

## **RALPH NADER RADIO HOUR EPISODE 146 TRANSCRIPT**

Steve Skrovan: From the KPFK Studios in Southern California it's the Ralph Nader Radio hour.

Steve Skrovan: Welcome to Ralph Nader Radio Hour. My name is Steve Skrovan along with my co-host David Feldman. Hello David.

David Feldman: Hello there Steve.

Steve Skrovan: David, I have a quick quiz for you. The definition of the word emolument is A: a form of compensation, pay, salary; or B: a skin moisturizer?

David Feldman: I thought emolument was something Donald Trump popped in his mouth right before he went after a woman, an emolument.

Steve Skrovan: Well, I don't think it's that. It's A. The correct answer is A.

David Feldman: It's not a Tic Tac?

Steve Skrovan: It is not a Tic Tac, no. It is a form of compensation, pay or salary and it is a word I have a feeling we're going to be hearing a lot today as Ralph talks to Mark Green about the potential for conflicts of interest between Donald Trump's far flung business interests and his holding of the office of the presidency. And lest we forget it, I'd also like to say hello to the man of the hour, Ralph Nader. Hello Ralph.

Ralph Nader: Hi Steve, David.

Steve Skrovan: We hope everyone had a Merry Christmas and a Happy Hanukah or however you celebrated the holiday weekend. On the show today, David and I are going to run down - in more ways than one - with Ralph, President-elect Donald Trump's proposed cabinet picks. And even though the United States, in an unusual move, allowed a resolution condemning Israeli settlements in Palestine to pass in the United Nations, we will talk to Ralph about his recent call for President Obama to go a step farther and grant diplomatic recognition to Palestine. We will also, as always,

hear from corporate crime reporter Russell Mokhiber, the Brains Benton of the Corporate Crime Beat. But first, Ralph and our guest today are going to talk about President-elect and business mogul Donald Trump's potential conflicts of interest as he ascends to the highest office in the land. David?

David Feldman: Mark Green was an early Nader's Raider. He ran Public Citizen's Congress Watch for ten years in the 70s. After that, he went on to found the public interest organization, The New Democracy Project. He was elected New York City's first Public Advocate and narrowly lost New York's mayoral election to Michael Bloomberg back in 2001. He is also an author, and a radio and TV commentator whose latest book we discussed the last time he visited. It's entitled Bright Infinite Future: A Generational Memoir On The Progressive Rise. Most recently, Mark and Ralph have collaborated on a public letter to Donald Trump demanding that he either divest himself of his business interests or face impeachment for violating the United States Constitution. Welcome back to the Ralph Nader Radio Hour, Mark Green.

Mark Green: Thanks so much.

Ralph Nader: Mark let's go over the recent situation that was previewed by our open statement to Donald Trump that he's going to get in trouble with the Emoluments Clause of the Constitution if he doesn't dispose while his business assets to people other than his family. Now, since our statement was released, it's become clearer to me that he has no intention of disposing his vast business assets to anybody but his family to manage. And he'll say he won't cut anymore deals for his business empire while he's in the White House. No kidding. I think he's going to go all the way here through his inauguration on January 20. What's your view?

Mark Green: Well, why shouldn't he? Ralph, his whole life has been profit seeking by cutting corners and getting away with it. He did it for all these decades as a businessman. Sometimes he got slapped down like the Trump University case, but here he now has the ability, like a Russian oligarch, like a Putin, to combine not only private wealth but public power. And in fact one enhances the other. The more he's a public authority the more his wealth increases. Let me be not political but Constitutional. The Articles of Confederation - for its entire short life in the 1780s - had a clause: no foreign power could give anything of value to an American official, because it could look like or be a bribe. This was transferred intact to - as you said Ralph - to Article One; Section Nine that forbids the implication of bribery. And at the time, it was held to be widely interpreted and nearly unlimited. So, you can't nitpick on this one. Now, let's go 226 years later. There's never been a President-elect with this much money and far-ranging assets. If he doesn't divest at all or puts it in a true blind trust - it's not blind if his children are running it - then every day, it's not that he may commit a corrupt act - that could happen - but every day a foreign leader, imagine President Ertogun in Turkey - this actually happened, Ralph. He told his people to tell Trump's people that he might take the sign down at the Trump Hotel. Shortly thereafter, President-elect Trump called Ertogun to laud his brutal crackdown after the failed coup attempt. In other words, corruption is built into the fact that Trump has a daily conflict of interest that can only be

cured - as all recent Presidents have done - by transferring their wealth, modest or Trump-level, to a blind trust. If he doesn't do it, the conclusion in our public petition and many others now, is either impeachment - because he's violating the Constitution everyday - or a private action by a contractor losing business. It's called the Contractor's Clause. The Supreme Court has made clear that a hotel losing business to Trump, who's using his public office has standing to sue. And if that private case goes forward and prevails, Trump by court would be forced to divest. Either way, I think he'll have to divest, a hard way or an easy way.

Ralph Nader: I think he's pushing the envelope. See how far he could go. And it's not just foreign leaders who can fill his hotels and make him richer. It's not just what the Prime Minister in Turkey did. It also exposes a president, who's got business property abroad, to extortion. Imagine a group kidnapping employees of a Trump hotel in Central Asia or somewhere and basically saying to the President Trump, "Unless you do this, unless you free the jails or these political prisoners, we're going to do-in your employees." I mean, it gives new meaning to "conflict of interest," conflict of interest for the United States interest, his business interest and foreign leaders, who would know how to provoke him. And they know he's very easily provoked.

