White House videographer ... Sara DuBois (@sdub24; h/t Christine Delargy) ... Craig Shirley ... Heritage's Ericka Andersen (h/t/ Patrick Gavin) ... Lou Dobbs is 66 ... Joe Greene is 65 ... former Rep. Joseph Kennedy II is 59 ... Adrian Godfrey ... Sam Parker ... Tony Anthony ... Sarah Zichella ... Joe Householder ... Michael Teter ... Jon Davidson ... Dave Contarino (h/t/ Teresa Vilmain).

**BIRTHWEEK:** Maria Karl, celebrating with sushi at home last night, and a Rockwell-approved new restaurant tonight ... Ana Marie Cox (hat tip: Betsy Rothstein) ... Salsa Labs’ John Brougher.

**BIRTHDAY TOMORROW:** Brian Beutler ... Pat Hart, leg.-affairs director lbr FEMA, celebrating by negotiating with Congress to keep his agency funded.

**AP FOR SUNDAY PAPERS, “Obama plan would make small dent in jobless rate,” by Tom Raum:** “The projection of 1.9 million new jobs, a 1 percentage point drop in the unemployment rate and a 2 percentage point increase in the gross domestic product under Obama's plan came from Mark Zandi, chief economist of Moody's Analytics. But Zandi said in an interview his forecast also is based on an assumption that ‘the president's entire package is passed by the end of the year,’ a slim prospect ... ‘I assumed that it would be paid for. ... I didn't know when I did that simulation how the president proposed to pay for it.’ ... Obama has said he would pay for his $447 billion package with permanent income tax increases of about $150 billion a year, mostly on wealthy individuals and corporations, in addition to spending cuts. ...”

“Zandi ... said he's still sticking with his forecast ... But ... Zandi said his job-creation figure only applies to 2012. ‘Beginning in 2013, and certainly into 2014, the plan is a drag on the economy because the stimulus starts fading away,’ he said. ‘So by 2015, the economy is in the same place as now, as if there were no jobs package.’ ... Also, Zandi said, his forecast does not leave any room for a new recession. If that happens, all bets are off.”[http://yaho.it/omoC3w](http://yaho.it/omoC3w)

**THE C.W. – AP for Sunday papers – “Obama–They Like Him: Obama’s likability is keeping him afloat,” by Kristen Wyatt, in Denver:** “Public opinion polls show that people like President Obama personally, even if they don’t agree with his policies ... [S]ome people who have lost their jobs or their homes since Obama took office nonetheless say they want him to succeed. What's more, they're working to help re-elect him because of the affinity they feel for him. It's a bright spot in an otherwise dreary political environment for the president. ... ‘They’re going to tell you that everyone’s left the president, no one likes Obama anymore. They are so totally wrong,’ Obama's national field director, Jeremy Bird, told volunteers in Denver recently. ‘Yes, people are frustrated with the economy, with jobs. But when they look at the president, the president's character ... they're all in support.’”[http://yaho.it/nLNKIN](http://yaho.it/nLNKIN)

**STAT DU JOUR – N.Y. Times, “Facebook as Tastemaker”: “As of May, Americans spent more time with Facebook than with the next four largest Web brands combined, according to Nielsen. ... [Half of Facebook’s users] return ... every day.” [http://nyti.ms/ogusQ8](http://nyti.ms/ogusQ8)

**WEST WING MUST-READ – L.A. Times second front, “9th Circuit nominee would be milestone: Obama chooses an Asian American woman for the federal appeals court,” by Alex Vaughn:** “Judge Jacqueline Nguyen had never met a lawyer before attending law school at UCLA. She fled Vietnam during the fall of Saigon with her parents and five siblings all younger than 11 and started life in the U.S. living in a tent city with other refugees at Camp Pendleton. Now President Obama has nominated Nguyen, who two years ago became the first Vietnamese American woman to serve as a federal judge, to the United States Court of Appeals for the 9th Circuit in San Francisco. ... Nguyen was appointed to the state bench as a judge on the Superior...
Court of the County of Los Angeles in 2002. She remained a judge on that court until she was appointed to the federal bench by Obama in 2009."

TECHWATCH -- L.A. Times, A1 tease, “Amazon, state put feud to rest: With a new tax law signed, the retailer says it wants ‘a lasting partnership’ with California” -- Business-front story by Marc Lifsher and Andrea Chang: “Starting next Sept. 15, Amazon and many other Internet retailers will lose their ability to offer essentially a savings to [California] customers by skipping the levy of 7.25% or more, which bricks-and-mortar stores and other merchants must collect. [Gov. Jerry] Brown signed the measure Friday at the San Francisco headquarters of Gap Inc., a clothing manufacturer that backed the legislation. The new law supplants a similar one that Amazon had been challenging since it took effect July 1. Abandoning its fight to avoid collecting sales taxes, Amazon now seeks to build what Paul Misener, a company vice president, called ‘a lasting partnership with the state.’ The Seattle company, he said, plans to spend $500 million to open large distribution centers and other facilities in California that would create 10,000 full-time jobs — ones that carry such benefits as health insurance. ...

“With the tax fight behind it, Amazon must come up with new ways to ensure that its customers keep clicking” One idea, marketing experts suggested, might be to use the expanded distribution network to get merchandise to customers in just a few hours instead of days. ... California accounts for about 15% of Amazon’s U.S. sales ... For many products, Amazon charges 5% to 6% less than the prices of the same goods in stores or on other websites, even when sales tax is added, according to a July 21 study by Chicago investment firm William Blair & Co. ... Under a 1992 U.S. Supreme Court decision, companies based elsewhere that have no contact with the state don’t have to collect sales taxes from customers in the state. ... ‘Amazon can offer a fuller array of services like same-day delivery and Amazon Fresh, which is its grocery delivery,’ said Jordan Rohan, an Internet analyst at investment bank Stifel, Nicolaus & Co. ... Amazon would need to add fleets of trucks and distribution centers in every metropolitan area of California and throughout the country, he said.

