

Romney's 'Fact-Checker' Cover-up

Exclusive: The “independent fact-checkers,” who have been shielding Mitt Romney from questions about Bain Capital’s off-shoring jobs and closing factories, are growing more isolated as the New York Times and other news outlets call for Romney to disclose more, reports Robert Parry.

By Robert Parry

Mitt Romney is refusing to answer questions about contacts with his Bain Capital subordinates after he took a partial leave of absence in February 1999 to work on the Winter Olympics. Instead, he’s sticking to sweeping denials that he had any role in managing the company as it off-shored jobs and shuttered factories.

Increasingly, Romney’s defense relies on self-styled “independent fact-checkers,” Brooks Jackson at Annenberg Center’s FactCheck.org and the Washington Post’s Glenn Kessler, who have issued quarrelsome denunciations of President Barack Obama’s campaign for connecting Romney to Bain’s activities from 1999 to 2002.

Yet, these “fact-checkers” acknowledge that they are operating with a limited body of facts, i.e. what has so far been made public. In an interview on MSNBC on Monday, Kessler admitted that he had no access to internal information at Bain Capital regarding how often Romney was in touch with his company in those three years.

In an e-mail, I asked Kessler if he would join in calling on Romney to provide more data and thus resolve the issue of exactly what his role was at Bain. Kessler agreed that “Romney could certainly clear this up by releasing more information,” but Kessler did not indicate that he would ask Romney to do so.

Instead, Kessler continued complaining that “the Obama campaign has not provided enough evidence to back up claims of Romney being personally involved in deals post-1999. The burden really is on them since they are making the charge.”

Kessler also said he is not responsible for how campaigns cite his work or that of other “fact-checkers.” Romney repeatedly has cited Kessler and FactCheck.org as clearing him of allegations from the Obama campaign and now from a number of news organizations despite the long paper trail from Bain Capital (and Romney himself) reporting his continued Bain involvement during the three years in question.

To state the obvious, it seems like a contradiction in purpose for “independent fact-checkers” to allow themselves to become accomplices in a politician

stonewalling the disclosure of facts that bear directly on his qualifications and integrity. At minimum, it would seem that Kessler and FactCheck.org should suspend their denunciations of the Obama campaign until Romney and Bain clear up the many discrepancies.

On Monday, the New York Times tallied 142 times when Romney's name appears on Bain's securities regulation forms during the three-year period, many listing him as owner, chairman, chief executive officer and the controlling person. Talking Points Memo cited one such form that listed Romney's "principal occupation" as "managing director" of Bain Capital Investors VI Inc., a private equity fund.

Romney also told the Boston Herald in 1999 that he would continue assisting Bain in decisions regarding investments and personnel. However, in TV interviews last Friday, Romney repeated his current mantra that he provided no such input. When pressed on exactly what contacts he actually had, he dodged the questions and referred back to the supportive stories by the two "independent fact-checkers."

'Retroactive' Retirement?

On Sunday, Ed Gillespie, a senior adviser to the Romney campaign, went on CNN to reiterate Romney's position, but added a new twist by claiming that Romney had "retired retroactively" from Bain Capital two years after moving to Salt Lake City whatever that means.

Ever since he ran for Massachusetts governor in 2002, Romney has sought to distance himself from the results of Bain Capital investments, including some that he engineered before his partial leave of absence in 1999. Some of those investments led to closed factories, painful layoffs and off-shoring of jobs to low-wage countries.

Instead of taking responsibility for those outcomes, Romney has insisted that a bright line existed between his 15 years of hands-on control of the private equity firm and the three years after he agreed to oversee the Winter Olympics games in Salt Lake City.

That attempt to convince voters that there was a "good" Bain Capital under Romney and a "bad" Bain Capital once he left has led to the current confusion and – as far as the Romney campaign is concerned – the helpful intervention of the two "independent fact-checkers." But they acknowledge that they have no inside information about exactly what Romney was telling his subordinates during those years or how often he was in communication with them.

The "fact-checkers" simply have taken Romney at his word and taken Obama to task. Annenberg's FactCheck.org told the President's campaign that it was "all

wet” in its six-page defense of the Obama ads that blamed Romney for Bain-related layoffs and off-shoring. Kessler gave Obama and his campaign four “Pinocchios” (a total “whopper”) in one “fact-check” and three “Pinocchios” in a follow-up.

