

The Press & Dakotan

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OPINION

A Little More Light On A Dark Process

When it comes to the sometimes nebulous arena of open government, we admit we're biased. We think government transparency, as far as is acceptably practical for all involved, is a good thing — or at least it isn't a bad thing. But that's probably to be expected from the likes of us, just as it was no surprise Monday night when a discussion on possibly opening up Yankton's governing process even more was met with the usual doubts and concerns.

City Commissioner Nathan Johnson proposed the possibility. As a former reporter at the *Press & Dakotan*, he spent a decade covering city and county government, and he waited out a lot of executive sessions that were convened by local officials to discuss matters deemed too sensitive for public airing.

This kind of closure is perfectly legal. In this state, governing bodies have the right to meet in executive sessions — or, as they could more accurately be called, closed meetings — to discuss personnel, contractual or legal matters, among other things.

At its heart, this kind of governmental time-out is really a leap of faith on the part of the public (and the press). We must embrace a faith that our governing officials are limiting their closed meetings specifically to these areas and aren't going into other matters that might fall beyond that scope. And generally, that's been the case here.

Johnson is suggesting that Yankton could adopt a policy similar to one undertaken in Iowa, in which the minutes of a closed session are kept and could be released once, for instance, a proposed real estate transaction is either completed or canceled. Such a move would help shed a little more light into the murky workings of closed meetings and would allow certain aspects of these discussions to be made available to the people, who are, after all, the ones who have elected — and are paying — commissioners to serve them.

There were good points made Monday by Commissioner Dave Knoff about what state law would allow to be released, and that must be explored. Overall, this state has earned consistently low marks through the years for its governmental transparency, so it would seem that anything that could be done to push those boundaries toward the light of day would be a benefit to the public.

Another, more familiar argument, put forth by Commissioner Charlie Gross, declared that the city commissioners don't need a new policy because they have not had a problem with closed sessions before. That may be true, but it's a little like saying, because you've never been sick, you don't need to see a doctor regularly or take other proactive steps to keep yourself healthy. Johnson's proposal is merely a proactive effort to help facilitate greater governmental transparency and a healthier public trust.

However, the oddest criticisms came from former City Commissioner Pauline Aklund, who showed up Monday apparently not to debate the merits of government transparency but rather to challenge Johnson's worthiness to put forth such an idea at all. Claiming the newly elected Johnson may still be wearing his "journalist's hat" in making the proposal (thus, he may be biased, like us), Aklund suggested that he should experience some executive sessions for six months or so to get an idea of what's going on behind those closed doors. In other words, he should first get the viewpoint of an insider before he tries to open things up to more outside inspection.

That's a curious point to make. Since most of the public will not have such insider knowledge either, does that mean we have no real standing to wonder about what's going on in closed meetings or to ask for some details of such sessions?

Aklund (clearly still wearing her "commissioner's hat") basically chided Johnson as being naive. In so doing, she perhaps made an unintended observation about the views of those in power versus those on the outside looking in and wanting to know more. (We must also wonder if she considers former longtime County Commissioner Brian Hunhoff naive. He was — and still is — a dynamic advocate for opening up the closed affairs of government business.)

Let's acknowledge the validity of one point thrown at Johnson Monday: A lot of people aren't complaining about this issue. But from our experience, they never do until something blatantly egregious has already taken place. It's hard to complain about something that may be kept under wraps and out of sight; it's easier to raise concerns about what you see rather than what you can't see. Again, this reflects the faith that is part of this system.

Yankton could be an innovator in South Dakota when it comes to opening up its governing processes even more. The bar in this state often feels so low that any new ray of sunshine would be of great service to the public. Johnson's proposal in some form would be a good start. The quest for open government should be everyone's business, after all, no matter whose hat we're wearing.

kmh

IN HISTORY

By The Associated Press
Today is Wednesday, June 10, the 161st day of 2015. There are 204 days left in the year.

Today's Highlight in History: On June 10, 1935, Alcoholics Anonymous was founded in Akron, Ohio, by Dr. Robert Holbrook Smith and William Griffith Wilson.

On this date: In 1692, the first official execution resulting from the Salem witch trials in Massachusetts took place as Bridget Bishop was hanged.