“Amazon also pledged Friday to restore its relationships with its former California affiliates, which earned commissions for referring customers to Amazon through links” [New Yorkers already pay Amazon sales tax.] Amazon had been battling legislation similar to California's in more than a dozen states. The company said it would prefer a national law governing online sales tax collection over a patchwork of state schemes, and has joined conventional bricks-and-mortar retailers to lobby Congress. Amazon's agreement with the state could spur Congress to act, said Bill Dombrowski, president of the California Retailers Assn., which led the push for California's law.”

BUSINESSWATCH -- BREAKING -- WSJ: “Oswald Grübel resigned as chief executive of UBS AG in the wake of a breakdown in risk management at the Swiss bank that led to a massive trading loss ... In a statement Saturday, UBS said its board had accepted Mr. Grübel's resignation. It said Sergio Ermotti, the head of its European region, would become interim CEO, effective immediately. The news release didn't mention Carsten Kengeter, the head of UBS's investment bank, the division where Kweku Adoboli, a 31-year-old equity trader for the bank in London, allegedly lost $2.3 billion this summer on unauthorized trades. Mr. Kengeter, like Mr. Ermotti, had been seen as a potential successor to Mr. Grübel.”

MEDIAWATCH – WashPost Ombudsman Patrick B. Pexton, in Sunday's paper, “Post Web pages: A slow load”**: “Porn sites download faster than The Post’s Web site. Really. ... I’ll let Jack, a longtime reader of The Post online, speak to this via his recent e-mail to me: ‘Perhaps it will impress on you how sluggishly your pages load to learn that pornography sites download much faster than washingtonpost.com does! Trust me on this. And those sites’ pages are much more ‘content dense’ and have significantly more ‘dynamic’ content and ads than washingtonpost.com, with very little simple text (obviously!). ... By contrast, your site subjects me to a tedious, lumbering stream of browser ‘Waiting for [various] plug-in’ messages and download-progress bars. Meanwhile, my screen remains frozen, so I can’t even scroll through the content that has already downloaded. This seldom happens on the porn sites I frequent.”...
“In the past couple of months these kinds of letters have increased and now are the most numerous topic in my folder of complaints about the Web site. ... ‘I actually went so far as to do a comparison using a stop watch,’ said longtime reader Rollin Shelton of Portland, Ore. ‘On average, because of the amount of clutter on The Post’s Web pages, the pace at which the different ads load, it takes a Post page approximately five times as long to load as a page on the New York Times or Reuters sites. Huffington Post is more in your ballpark, but Huffington averages twice as fast as a Web page on The Post. The British news sites, the Guardian and the Independent, leave The Post completely in the dust with their Web pages loading at a pace that outstrips The Post by 7 to 1.’ ... I have dozens of similar letters from readers. Most were willing to give The Post some time to sort out kinks after the new Web design was launched in March. But six months later, they are no longer patient.

“The Post is aware of this problem, which has become serious enough that, in recent days, a ‘SWAT’ team was formed to examine page performance. ... There’s a lot going on in any Post Web page, including headlines, photos, videos, lots of advertising, and lots of ‘plug-ins’ that allow you to view certain kinds of content, plus links to Facebook, Twitter, LinkedIn and others. ... Then there’s stuff you can’t see going on in the background of every Web page — tracking and marketing data — that is following what you are viewing and sending that information to marketing and content partners, who use it to instantly post ads and links to other stories ... The Post technology team has many other priorities — it’s also redoing the PostPolitics pages and the political polling site for the 2012 campaign ... But from my chair, The Post must make this issue a higher priority, and devote time and resources to improve its page downloading times, or risk undermining its growing online audience.” http://wapo.st/qThq7]

THE SHOWS, from @MattMackowiak:

--NBC’s “Meet the Press”: Israeli Prime Minister Benjamin Netanyahu; Mayor Michael Bloomberg; “Education Nation” roundtable with former Secretary of Education Bill Bennett; former HHS Secretary and University of Miami President Donna Shalala; PBS’ Tavis Smiley and Special Olympics CEO Tim Shriver (live from New York City)

--ABC’s “This Week”: White House senior adviser David Plouffe; British Prime Minister David Cameron; PLO Executive Committee Member Hanan Ashrawi; economic roundtable with PIMCO CEO Mohamed El-Erian, Reuters’ Crystia Freeland; former Chairman of the White House Council of Economic Advisers Austan Goolsbee and ABC’s George Will; political roundtable with Democratic strategist Donna Brazile, Republican strategist Mary Matalin, ABC News’ Amy Walter and ABC’s George Will

--CBS’s “Face the Nation”: RNC Chairman Reince Priebus and DNC Chairwoman Rep. Debbie Wasserman-Schultz; roundtable with Moody’s Analytics chief economist Mark Zandi, CBS News’ Norah O’Donnell and CBS News’ John Dickerson

--“Fox News Sunday”: White House senior adviser David Plouffe; Sen. Lindsey Graham (R-SC); roundtable with Fox News’ Brit Hume, The Hill’s A.B. Stoddard, the Weekly Standard’s Bill Kristol and Fox News’ Juan Williams

--CNN’s “State of the Union”: White House senior adviser David Plouffe; Sen. Mark Warner (D-VA) and Sen. Lamar Alexander (R-TN); author and Gov. Mitch Daniels (R-IN) (“Keeping the Republic”)

--CNN’s “Fareed Zakaria GPS Live”: (Sun. 10 a.m. ET / 1 p.m. ET): Turkish Prime Minister Tayyip Erdoğan; Russian Foreign Minister Sergei Lavrov; European Commission President José Manuel Barroso

--C-SPAN: “Newsmakers” (Sun. 10 a.m. ET / 6 p.m. ET): Sen. Lamar Alexander (R-Tenn.), questioned by AP’s David Espo and the WashPost’s Paul Kane
--Univision’s “Al Punto” (Sun. 11 a.m.): Peruvian President Ollanta Humala; Venezuelan opposition presidential candidate Leopoldo Lopez; Republican State Leadership Committee President Ed Gillespie; former U.S. Marine Corps member Danny Hernandez; roundtable with El Mundo’s Manuel Aguilera and EFE’s Alexandra Vilchez


--PBS’s “To the Contrary”: White House senior adviser Valerie Jarrett; author Ron Suskind (“Confidence Men”); former Gov. Jennifer Granholm (D-MI); roundtable with Feminist Majority’s Kim Gandy, journalist and blogger Danielle Belton, former EEOC Chair Cari Dominguez and Independent Women’s Forum’s Nicole Kurokawa Neily

--SiriusXM’s “Polioptics” with Adam Belmar and Josh King (Sat., noon ET / 6 p.m. ET): Don Baer, communications director in the Clinton White House, reflects on Washington-on-the-East River, a week where the political focus shifted to New York, with both Rick Perry and Benjamin Netanyahu triangulating on President Obama. And "The Producers" Part II -- Steve Rabinowitz and Scott Sforza continue their conversation with King and Belmar, chronicling two decades of presidential stagecraft and memorializing the master, Reagan Deputy Chief of Staff Michael Deaver. On SiriusXM's POTUS Ch. 124; also available for download on iTunes and at www.polioptics.com.