Those “fact-checking” reports, which read more like tendentious legal arguments from Romney’s lawyers than journalistic assessments, prompted Romney to flood the airwaves with attack ads citing those “independent fact-checkers” and calling President Obama a liar. Romney also demanded an “apology,” which Obama refused to give. [See Consortiumnews.com’s [“The Romney ‘Fact-Checking’ Scandal.”](#)]

Demands for Answers

Though Brooks Jackson and Glenn Kessler have become heroes to the Romney campaign and its Republican backers, these “independent fact-checkers” have found themselves increasingly isolated within the journalistic community as more news outlets note the contradictory Bain filings and call for more disclosures by Romney’s camp.

On Monday, the New York Times published an editorial, entitled [“Mitt Romney’s Complaints”](#) with a sub-head, “He is not coming clean with voters and President Obama has nothing to apologize for.” The editorial states: “If Mr. Romney doesn’t want to provide real answers to the questions about his career, he had better develop a thicker skin. Mr. Romney’s descriptions of when he left Bain have been erratic and self-serving.

“In 2002, when he needed to show he was still a Massachusetts resident, he denied he had quit in 1999, saying he had taken [a leave of absence](#) to run the Olympics committee. A series of documents filed with the Securities and Exchange Committee show that Bain certainly didn’t describe him as absent after 1999.

“Mr. Romney has persistently refused to tell voters about his finances. Even now it is not clear how much money he has made from Bain in the 13 (or 10) years since he left the company. The right way to respond to Mr. Obama is to release his tax returns from that period, or open up Bain documents. But Mr. Romney told CNN he would not release more than the one year’s return he has already released and the one for 2011 when it is finished.”

If Annenberg’s Jackson and the Post’s Kessler want to show that they truly care about facts, they would join the New York Times and others in demanding more disclosures from Romney and they would be offended that he is using them to hide relevant information from the American voters.

To read more of Robert Parry’s writings, you can now order his last two books,

Secrecy & Privilege and *Neck Deep*, at the discount price of only \$16 for both. For details on the special offer, [click here.](#)]

Robert Parry broke many of the Iran-Contra stories in the 1980s for the Associated Press and Newsweek. His latest book, *Neck Deep: The Disastrous Presidency of George W. Bush*, was written with two of his sons, Sam and Nat, and can be ordered at neckdeepbook.com. His two previous books, *Secrecy & Privilege: The Rise of the Bush Dynasty from Watergate to Iraq* and *Lost History: Contras, Cocaine, the Press & 'Project Truth'* are also available there.

'Prisoner' of Mandela

Nearing his 94th birthday, Nelson Mandela is revered for his courageous struggle against apartheid and for racial justice in South Africa. His legendary movement drew in many reformers from around the world who made South Africa's challenges their own, including Danny Schechter, writing from Cape Town.

By Danny Schechter

Nelson Mandela was released from prison 22 years ago. He has been "free" ever since. At the same time, I sometimes feel as if I became his prisoner, imprisoned by the work I have been doing enthusiastically in service to the struggle he led ever since the mid 1960's.

I don't blame him, of course, and he can't release me the way he was released on that sunny afternoon of Feb. 11, 1990, while the whole world cheered. I was cheering, too, in the darkness of a TV edit room far away in New York. We were working on a prime-time documentary that would air a day later about "the day." It was called "FREE AT LAST."

My "incarceration" on the issue was well along by then. I had first visited South Africa in 1967 when I was 25, a civil rights activist and soon an anti-apartheid militant. I was recruited as a student at the London School of Economics to go on an underground mission inside South Africa for the African National Congress (ANC). It was only when I returned that I realized how dangerous it had been. I finally told that story as part of a just published book called *The London Recruits* (Merlin).

I had kept the purpose of that trip a secret all these years. I wasn't a professional journalist then so I didn't cross any lines but feared that even my marginal involvement in an armed struggle might limit my future in the media. I

wasn't a terrorist either, but that's how the South African government would have charged me had they caught me.

It was a life-changing experience. That, and the close friendships I cultivated with South Africans in exile, especially Pallo Jordan, Ronnie Kasrils, journalist Ruth First later murdered by a book bomb from the secret police and her husband Joe Slovo, one of the ANC leaders who negotiated the transition to democracy.

I had well-informed mentors who could expose me to the background and experiences they had in South Africa and the challenges they and their freedom movement faced. In the years after I returned to America, I became a full-time journalist and researcher. I founded the Africa Research Group in the Boston area and started digging into U.S. policy and support for apartheid. I began publishing articles in newspapers and magazine about the issues.