In 1864, the Confederate Congress authorized military service for men between the ages of 17 and 70.

In 1915, author Saul Bellow was born in Lachine, Quebec, Canada.

In 1921, President Warren G. Harding signed into law the Budget and Accounting Act, which created the Bureau of the Budget and the General Accounting Office.

In 1940, Italy declared war on France and Britain; Canada declared war on Italy. President Franklin D. Roosevelt, speaking at the University of Virginia, said the U.S. stance toward the conflict was shifting from one of "neutrality" to "non-belligerency," Jamaican-born Pan-African nationalist Marcus Garvey died in London at 52.

In 1942, during World War II, German forces massacred 173 male residents of Lidice, Czechoslovakia, in retaliation for the killing of Nazi official Reinhard Heydrich.

In 1944, German forces massacred 642 residents of the French village of Oradour-sur-Glane.

In 1967, the Middle East War ended as Israel and Syria agreed to observe a United Nations-mediated cease-fire.

In 1971, President Richard M. Nixon lifted a two-decades-old trade embargo on China.

In 1985, socialite Claus von Bulow was acquitted by a jury in Providence, Rhode Island, at his retrial on charges he'd tried to murder his heiress wife, Martha "Sunny" von Bulow.

In 1991, 11-year-old Jaycee Dugard of South Lake Tahoe, California, was abducted by Phillip and Nancy Garrido; Jaycee was held by the couple for 18 years before she was found by authorities.

In 2004, singer-musician Ray Charles, known for such hits as "What'd I Say," "Georgia on My Mind" and "I Can't Stop Loving You," died in Beverly Hills, California, at age 73.

Ten years ago: President George W. Bush and visiting South Korean President Roh Moo-hyun pressed North Korea to rejoin deadlocked talks on its nuclear weapons program while trying to minimize their own differences over how hard to push the reclusive communist regime. Democrat Jim Exon, a two-term Nebraska governor and

three-term senator, died at age 83.

Five years ago: Army Secretary John McHugh announced that an investigation had found that potentially hundreds of remains at Arlington National Cemetery were misidentified or misplaced. Nelson Mandela's 13-year-old great-granddaughter, Zenani Mandela, was killed in a car accident while on the way home from a concert in Soweto on the eve of the World Cup. The NCAA sanctioned the University of Southern California with a two-year bowl ban, four years' probation, loss of scholarships and forfeits of an entire year's games for improper benefits given to Heisman Trophy winner Reggie Bush.

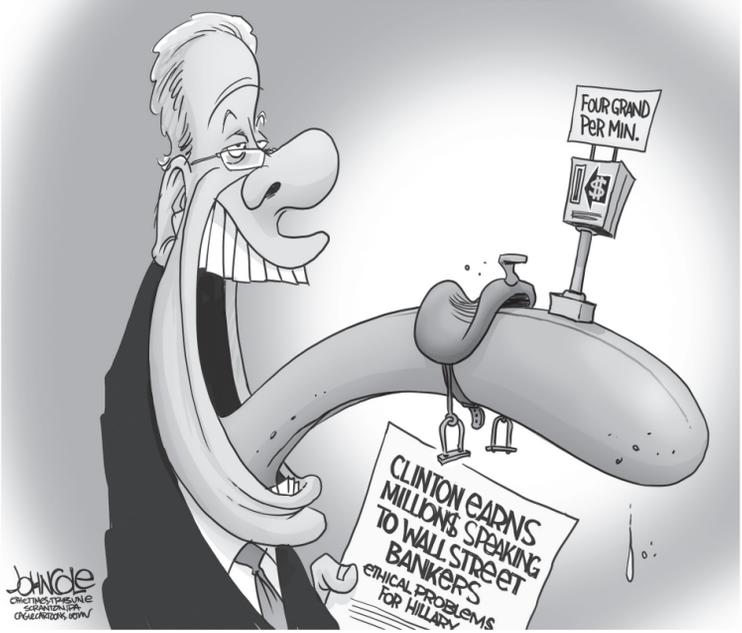
One year ago: In a stunning assault that exposed Iraq's eroding central authority, al-Qaida-inspired militants overran much of Mosul. In a major victory for the tea party, House Majority Leader Eric Cantor was defeated by Dave Brat, a little-known economics professor, in Virginia's Republican primary. A judge struck down tenure and other job protections for California's public school teachers as unconstitutional, saying such laws harmed students by saddling them with bad teachers who were almost impossible to fire.