** A message from Altria: Altria’s companies produce premium tobacco brands, including Marlboro, Copenhagen, Skoal and Black & Mild, and quality wines from Chateau Ste. Michelle and Columbia Crest. As attitudes toward tobacco have changed, we've made significant changes in the way we do business. Our tobacco companies communicate openly about the health risks of tobacco – and provide information to help tobacco users who want to quit. To help reduce underage tobacco use, we fund the widely-recognized We Card® age verification program. And we supported giving the FDA authority to regulate tobacco – the only major tobacco company to do so. At Altria, we also understand that our companies’ actions impact more than 335,000 U.S. retailers, their employees and thousands of farmers and suppliers. Recognizing our responsibilities. Helping find solutions. It’s our way of doing business at Altria today. Take a closer look at www.Altria.com. **
Good Saturday morning. BRUNCH BUZZ – CHRISTIE FEVER RISING: Texas Gov. Rick Perry’s debate stumble provided an opening for Ken Langone, co-founder of The Home Depot, to renew his effort to use donor pressure to lure New Jersey Gov. Chris Christie into the GOP race. Langone has been making calls to potential donors and bundlers, urging them to hold back on jumping to Perry or Mitt Romney, arguing that Christie might run. Christie is still reluctant, although the donor persistence is something the party hasn’t seen in 30 years. A person familiar with Christie’s mind phoned Playbook after Maggie Haberman and others disclosed the new frenzy:

“There are three reasons [Christie probably won’t take the bait.] One is: He genuinely believes that he’s not prepared on an issue and substance basis to address all of the things you have to address as a candidate, and he’s leery of learning on the fly. Two, the performance of Perry shows the dangers of late entry: It’s right in front of him. And while others use that as a reason for him to GET in, for him, it’s the opposite – it’s the reason that validates his decision NOT to get in this late. And the third is that … you sit and look at the map … and the path for Chris Christie [to get more delegates than Romney] is difficult to chart … If he gets in, the first thing he has to do is beat Perry and establish himself as the REAL anti-Romney. And the path to doing that is difficult: Perry’s not going to just drop out.”

--A MISCHIEVOUS TOP GOP NOTES: “If you really wanted to tamp this down, all you need to do is a press release, or call you. I think he’s enjoying this a little bit.”

PERRY TELLS DELEGATE HE WAS “TIRED” IN DEBATE – The prolific Maggie Haberman: “Rick Perry is heading out of [Orlando] after an 8-minute speech to a room of about 1,100 Presidency Five straw poll-goers -- a last-minute pitch … in which he didn’t specifically ask for their votes, although he played up the value of the event and hit others for skipping it. Several voters … said [his debate performance] was giving them pause about casting a ballot for him. Several voters … said [his debate performance] was giving them pause about casting a ballot for him. Some said they had heard from friends involved in his campaign that he was tired, and one voter said Perry told him that directly, after the governor spent close to an hour working the room and taking pictures. Activist Neil Curley, who's on the Collier County Executive Committee, said, … ‘I did get a chance to speak to him about that. And he said, “Yeah, I just got tired… I was tired, exhausted, and everyone's throwing the junk at (me).”’

BILL CLINTON has finished writing “BACK TO WORK: Why We Need Smart Government for a Strong Economy,” out Nov. 8 from Alfred A. Knopf. We’re told the 208-pager will be a powerful, supportive voice for President Obama and the Democratic Party, while offering blunter prescriptions than a sitting president would be able to advocate. The former president had been keeping notes for many months, and wrote the manuscript over the spring and summer.

--This book, like “My Life” and “Giving,” was written in longhand, with the help of longtime aide Justin Cooper. First printing is 300,000. Clinton, who won an Emmy for his audio recording of “My Life,” will once again record an audio version.

--Sonny Mehta, Knopf’s Chairman and Editor-in-Chief, said the book offers a plan to get American “back into the future business”: “Clinton … offers specific recommendations on how we can put people back to work and create new businesses, increase bank lending and corporate investment, double our exports, restore our manufacturing base and create new businesses. He supports President Obama’s emphasis on green technology, saying that change in the way we produce and consume energy is the strategy most likely to spark a fast growing economy and enhance our national security.”
--WJC: "I wrote this book because I love my country and I'm concerned about our future ... Our ability to compete in the twenty-first century is dependent on our willingness to invest in infrastructure: we need faster broadband, a state-of-the-art national electrical grid, modernized water and sewer systems, and the best airports, trains, roads and bridges. ... There is no evidence that we can succeed in the twenty-first century with an anti-government strategy, with a philosophy grounded in 'You're on your own' rather than 'We're all in this together.'" $12.62 on Amazon pre-order [http://amzn.to/1NVb3C]

WEDDING TODAY: White House "King of the West" Adam Abrams deserts the regional press office (temporarily) to marry Media Matters’ Sarah Pavlus at DAR Constitutional Hall, before sweeping his bride away to Tahiti for some out-of-pocket fun in the sun.