I had caught the South Africa bug and couldn't get it out of my system. I was not alone. The former editor of the New York Times has written that no country he ever covered exerted as deep a personal impact.

By the mid 1980's, I worked with some of the world's top musicians on the anti-apartheid hit record, "Sun City." In 1988, I founded and produced a globally distributed TV series, "South Africa Now," which ran for 156 episodes, every week for three years. Then the documentaries began, many co-produced with the Anant Singh's South African company Videovision, requiring thousands of hours of effort. I did not and could not have done it alone.

"Free At Last" on Mandela's release "went out" in 1990, and then I played a role in his first hour-long American TV interview out of Lusaka where he was visiting the ANC HQ in exile. Later, I traveled to Sweden when he reunited with his ailing law partner and then ANC President Oliver Tambo after three decades.

From there, it was back to London to help produce the huge all-star concert saluting him and Winnie at Wembley Stadium in London, attended by 90,000 and shown live worldwide but not in the USA. That was an indication of the challenge we had in getting South African issues into the U.S. media with any regularity, even though the American people welcomed him and idolized him in their multitudes.

Months later, I was with him on his triumphant eight-city tour of the United States where he packed stadiums and inspired millions. I filmed it all for the documentary, "Mandela In America." Then, Madiba, as he's known by his clan name, and his people invited me to South Africa to document his run for the Presidency in 1994. We called that film "Countdown to Freedom: Ten Days That Changed South

Africa.”

A year later, I was back in South Africa with filmmaker Barbara Kopple to document a moving reunion of ex-prisoners returning to the Robben Island prison that had been their home. How often does that happen in history? That resulted in the film, “Prisoners of Hope,” that we co-directed.

Next up: another chance to travel with him in the U.S. and Canada, as his presidential term was ending. I was filming when a deferential Bill Clinton hosted his visit to the White House. That led to “Hero For All,” a film that explored his global appeal. Finally four years ago, there was Viva Madiba, a documentary “bio-pic” directed by Catherine Myburgh for his 90th birthday. I was a contributing director.

None of these films were big hits but I was always better at telling than selling. I persevered because I thought it mattered then and still matters today. Yet, documentaries need marketing budgets and media insiders to champion them. Alas, I mostly lacked both, perhaps because of my pro-liberation approach that always let South Africans tell their own stories, not to mention the insularity and parochial conservatism of much U.S. TV.

I kept coming back to South Africa every year or two, and produced a tribute to the late AIDS orphan, Nkosi Johnson, who became a symbol of inspiration for many South Africans and the international AIDS community, as well another on a visit by the Dalai Lama.

I wrote countless reports, essays, blogs and commentaries. I had morphed as an American into a self-identified South African, often knowing more about what was going on in a country 10,000 miles away that I knew about my own, sometimes even knowing more than many South Africans.

I am not uncritical about this country. And truth be told, there is a lot about the crass materialism and class attitudes here, among affluent whites and the black middle class too, that I don’t like. There are many who have used the change here for self-gain and others who betray its values. Corruption has corrupted the country’s hopes, and soured the moral appeal the ANC projected as the “new South Africa” puts its apartheid past behind it.

Whew! Got that off my chest!

And now, I am back in the “beloved country,” sitting on a back lot of the vast Cape Town Film Studios in the summer of 2012, freezing my ass off while my fellow New Yorkers swelter in a summer heat wave.

I am on the set of a major movie telling some of the story as Mandela told it,

making a film about how movies like the one being made here can often penetrate truths deeper than journalism.

While I am here part of this effort to reprise his life, news colleagues have staked out a death watch waiting to report his passing. In the news business, ageing icons like Mandela are considered FBFs (Freelancers Best Friends) because news organizations put on temporary staff. There was a media orgy accompanying Mandela's release and now the media is mobilizing like vultures for his expected parting, complete with pre-produced obituaries.

Yes, the film is fiction, but based on "fact-ion," on Mandela's autobiography, *Long Walk To Freedom*. It's built around his recollections and experiences, hardly a journalistically objective approach, but one that can be brought to "life" by actors. Even by taking some artistic license, they can make you "feel" his story pains and triumph and not just read about it from afar.

Even after all these years, knowing what I know and as familiar as I am with the history the film depicts, I find myself tearing up watching the dramatic recreations. It jogs my memories of all who sacrificed and suffered in the apartheid years that have left a legacy of deep poverty and ethnic separation.

I realize how personal it all still is for me, how deeply I still connect with passion and pathos of those years of struggle when the outcome so many now take for granted was so uncertain, so far off.