Today's Birthdays: Britain's Prince Philip is 94. Columnist Nat Hentoff is 90. Attorney F. Lee Bailey is 82. Actress Alexandra Stewart is 76. Singer Shirley Alston Reeves (The Shirelles) is 74. Actor Jurgen Prochnow is 74. Media commentator Jeff Greenfield is 72. Football Hall of Famer Dan Fouts is 64. Country singer-songwriter Thom Schuyler is 63. Former Sen. John Edwards, D-N.C., is 62. Actor Andrew Stevens is 60. Singer Barrington Henderson is 59. Former New York Governor-turned-media commentator Eliot Spitzer is 56. Rock musician Kim Deal is 54. Singer Maxi Priest is 54. Actress Gina Gershon is 53. Actress Jeanne Tripplehorn is 52. Rock musicians Jimmy Chamberlin is 51. Actress Kate Flannery is 51. Model-actress Elizabeth Hurley is 50. Rock musician Joey Santiago is 50. Actor Doug McKeon is 49. Rock musician Emma Anderson is 48. Country musician Brian Hoelzel (The Deraliers) is 48. Rapper The D.O.C. is 47. Rock singer Mike Doughty is 45. Rhythm-and-blues singer Hoku is 44. Louisiana Gov. Bobby Jindal is 44. Rhythm-and-blues singer Faith Evans is 42. Actor Hugh Dancy is 40. Rhythm-and-blues singer Lemisha Grinstead (702) is 37. Actor DJ Qualls is 37. Actor Shane West is 37. Country singer Lee Brice is 36. Singer Hoku is 34. Actress Lelee Sobieski is 33. Olympic gold medal figure skater Tara Lipinski is 33. Model-actress Kate Upton is 23. Sasha Obama is 14.

Thought for Today: "When we ask for advice, we are usually looking for an accomplice." — Saul Bellow (1915-2005).

FROM THE BIBLE

And He rained down on them manna to eat and gave them the grain of heaven. Psalm 78:24. Portals of Prayer, Concordia Publishing House, St. Louis.



Robert B. Reich

Anticipatory Bribery

BY ROBERT B. REICH
Tribune Content Agency

Washington has been rocked by the scandal involving J. Dennis Hastert, the longest-serving Republican speaker in the history of the U.S. House, indicted on charges of violating banking laws by paying \$1.7 million (as part of a \$3.5 million agreement) to conceal prior misconduct, which was allegedly child molestation.

The scandal contains another one that has received less attention: the fact that Hastert, who never made much money as a teacher or a congressman, could manage such payments because, after retiring from Congress, he became a high-paid lobbyist.

This second scandal is perfectly legal, but it's a growing menace.

In the 1970s, only 3 percent of retiring members of Congress went on to become Washington lobbyists. Now, half of all retiring senators and 42 percent of retiring representatives become lobbyists.

This isn't because more recent retirees have had fewer qualms. It's because the financial rewards from lobbying have mushroomed as big corporations and giant Wall Street banks have sunk fortunes into rigging the game to their advantage.

In every election cycle since 2008, more money has gone into lobbying at the federal level than into political campaigns. And an increasing portion of that lobbying money has gone into the pockets of former members of Congress.

In viewing campaign contributions as the major source of corruption, we overlook the more insidious flow of direct, personal payments — much of which might be called "anticipatory bribery" because they enable officeholders to cash in big after they've left office.

For years, former Republican House Majority Leader Eric Cantor was one of Wall Street's strongest advocates — fighting for the bailout of the Street, to retain the Street's tax advantages and subsidies, and to water down the Dodd-Frank financial reform legislation. Just two weeks after resigning from the House, Cantor joined the Wall Street investment bank of Moelis & Co. as vice chairman and managing director, starting with a \$400,000 base salary, \$400,000 initial cash bonus and \$1 million in stock.

As Cantor explained, "I have known Ken [the bank's CEO] for some time and ... followed the growth and success of his firm."

Exactly. They had been doing business together so long that Cantor must have anticipated the bribe.