P-5 CHATTER from James Hohmann, who put out a weekend-extra edition of "Morning Score" from Orlando, in partnership with The St. Petersburg Times: “Rick Perry remains the favorite to win Florida’s Presidency 5 straw poll, though his ... debate performance clearly hurt him. A surprisingly large number of the nearly 3,500 delegates were undecided before the debate, and Friday it was easy to find people shifting to Romney or at least reconsidering Perry. ‘A game changer,’ former GOP chairman and Romney backer John Thrasher said of the debate, predicting Romney will do “very well” Saturday. Perry, who met privately with a dozen legislators Friday, [spoke] at a breakfast for delegates, and then bolt for Michigan [for the Michigan Republican Party’s 29th Biennial Mackinac Republican Leadership Conference] before P5 actually kicks off. ... Voting takes place from 4 p.m. to about 4:45, overseen by the Seminole County elections office. We should have results at about 5:30 ET. Florida Gov. Rick Scott will announce them to the crowd between 5:45-6.” [http://politico.co/qlEtV1]

--MINDMELD WITH ADAM C. SMITH, St. Petersburg Times political editor: “Who would have thought Massachusetts health care reform could prove to be less damaging to Mitt Romney than illegal immigration to Rick Perry? ... Former Florida Gov. Jeb Bush supported driver’s licenses for undocumented immigrants and then-state Rep. Marco Rubio supported a bill similar to the Texas Dream Act Perry is getting pounded on. Those days are gone. Florida Gov. Rick Scott won his primary largely by bludgeoning Bill McCollum on immigration.”

--St. Pete Times/POLITICO VIDEO of Adam Smith and James Hohmann, chatting at the Orange County Convention Center [http://bit.ly/oawmKj]

THE NARRATIVE -- HuffPost banner, “FALLING LONE STAR: Some Conservatives Once ‘Ready To Marry’ Perry Now ‘Spooked,’” by Jon Ward, in Orlando: “Conservatives flocked to the three-day conclave here ‘ready to marry’ Perry, but left ‘spooked’ by his performance, said one Florida Republican with contacts among both campaign operatives and grassroots activists. ... In several key moments during the past few weeks, the governor showed a tendency to undermine some of his best moments and to make tough or difficult moments even worse. His potential supporters have grown leery of Perry as the list of his unforced errors has grown longer. ... 

"[At a Wed. evening event, he] started off well by speaking poignantly to a roomful of a few thousand activists here about his need for their prayers. ... The connection in the room was palpable, and Perry added to it ... by asking the crowd to pray for President Obama ... But Perry ... added a request that the activists pray for Obama that God ‘open his eyes.’ ... [T]he implicit claim by Perry that his policy positions have divine [imprimatur] destroyed any ... moral high ground."

**A message from Altria:** At Altria, how we conduct business is as important as the business results we achieve. Our tobacco companies are committed to marketing their products responsibly to adult consumers while helping to prevent underage access to tobacco products.**

**BIRTHDAYS:** Jess Schumer of the National Economic Council ... Hope Hall, White House videographer ... Sara DuBois (@sdub24; h/t Christine Delargy) ... Craig Shirley ... Heritage's Ericka Andersen (h/ts Patrick Gavin) ... Lou Dobbs is 66 ... Joe Greene is 65 ... former Rep. Joseph Kennedy II is 59 ... Adrian Godfrey ... Sam Parker ... Tony Anthony ... Sarah Zichella ... Joe Householder ... Michael Teter ... Jon Davidson ... Dave Contarino (h/ts Teresa Vilmain).

**BIRTHWEEK:** Maria Karl, celebrating with sushi at home last night, and a Rockwell-approved new restaurant tonight ... Ana Marie Cox (hat tip: Betsy Rothstein) ... Salsa Labs’ John Brougher.

**BIRTHDAY TOMORROW:** Brian Beutler ... Pat Hart, leg.-affairs director for FEMA, celebrating by negotiating with Congress to keep his agency funded.

**AP FOR SUNDAY PAPERS, “Obama plan would make small dent in jobless rate,” by Tom Raum:** “The projection of 1.9 million new jobs, a 1 percentage point drop in the unemployment rate and a 2 percentage point increase in the gross domestic product under Obama's plan came from Mark Zandi, chief economist of Moody's Analytics. But Zandi said in an interview his forecast also is based on an assumption that ‘the president’s entire package is passed by the end of the year,’ a slim prospect ... I assumed that it would be paid for. ... I didn't know when I did that simulation how the president proposed to pay for it.’ ... Obama has said he would pay for his $447 billion package with permanent income tax increases of about $150 billion a year, mostly on wealthy individuals and corporations, in addition to spending cuts. ...

“Zandi said he's still sticking with his forecast ... But ... Zandi said his job-creation figure only applies to 2012. ‘Beginning in 2013, and certainly into 2014, the plan is a drag on the economy because the stimulus starts fading away,’ he said. ‘So by 2015, the economy is in the same place as now, as if there were no jobs package.’ Also, Zandi said, his forecast does not leave any room for a new recession. If that happens, all bets are off.”

http://yhoo.it/omoC3w

**THE C.W. - AP for Sunday papers – “Obama-They Like Him: Obama's likability is keeping him afloat,” by Kristen Wyatt, in Denver:** “Public opinion polls show that people like President Obama personally, even if they don't agree with his policies ... [S]ome people who have lost their jobs or their homes since Obama took office nonetheless say they want him to succeed. What's more, they're working to help re-elect him because of the affinity they feel for him. It's a bright spot in an otherwise dreary political environment for the president. ... 'They're going to tell you that everyone's left the president, no one likes Obama anymore. They are so totally wrong,' Obama's national field director, Jeremy Bird, told volunteers in Denver recently. 'Yes, people are frustrated with the economy, with jobs. But when they look at the president, the president's character ... they're all in support.'” http://yhoo.it/nLNkIN

**STAT DU JOUR – N.Y. Times, “Facebook as Tastemaker”: “As of May, Americans spent more time with Facebook than with the next four largest Web brands combined, according to Nielsen. ... [Half of Facebook’s users] return ... every day.”** http://nyti.ms/ogusQ8

**WEST WING MUST-READ – L.A. Times second front, “9th Circuit nominee would be milestone: Obama chooses an Asian American woman for the federal appeals court,” by Alexa Vaughan:** “Judge Jacqueline Nguyen had never met a lawyer before attending law school at UCLA. She fled Vietnam during the fall of Saigon with her parents and five siblings all younger than 11 and started life in the U.S. living in a tent city with other refugees at Camp Pendleton. Now President Obama has nominated Nguyen, who two years ago became the first Vietnamese American woman to serve as a federal judge, to the United States Court of Appeals for the 9th Circuit in San Francisco. ... Nguyen was appointed to the state bench as a judge on the Superior
Court of the County of Los Angeles in 2002. She remained a judge on that court until she was appointed to the federal bench by Obama in 2009.” http://lat.ms/olCC9X