So, I have become a Long Walker, too, across the decades, steeped in the mythologies and the limits of a process here that has succumbed to division, disillusioning so many who need a Mandela to make them believe again.

Politics is so symbolic and he's icon #1 even if his hopes of "a better life for all" ran up against trench warfare by the real economic powers here and in the world. The world loves him more as a beloved "brand" of peace and reconciliation than as a fighter for economic and racial justice on the barricades of an ongoing revolution.

Madiba may be at the end of his Long Walk but the real Long Walk is hardly over as poverty and exploitation grows and festers, not only here but worldwide. His is a story that the 99 percent struggling for fairness worldwide can learn from.

What drove me, a boy from a working-class family in the Bronx, to become so fascinated by and drawn to this African story? Why did I immerse myself in it for so long, long after the activist community I was part of turned to other issues? Was I a Mandela maniac, the equivalent of being in a kind of Beatles fan club? Why do I also at times feel imprisoned by it?

Truth be told, I am not a worshipper; Madiba is not a friend. There are many who are much closer to him. I am very aware of his highly political persona and history of manipulating those around him and acting autocratically. He himself has written a confession about his flaws and limitations.

His political gifts helped engineer what there has been of a transformation here in South Africa but it was the movements he's led that catapulted him into the widely loved status he enjoys.

Yet, I also admired the way the ANC organized and believed in their cross-class approach, at least in theory a big tent but democratic umbrella movement, a clear set of principles as first articulated in the Freedom Charter, a dedication to non-racialism and a willingness to build alliances with labor and political groups to the left of their mass base. It offers a model that Americans and others could still learn from and emulate.

I documented the ANC's transition from a banned and hunted movement to a dominant political party with all the factionalism and compromises that involves. I began my own involvement as part of a small solidarity movement in my own country that grew into a major force before its flow ebbed.

Now I feel like the last American post-apartheid activist just as years earlier I felt like the last banned person, barred from coming here by the old government even after the ANC was un-banned. As the beautiful South African hymn, *Senzenina*, asks: "What Have I Done?" Smile.

As someone with a company called Globalvision and a global outlook, I always saw the struggle here as a force for change beyond the borders of South Africa. I have been privileged to be welcomed here and encouraged to contribute what I can. Last fall, I was delighted to connect with some visiting South African activists at Occupy Wall Street in New York. They recognized a struggle when they saw one!

Few Americans have had that opportunity to enlist in this Long Walk and to be part, albeit a small part, of a great human story and world-class force, and now on its way to being dramatized in a major movie. I do know that I have learned and received much more than I have been able to give.

Hopefully, if my efforts as a producer from outside South Africa can help tease out the meaning and, then, share it worldwide, I could be of some value.

News Dissector Danny Schechter blogs at [News Dissector.net](http://NewsDissector.net). and contribute to many websites in the U.S. and worldwide. His new books are *Blogothon* and *Occupy: Dissecting Occupy Wall Street* (Cosimo.) He hosts a weekly program on Progressive Radio. Network. (PRN.fm). Comments to dissector@mediachannel.org

Immigration, Racism & the Courts

Blocked on comprehensive immigration reform, the Obama administration has won some piecemeal victories against GOP demands for more draconian moves against “the undocumented.” Deportations of “dreamers” have been stopped and much of an Arizona law was overturned, but more battles lie ahead, writes Marjorie Cohn.

By Marjorie Cohn

The issue of immigration has been tossed about like a political football for some time. Democrats argue that migrants who have spent many years in the United States should be permitted to apply for lawful status. Republicans criticize these proposals as “amnesty.” But Congress has been unable to agree on comprehensive immigration reform.

Three and one-half years into his term, President Obama announced on June 15 a policy to halt deportations for many undocumented immigrants who came to the United States as children. They must be under age 30, have come to the United States when they were under age 16, have lived in the U.S. for at least five years, be either an honorably discharged veteran or a high school graduate, and have suffered no felony or “significant” misdemeanor convictions.

Ten days after Obama revealed his new program, the Supreme Court issued its long-awaited decision on Arizona’s SB 1070. Arizona had enacted a repressive law aimed at “attrition [of undocumented immigrants] through enforcement.” Five other states followed suit and waited as the high court considered the constitutionality of Arizona’s law.

In a victory for those who support a humane immigration policy, the Court overturned three sections of SB 1070: Arizona cannot criminalize unlawful presence in the United States, or working without papers; and the decision to arrest someone for unlawful presence in the U.S. is solely a federal issue. The Court made clear that the enforcement of immigration law is reserved to the federal government.