Anticipatory bribery undermines trust in government almost as much as direct bribery. At a minimum, it can create the appearance of corruption and raise questions in the public's mind about the motives of public officials.

Was the Obama White House so easy on big Wall Street banks — never putting

tough conditions on them for getting bailout money or prosecuting a single top Wall Street executive — because Tim Geithner, Barack Obama's treasury secretary, and Peter Orszag, his director of the Office of Management and Budget, anticipated lucrative jobs on the Street? (Geithner became president of the private-equity firm Warburg Pincus when he left the administration; Orszag became Citigroup's vice chairman of global banking.)

Another form of anticipatory bribery occurs when the payment comes in anticipation of a person holding office and then delivering the favors. According to the *New York Times*, as Marco Rubio ascended the ranks of Republican politics, billionaire Norman Braman not only bankrolled his campaigns but subsidized Rubio's personal finances. A case of anticipatory bribery? Certainly looks like it. In the Florida Legislature,

Rubio steered taxpayer funds to Braman's favored causes, including an \$80 million state grant to finance a genomics center at a private university and \$5 million for cancer research at a Miami institute. "When Norman Braman brings [a proposal] to you," Rubio said, "you take it seriously."

Hillary and Bill Clinton have made more than \$25 million for 104 speeches since the start of last year, according to disclosure forms filed with the Federal Election Commission in mid-May — of which she delivered 51, earning more than \$11 million of the total.

Now that she's running for president, Hillary Clinton has stopped giving paid speeches. But her husband says he intends to continue. "I gotta pay our bills," he told NBC News.

Anticipatory bribery? Asked about his paid speeches, some of which pay \$500,000 or more, Bill Clinton said, "People like to hear me speak."

That may be the main reason for the hefty fees, but is it possible that some portion comes in anticipation his having the intimate ear of the next president?

We need some rules here. First, former government officials, including members of Congress, shouldn't be able to lobby, or take jobs in industries over which they had some oversight, for at least three years after leaving office.

Second, anyone who runs for office should bear the burden of showing that whatever personal payments they received up to three years before were based on their economic worth, not their anticipated political clout.

Finally, once they declare, perhaps even their spouses should desist from collecting big checks.

Robert Reich is Chancellor's Professor of Public Policy at the University of California at Berkeley and Senior Fellow at the Blum Center for Developing Economies. His new film, "Inequality for All," is now out on Netflix, iTunes and Amazon.

LETTERS TO THE EDITOR

Calling World War II Vets!

Dave Hosmer and Doug Haar, Yankton

We are looking for a little help from our veterans and their families. Yankton's Riverboat Days is Aug. 21-23. The theme is "Red, White and Blue: We Salute You!" Every year is a great year to thank our veterans, but this year is extra special. Seventy years ago World War II ended. We celebrate VJ Day between Aug. 14, when the surrender was announced, and Sept. 2, when the treaty was signed. Riverboat Days is perfectly aligned.

Do you have a WWII veteran in your family? If so, perhaps he or she would like to ride in the parade. After the parade, we'd like to gather all of them at the Mill near Riverside Park so the public can greet them and say "Thank you!" It will be casual seating for this "meet and greet," and you can pick the time you would like to attend. Also, if your veteran hasn't been interviewed to preserve his or her story, then we would love to do so at no charge! We have interviewed more than 90 WWII veterans.

Do you have a WWII veteran in your

family who has passed away? If so, perhaps you would like to prepare a photo and small biography. We will hang those items at the Mill for the public to see and read. Also, if you have a video, audio or diary concerning your WWII veteran, would you consider providing a duplicate to us? We're trying to gather as many as possible to be preserved for future generations. If you don't know much about your veteran, gather what you have — hopefully his or her discharge papers — and bring them along. We can help you trace your veteran's footsteps.

We want to "set the mood." Do you know of any vintage WWII vehicles, uniforms or weapons that could be viewed? Perhaps you have other WWII items that would be of interest.

It's difficult to say "thank you" to these WWII veterans of the Greatest Generation. They are so humble. But we need to say thank you. Join us at Riverboat Days. In the meantime, if you have questions, please feel free to contact either of us: Dave Hosmer, 661-2947; or Doug Haar, 660-3061.

EMPOWERMENT: "Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter." — Thomas Jefferson

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