TECHWATCH -- L.A. Times, A1 tease, “Amazon, state put feud to rest: With a new tax law signed, the retailer says it wants ‘a lasting partnership’ with California” -- Business-front story by Marc Lifsher and Andrea Chang: “Starting next Sept. 15, Amazon and many other Internet retailers will lose their ability to offer essentially a savings to [California] customers by skipping the levy of 7.25% or more, which bricks-and-mortar stores and other merchants must collect. [Gov. Jerry] Brown signed the measure Friday at the San Francisco headquarters of Gap Inc., a clothing manufacturer that backed the legislation. The new law supplants a similar one that Amazon had been challenging since it took effect July 1. Abandoning its fight to avoid collecting sales taxes, Amazon now seeks to build what Paul Misener, a company vice president, called ‘a lasting partnership with the state.’ The Seattle company, he said, plans to spend $500 million to open large distribution centers and other facilities in California that would create 10,000 full-time jobs — ones that carry such benefits as health insurance. ...

“With the tax fight behind it, Amazon must come up with new ways to ensure that its customers keep clicking … One idea, marketing experts suggested, might be to use the expanded distribution network to get merchandise to customers in just a few hours instead of days. … California … accounts for about 15% of Amazon’s U.S. sales … For many products, Amazon charges 5% to 6% less than the prices of the same goods in stores or on other websites, even when sales tax is added, according to a July 21 study by Chicago investment firm William Blair & Co. … Under a 1992 U.S. Supreme Court decision, companies based elsewhere that have no contact with the state don't have to collect sales taxes from customers in the state. … ‘Amazon can offer a fuller array of services like same-day delivery and Amazon Fresh, which is its grocery delivery,’ said Jordan Rohan, an Internet analyst at investment bank Stifel, Nicolaus & Co. … Amazon would need to add fleets of trucks and distribution centers in every metropolitan area of California and throughout the country, he said.

“Amazon also pledged Friday to restore its relationships with its former California affiliates, which earned commissions for referring customers to Amazon through links … [New Yorkers already pay Amazon sales tax.] Amazon had been battling legislation similar to California's in more than a dozen states. The company said it would prefer a national law governing online sales tax collection over a patchwork of state schemes, and has joined conventional bricks-and-mortar retailers to lobby Congress. Amazon's agreement with the state could spur Congress to act, said Bill Dombrowski, president of the California Retailers Assn., which led the push for California's law.” http://lat.ms/p3juWv

BUSINESSWATCH – BREAKING -- WSJ: “Oswald Grübel resigned as chief executive of UBS AG in the wake of a breakdown in risk management at the Swiss bank that led to a massive trading loss … In a statement Saturday, UBS said its board had accepted Mr. Grübel's resignation. It said Sergio Ermotti, the head of its European region, would become interim CEO, effective immediately. The news release didn't mention Carsten Kengeter, the head of UBS's investment bank, the division where Kweku Adoboli, a 31-year-old equity trader for the bank in London, allegedly lost $2.3 billion this summer on unauthorized trades. Mr. Kengeter, like Mr. Ermotti, had been seen as a potential successor to Mr. Grübel.”

MEDIAWATCH – WashPost Ombudsman Patrick B. Pexton, in Sunday's paper, “Post Web pages: A slow load”: “Porn sites download faster than The Post’s Web site. Really. … I’ll let Jack, a longtime reader of The Post online, speak to this via his recent e-mail to me: ‘Perhaps it will impress on you how sluggishly your pages load to learn that pornography sites download much faster than washingtonpost.com does! Trust me on this. And those sites’ pages are much more ‘content dense’ and have significantly more ‘dynamic’ content and ads than washingtonpost.com, with very little simple text (obviously!). … By contrast, your site subjects me to a tedious, lumbering stream of browser ‘Waiting for [various] plug-in’ messages and download-progress bars. Meanwhile, my screen remains frozen, so I can’t even scroll through the content that has already downloaded. This seldom happens on the porn sites I frequent.’ …
“In the past couple of months these kinds of letters have increased and now are the most numerous topic in my folder of complaints about the Web site. … ‘I actually went so far as to do a comparison using a stop watch,’ said longtime reader Rollin Shelton of Portland, Ore. ‘On average, because of the amount of clutter on The Post’s Web pages, the pace at which the different ads load, it takes a Post page approximately five times as long to load as a page on the New York Times or Reuters sites. Huffington Post is more in your ballpark, but Huffington averages twice as fast as a Web page on The Post. The British news sites, the Guardian and the Independent, leave The Post completely in the dust with their Web pages loading at a pace that outstrips The Post by 7 to 1.’ … I have dozens of similar letters from readers. Most were willing to give The Post some time to sort out kinks after the new Web design was launched in March. But six months later, they are no longer patient.

“The Post is aware of this problem, which has become serious enough that, in recent days, a ‘SWAT’ team was formed to examine page performance. … There’s a lot going on in any Post Web page, including headlines, photos, videos, lots of advertising, and lots of ‘plug-ins’ that allow you to view certain kinds of content, plus links to Facebook, Twitter, LinkedIn and others. … Then there’s stuff you can’t see going on in the background of every Web page — tracking and marketing data — that is following what you are viewing and sending that information to marketing and content partners, who use it to instantly post ads and links to other stories … The Post technology team has many other priorities — it’s also redoing the PostPolitics pages and the political polling site for the 2012 campaign … But from my chair, The Post must make this issue a higher priority, and devote time and resources to improve its page downloading times, or risk undermining its growing online audience.” http://wapo.st/qThq7

THE SHOWS, from @MattMackowiak:

--NBC’s “Meet the Press”: Israeli Prime Minister Benjamin Netanyahu; Mayor Michael Bloomberg; “Education Nation” roundtable with former Secretary of Education Bill Bennett; former HHS Secretary and University of Miami President Donna Shalala; PBS’ Tavis Smiley and Special Olympics CEO Tim Shriver (live from New York City)