But unfortunately, the Court unanimously upheld the most controversial provision of SB 1070, at least for the time being. Section 2(b) requires state officers to determine the immigration status of anyone they stop, detain or arrest if they have “reasonable suspicion” the person is an undocumented immigrant. Although the Court didn’t address racial profiling in its opinion, how can this statute possibly be enforced without considering skin color, language and clothing?

Section 2(b) says that Arizona officers “may not solely consider race, color or national origin” in the enforcement of this section. But 2(b) effectively requires the consideration of race, color and national origin because it is unfathomable how a law enforcement official could avoid considering those factors in deciding whom to investigate under the new law. Even the most well-meaning officer cannot possibly determine whether an individual may be undocumented without making judgments based on apparent race, color and national origin.

As Tucson Police Chief Roberto A. Villasenor noted, “It says you can’t use race and ethnicity. If you’re not paying attention to race and ethnicity, what other elements are there? If it’s 95 percent based on race and ethnicity, what’s the other 5 percent? No one knows.”

The Supreme Court’s decision was apparently a compromise, leaving open the possibility of additional constitutional challenges. A majority of the Court was not prepared to rule at this point that section 2(b) will interfere with federal immigration enforcement. Future lawsuits will argue that 2(b) in practice is preempted by the federal government’s exclusive jurisdiction over immigration, and that it invariably leads to racial profiling which violates the Due Process and Equal Protection Clauses of the Constitution.

One justice who refused to compromise with his fellow justices jumped inappropriately into the political battle in his dissenting opinion. Antonin Scalia personally attacked Obama’s new policy (on not deporting young people brought into the country by their parents), writing:

“The President said at a news conference that the new program is ‘the right thing to do’ in light of Congress’ failure to pass the administration’s proposed revision of the Immigration Act. Perhaps it is, though Arizona may not think so. But to say, as the court does, that Arizona contradicts federal law by enforcing application of the Immigration Act that the president declines to enforce boggles the mind.”

Aside from the impropriety of this cheap shot which led one Washington Post columnist to call for Scalia’s resignation the justice is wrong about Obama refusing to enforce the immigration law. There have been more deportations during the Obama presidency than in any other administration.

But to its credit, Immigration and Customs Enforcement (ICE) has directed its officials to use particular care in considering the cases of veterans, members of the armed forces, long-time lawful permanent residents, minors and elderly individuals, those present in the United States since childhood, pregnant or nursing women, victims of domestic violence and trafficking, individuals who

suffer from a serious mental or physical disability, and those with serious health concerns.

After the Court issued its opinion, the Department of Homeland Security (DHS) said it will send a directive to federal agents in Arizona that they must continue to enforce the immigration law consistent with the administration's priorities, and should not initiate deportation of those who have not committed serious crimes or are not repeat offenders.

DHS also announced it was suspending 287g joint agreements in Arizona. Under these pacts, the federal government had deputized state and local law enforcement officials to detain undocumented immigrants. The program had led to serious civil rights abuses.

Several civil rights and immigrants rights organizations have signed a letter to Janet Napolitano, Secretary of Homeland Security, urging her to terminate the 287g agreements in Alabama, Georgia, Indiana, South Carolina and Utah, the five states that have enacted laws like SB 1070.

The letter also requests that DHS collect data to determine whether state and local police in all six states (including Arizona) are engaged in racial profiling and illegal detentions. This data could be helpful for future lawsuits.

In its opinion, the Court made clear that Arizona police who request an immigration status check from the federal authorities may not extend a detention longer than would normally occur merely because they have not received a response from the federal authorities.

Although the Court struck down three provisions of SB 1070, section 2(b) remains on the books. Instead of gratitude for the back-breaking work migrant laborers contribute to our society, there is an increasingly virulent strain of racism that leads to the targeting of non-citizens. Republican lawmakers are joining together to oppose federal immigration reform, opting instead for a "states rights" approach where each state is free to enact its own racist law.

There is a hopeful sign in California, however, where the legislature recently approved a bill that prevents state police officers from turning over a detained person to federal immigration authorities unless the detainee has been convicted of a felony.

Migrants, no less than U.S. citizens, are entitled to dignity, respect, and human rights. Let us join the voices of compassion and oppose the mean-spirited actions that aim to legalize racial profiling and scapegoat immigrants. Laws like SB 1070 demean us all.

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