--ABC’s “This Week”: White House senior adviser David Plouffe; British Prime Minister David Cameron; PLO Executive Committee Member Hanan Ashrawi; economic roundtable with PIMCO CEO Mohamed El-Erian, Reuters’ Cristia Freeland; former Chairman of the White House Council of Economic Advisers Austan Goolsbee and ABC’s George Will; political roundtable with Democratic strategist Donna Brazile, Republican strategist Mary Matalin, ABC News’ Amy Walter and ABC’s George Will

--CBS’s “Face the Nation”: RNC Chairman Reince Priebus and DNC Chairwoman Rep. Debbie Wasserman-Schultz; roundtable with Moody’s Analytics chief economist Mark Zandi, CBS News’ Norah O’Donnell and CBS News’ John Dickerson

--“Fox News Sunday”: White House senior adviser David Plouffe; Sen. Lindsey Graham (R-SC); roundtable with Fox News’ Brit Hume, The Hill’s A.B. Stoddard, the Weekly Standard’s Bill Kristol and Fox News’ Juan Williams

--CNN’s “State of the Union”: White House senior adviser David Plouffe; Sen. Mark Warner (D-VA) and Sen. Lamar Alexander (R-TN); author and Gov. Mitch Daniels (R-IN) (“Keeping the Republic”)

--CNN’s “Fareed Zakaria GPS Live”: (Sun. 10 a.m. ET / 1 p.m. ET): Turkish Prime Minister Tayyip Erdoğan; Russian Foreign Minister Sergei Lavrov; European Commission President José Manuel Barroso

--C-SPAN: “Newsmakers” (Sun. 10 a.m. ET / 6 p.m. ET): Sen. Lamar Alexander (R-Tenn.), questioned by AP’s David Espo and the WashPost’s Paul Kane
---Univision’s “Al Punto” (Sun. 11 a.m.): Peruvian President Ollanta Humala; Venezuelan opposition presidential candidate Leopoldo Lopez; Republican State Leadership Committee President Ed Gillespie; former U.S. Marine Corps member Danny Hernandez; roundtable with El Mundo’s Manuel Aguilera and EFE’s Alexandra Vilchez


---PBS’s “To the Contrary”: White House senior adviser Valerie Jarrett; author Ron Suskind (“Confidence Men”); former Gov. Jennifer Granholm (D-MI); roundtable with Feminist Majority’s Kim Gandy, journalist and blogger Danielle Belton, former EEOC Chair Carl Dominguez and Independent Women’s Forum’s Nicole Kurokawa Neily

---SiriusXM’s “Polioptics” with Adam Belmar and Josh King (Sat., noon ET / 6 p.m. ET): Don Baer, communications director in the Clinton White House, reflects on Washington-on-the-East River, a week where the political focus shifted to New York, with both Rick Perry and Benjamin Netanyahu triangulating on President Obama. And "The Producers" Part II -- Steve Rabinowitz and Scott Sforza continue their conversation with King and Belmar, chronicling two decades of presidential stagecraft and memorializing the master, Reagan Deputy Chief of Staff Michael Deaver. On SiriusXM’s POTUS Ch. 124; also available for download on iTunes and at www.polioptics.com.

** A message from Altria: Altria’s companies produce premium tobacco brands, including Marlboro, Copenhagen, Skoal and Black & Mild, and quality wines from Chateau Ste. Michelle and Columbia Crest. As attitudes toward tobacco have changed, we’ve made significant changes in the way we do business. Our tobacco companies communicate openly about the health risks of tobacco – and provide information to help tobacco users who want to quit. To help reduce underage tobacco use, we fund the widely-recognized We Card® age verification program. And we supported giving the FDA authority to regulate tobacco – the only major tobacco company to do so. At Altria, we also understand that our companies’ actions impact more than 335,000 U.S. retailers, their employees and thousands of farmers and suppliers. Recognizing our responsibilities. Helping find solutions. It’s our way of doing business at Altria today. Take a closer look at www.Altria.com. **
NEW DNC TV AD, “Get Going” (30 seconds) – peppy male voiceover: “You know that saying, ‘When the going gets tough, the tough get going’? Well, America invented it. And we’ve gotta get going right now. The president’s American Jobs Act creates jobs fixing roads and bridges. Helps small businesses that hire more workers. Fifteen hundred dollars more in your paycheck. It’s paid for. Ends tax breaks for the wealthiest. And closes corporate loopholes. Tell Congress: No more games. Pass the plan.” YouTube http://bit.ly/ojTou8


WHAT THE WEST WING IS READING – Slate cover story, “Don’t Believe Ron Suskind: His book about Obama is as spurious as the ones he wrote about Bush,” by Jacob Weisberg, chairman and editor-in-chief of the Slate Group: “Issues of accuracy, fairness, and integrity come up nearly every time Suskind publishes something. Key sources claim they’ve been misrepresented and misquoted, that basic facts are wrong, and that the Pulitzer-winning reporter has misconstrued the larger story … Woodward is meticulous … and you seldom hear his subjects complain that he’s gotten the details wrong or misrepresented their views by manipulating quotes. If you wrote about the Bush Administration, … you soon learned to avoid relying on Suskind's reporting … What his three books had in common was the way they grabbed onto some interesting nugget and hyped it into something fundamentally untrue. …

“Suskind has now turned his egregious writing and dubious technique on the Obama administration in his new book, ‘Confidence Men.’ Once again, his work is strewn with small but telling errors. … When challenged on his conclusions, Suskind points to his meticulous reporting; when challenged on the facts, he pleads the larger picture. But his bigger points are equally inaccurate. The larger thesis of his book, to the extent it has one, is that the Obama White House is rife with sexism and that its economic policymaking has been misguided and chaotic. To support these claims, Suskind stretches the thinnest of material well beyond the breaking point. … It’s not hard to guess who Suskind’s main sources could be, because he invariably flatters them in a cringe-inducing way. … [A]t this point, Suskind should no longer be treated as a ‘controversial’ journalist as much as a disreputable one.” http://slate.me/oTnGN7

--UPPER PRESS: Today’s the last day for two weeks for Marissa Hopkins, CEO of Jay Carney Inc., ahead of her weekend wedding to Jim Secreto. Caroline Hughes will be in The Chair.

--WHITE HOUSE FACT SHEET on today’s No Child Left Behind announcement. http://1.usa.gov/oOPNd8

POLL DU JOUR – “New WTOP Beltway Public Opinion Poll Shows Deepening Pessimism and Direct Link Between Voter Confidence and Consumer Confidence … 6% of DC metro area residents trust national elected official to do what’s right and just 6% have confidence in elected officials to address today’s economic situation. Nationally, 7% of Americans express these levels of trust … 32% of DC area residents agree that the nation is heading in the right direction, compared to current national polls that show 20% of Americans would agree. … 65% say that our political system is a contributing part of the problem.” http://bit.ly/pJX5dA
GOP FIGHT NIGHT IN ORLANDO – FRANK LUNTZ, live from a GOP focus group in Tampa, to Sean Hannity, at top of postgame for Fox News-Google debate: “Sean, we absolutely have a winner tonight – a clear winner. … We’ve been doing these debates for awhile. This is the best showing for Mitt Romney.”

--LUNTZ SAID THIS RICK PERRY LINE GOT THE WORST REACTION FROM GOP VOTERS -- IMMIGRATION HARDLINERS HAVE “NO HEART”: “I supported Arizona’s immigration law by joining in that lawsuit to defend it. Every day I have Texans on that border that are doing their job. But if you say that we should not educate children who have come into our state for no other reason than they’ve been brought there by no fault of their own, I don’t think you have a heart. We need to be educating these children, because they will become a drag on our society. I think that’s what Texans wanted to do.”

--TEXT MESSAGE from a (formerly) huge Perry fan who ate Mexican with Playbook right before the debate: “Don’t have heart? What the hell was Perry thinking? That was one of the dumbest statements I’ve ever heard. I don’t understand how he can’t see the problem with that one. Beyond frustrating – maybe Palin can still get in…”


--QUOTE OF THE NIGHT – from the ninth man, former New Mexico governor Gary Johnson: “My next-door neighbor’s two dogs have created more shovel-ready jobs than this current president.” [laughter, applause, whistling]

--JAY LENO: “Orlando’s the home of Disney World. That’s the perfect fit for these candidates: Mitt Romney’s Prince Charming, Ron Paul is Grumpy, Rick Perry’s Dopey and Michele Bachmann thinks she’s Snow White.”

--RALPH REED FLORIDA KICKOFF DRAWS 1,500+ -- “Rick Perry Asks GOP Voters To Pray For Him -- And Obama -- Ahead Of Florida Debate,” by HuffPost’s Jon Ward, in Orlando: “The supplication he told them to offer up for the president was that God would ‘open his eyes’ -- and came after he had lambasted Obama for presiding over a ‘nanny-state.’ …. Perry was speaking to a ‘Faith and Freedom’ rally a few hours before an important debate between him and the other Republican presidential candidates here.” http://huff.to/trMav2

--DEBATE TRANSCRIPT http://fxn.ws/qt8u7k

FIRST LOOK: HUNTSMAN SPECIFICALLY MAKES ELECTABILITY CASE – Jon Huntsman, at today’s CPAC FL, in Orlando, the first-ever regional Conservative Political Action Conference: In addition to talking about his pro-life record and his WSJ-endorsed jobs plan, the former governor will note his support for issues those in the room might disagree with including global warming, civil unions, not punishing the children of illegal immigrants. From prepared remarks: “To win in 2012 and beyond, we must appeal to the tea party and to conservative Republicans. But we must also bring into the tent moderate Republicans, independents and yes, conservative Democrats.

“I’m sure many of you remember Reagan Democrats. They were brought into the fold because of Reagan’s sunny optimism. His inclusive nature. His real solutions. President Obama’s only hope for reelection is if we fail to broaden our appeal and make that sale. We cannot let that happen. I am running to be my party’s nominee on my record: the largest tax cut in Utah history, balanced budgets, first in the nation in job growth, free-market health care reform without a mandate, pro-life and pro-Second Amendment, and, yes, support for civil unions. I’m not pretending to be someone I’m not. I’m not pandering to what you want to hear. So before believing the hype or rhetoric, I just ask you to take a look at the records.”
** A message from Altria:** At Altria, how we conduct business is as important as the business results we achieve. Our tobacco companies are committed to marketing their products responsibly to adult consumers while helping to prevent underage access to tobacco products. **

**BIRTHDAYS:** Tri-athlete Daisy Hanna Schuurman is 36 (hat tip: Lily, Lucy and Nora) ... tech industry uber-lobbyist Ralph Hellmann is 5-0; celebrating by taking his wife Suzanne to Italy for a week (h/t Autumn) ... Nick Everhart, who runs media buying at the Strategy Group for Media (h/t Ben Smith) ... RNC communications director Sean Spicer is 40 (photo when Spice Boy was about 12, taken on the back porch of his childhood home in Barrington, R.I.  http://politico.com/prf/ka) ... Bernie Backer of The Hill ... Mickey Rooney is 91 ... Bruce Springsteen is 62 ...

**PERRY PAyS PRICE FOR LATE ENTRY -- Jonathan Martin and James Hohmann, in Orlando:** In last night’s debate, Rick “Perry demonstrated why so few presidential candidates who parachute into the race mid-campaign win the nomination. Perry gave a foreign policy answer that offered no indication he’s thought about how to respond to threats against America, twice bobbled attacks on Mitt Romney’s well-documented departures from conservative orthodoxy, called immigration hard-liners heartless and, in what was otherwise his best answer of the evening, stretched the truth in the course of delivering a well-rehearsed line about why he mandated pre-teen girls to be vaccinated against HPV. A more seasoned candidate would be better informed on national security, fluent to the point of knowing by heart his chief opponent’s core vulnerabilities, and would never offend his party’s base with such a pointed attack. And a more sure-footed one would have recognized that he couldn’t get away with the claim that he issued an executive order on HPV after being ‘lobbied’ by a cancer victim—because it has been publicly established that he met the victim only after he made the decision.

“[A]fter a roaring August start, Perry’s second consecutive lackluster debate performance will reinforce the growing view among some Republicans that he’s not ready for the big leagues. As conservative columnist Charles Krauthammer said on Fox News following the debate: ‘He’s still the rookie in the field.’ Equally threatening to the Texas governor, his stumbling appearances on national television have come as his on-the-fly campaign attempts to quickly build an organization and raise money ahead of the third-quarter deadline at the end of the month. Grumbling has already begun about Perry’s operation and how they’ve not been prepared to handle the zero-to-frontrunner demands on the campaign. One leading Republican said he’s given names of individuals—donors, former state party chairs—who want to be helpful to the campaign and that they’ve never gotten a phone call. ... The upside of these growing pains, of course, is they reflect a campaign besieged with supporters. ... But it’s in part because he rocketed to the top of the field so quickly after getting in, creating such high expectations, that he’s now being damaged by sub-par debate showings. ...

“When he’s pitted side-by-side with Romney, ... the discrepancy between Perry’s promise and his actual performance is glaring. ... ‘The bottom line is he’s failed to meet expectations in the last two debates,’ said a veteran GOP operative who is neutral in the race ... ‘He often starts off strong in replies but tends to wander, displaying a lack of intellectual discipline that doesn’t inspire confidence.’ Recognizing this vulnerability—call it a stature gap—Romney backers were ferocious in their assault on Perry following the debate here ... Romney officials were particularly tough in their critique of Perry’s vague answer on what he would do if he got a 3 a.m. call alerting him that Pakistan had lost nuclear weapons to the Taliban. It was clear he had no idea what he was talking about,” said Romney adviser Ron Kaufman. ... Perry campaign manager Rob Johnson lashed back at the criticism ... ‘For anyone in the Romney camp to accuse someone of not being prepared, when they have different answers to questions every 24 hours, is ridiculous,’ Johnson said. But Perry [aides] plainly recognize they’ve got to make the best of back-to-back poor outings. They came to the post-debate spin room prepared with a trio of talking points that conceded ... his debate weakness: that he’s only been in the race for a short while, that his uneasy stage performance demonstrates that he’s more genuine than Romney and that there was another successful Republican who purportedly wasn’t [slick in early] debates. ... [But b]y the time he won the presidency, Reagan was on his third try.”  http://bit.ly/n2Fb2A
HIGH DRAMA ON HILL—“Funding bill passes; conflict looms,” by David Rogers and John Bresnahan:
“Working past midnight, the Republican House narrowly approved a stopgap spending bill to keep the government operating past Sept. 30 but inviting new conflict with the Democratic Senate over emergency disaster aid and proposed cuts from alternative energy programs. The 219-203 vote, muscled through after an extended roll call, allowed Speaker John Boehner to recover from a stinging loss Wednesday when 48 of his own Republicans deserted him. But even before passage Senate Majority Leader Harry Reid warned he was prepared to block enactment and push the fight into next week when lawmakers had hoped to be on recess for the Jewish New Year, Rosh Hashanah. ...

“Boehner was able to cut his losses to 24 and a closed-door party meeting Thursday afternoon was described as a ‘call to arms’ and bid to bring ‘the team’ back together. The result was a much more partisan split than many envisioned when the bill was first unveiled last week. Democrats split 179-6 against the measure; Republicans 213-24 in favor. ... To a remarkable degree, given all their months spent together in deficit talks, Boehner and Reid still seem to talk past one another. Indeed, having felt bullied all summer by Republicans in the debt crisis standoff, Democrats now seem more prone to bully back, so to speak, playing the hardball aggressor even on such an essential funding bill. ... While Reid’s office said it had heard nothing from the speaker Thursday, Senate Minority Leader Mitch McConnell (R-Ky.) and his staff were closely involved with the House strategy.”

TOP STORY – WSJ banner, “Markets Swoon on Recession Fears: World-Wide Distress Rises as Investors See Futility of Governments, Central Banks ... Economic Signals Heighten Worries of a Double Dip,” by Sudeep Reddy and Ben Casselman: “The risk remains that another shock—such as deeper turmoil in the European banking sector—could be one too many for the world economy. ... Thursday's market turmoil caused some observers to recall the period around the 2008 financial crisis when upheaval in the U.S. financial system shook markets and economies around the world. ... ‘A lot of the symptoms we saw in 2008 are being repeated today in Europe,’ said Guillermo Ortiz, a former governor of the Bank of Mexico, suggesting the world may be facing ‘perhaps the longest financial crisis recorded in history.’”

--L.A. Times 2-col. lead, “Economic fears drive a global sell-off: The Dow falls almost 400 points; investors rush into U.S. bonds for safety, driving interest rates down” ... N.Y. Post wood, “FEAR HITS FALL ST.: Recession jitters spur 391-pt. dive” ... Financial Times splash, “Sell-off follows grim Fed outlook” ... USA Today 1A, below the fold: “Tiring for holiday season expected to be ho-ho-hum: Retailers likely cautious about filling seasonal jobs.”

TRUTH TO PAKISTAN -- WashPost 2-col. lead, “U.S.: Pakistan backed attacks – MULLEN, PANETTA TESTIFY ON HILL: Afghan militant group called ‘veritable arm’ of ISI,” by Karen DeYoung: “Last week’s attack on the U.S. Embassy in Kabul and a Sept. 10 truck bombing that killed five Afghans and wounded 77 NATO troops were ‘planned and conducted’ by the Pakistan-based Haqqani network ‘with ISI support,’ said Adm. Mike Mullen, chairman of the Joint Chiefs of Staff. The ISI is the Pakistani military’s Inter-Services Intelligence agency. ... Mullen’s statement represented a sharp break with a long-standing administration policy of publicly playing down Pakistan’s official support for Taliban insurgents who operate from havens within its borders. U.S. officials have typically described Pakistan as a troublesome but valuable partner in the struggle against terrorism.”

THE PRESIDENT’S DAY: “In the morning, the President will receive the Presidential Daily Briefing in the Oval Office. ... Later in the morning, the President will deliver remarks in the East Room of the White House on the need to provide states with relief from key provisions of No Child Left Behind. ... Later, the President will meet with members of the Congressional Asian Pacific American Caucus at the White House.”

--THE V.P.’s DAY: “[A]t 9:30 AM, the Vice President will attend an event for the Democratic National Committee in Boca Raton, Florida. Afterwards, the Vice President will visit a South Florida elementary school to highlight the American Jobs Act proposal to put workers back on the job by rebuilding and modernizing