Mark Green: Now, it's not only sleazy, obviously. That is: a foreign government could try to either bribe him by ingratiation and hotel bookings and investment; or by shakedown, "Very nice hotel you have there, Mr. Trump. I hope nothing happens to it." But it's against America's interest - because I'm not going to suggest anything that terrorists, I assume, not having thought of themselves. If you're a lonely terrorist and ISIS is losing territory, and you're into solo attacks, I mean, they're going to realize, "Oh great, we can attack a private hotel in a Mumbai-type invasion attack with the name "Trump" on it. So it hits the West and it hits Trump in his own pocketbook. So any rational advisor to Trump would say, "Hey boss, sell it in an arm's length deal through a public trustee. Make three billion dollars and then share it with your family, and you're done. It's not like the kids are going to be disadvantaged. But Trump - God bless him. It's like the British public schools: they may kick you out, but they never let you down. He's the same always. And one more point, I met a - I can't use his name, because it was a private conversation - but you know the name Ralph. It's a person who we know and who's close to Trump and the Trump inner circle. And in off our conversation, he said, "Oh come on, we can have a White House counsel advise the President and his children what calls not to take." I said, "How naïve are you? Every day there'll be thousands of winks and nods, private conversations you won't know about at lower levels, where the assumption will be, "Hey we're helping him, he should help us." It's either all or nothing. Either you divest or he's in Constitutional trouble and so America's in trouble.

Ralph Nader: But why does he persist in this effort? Does he know it's going to get him in deep trouble to Congress among the Democrats? They've got a crisp clause in the Constitution for impeaching him, and even though they don't have the votes now, they can really make hay. And he is exposed to all kinds of provocation, manipulation, extortion, shakedown, enrichment. Why doesn't he want to clear the deck? Isn't President of United States enough for this huge ego called Donald Trump?

Mark Green: He underestimates Ralph Nader, Laurence Tribe, Elizabeth Warren, the rule of law in Constitutional history. That is, Ralph, I see him strutting - I mean, I know Donald Trump. He contributed to my mayoral campaign in 2001, and I gave the money back.

Ralph Nader: In New York City?

Mark Green: Not because he loved me, but he thought I would win. And that's an okay pay to play thing that he could do. It wouldn't have affected me. But he's always gotten away with it, because he bullies vendors, employees, competitors and banks with threats. And bullies can get their way. And he has. Now, he's in a different situation. And he's going to be pushing up against law, the Constitution, and courts. Senator Elizabeth Warren on behalf of a bunch of Senators has introduced a bill requiring Presidents and Vice Presidents, if they didn't know it before, to fully divest to a blind trust or an arms-length sale. It may not pass right away, but boy, I'd be embarrassed, if I was a so-called moderate Republican in a purple district or state, not requiring what everybody else has to do. And second is the courtroom case that Laurence Tribe, professor at Harvard Law School, is thinking about: a contractor having standing to beat President Trump and investor Trump in court. And finally is the word "impeachment." Ralph, we all know the word "impeachment" is kind of a loaded word. "Impeach Earl Warren" the Supreme Court Chief Justice at the time based on nothing. It was an ideological tool. And it sort of was against Bill Clinton, who sound did not commit a high crime or misdemeanor that threatened the national interest. Well, now the word "impeachment" is on its face. It's not like we're over-interpreting because of personal or ideological animus. He's doing it. He's admitting it. He's challenging it. And I think all of us really have to rise to the occasion and go, "Not that far, fella."

Ralph Nader: Tell people how they can get access to the petition and what more they can do on this.

Mark Green: Well, anybody listening, first: I write about this everyday on my Twitter account @markjgreen. Second: go to change.org, the great organization where people can post petitions. And as you know of course, Ralph and I wrote a public five page letter to President-elect Trump. Gee, I haven't heard back. Ralph, have you heard back yet?

Ralph Nader: No, but the mail hasn't come in today.

Mark Green: Well, please go to change.org to sign the petition. And go to Tribe Law - Larry Tribe is on Twitter, the words "tribe, law" is in it. And he has a piece out right now, Ralph, at the Brookings Institute. Anybody could find it by going to Brookings. He and the ethics lawyers to both George W. Bush and Barack Obama - I think its Norm Eisen and Richard Painter - those three

have written a twenty-three page brief arguing for the position were arguing for, making it crystal clear that the Constitution was intended for anything of value conveyed to a public official. And if the President is not a public official, who is?

Ralph Nader: Mark Green, read the exact words of the Emoluments Clause in the U.S. Constitution, because most people who took politics and even went to law school really didn't focus on this very much. It was crystal clear by the Founders as to what they intended as an impeachable offense. So read the exact language of the Emoluments Clause.

Mark Green: Sure, it's a little arcane, but as you said – unambiguous. “No title of nobility shall be granted by the United States. And no person holding any office of profit or trust under them shall without the consent of the Congress, accept any present emolument, office or title of any kind, whatever from any foreign state”.

Ralph Nader: Emolument is defined as what?

Mark Green: Basically, anything of value of any kind whatever. So, on the face of it, it means obviously a king of France or today a President of France can't send money to the President of United States and say, “Look, I hope you can do X.” That's easy. If, however, the President of France or Turkey said, “You know, we're going to invest a billion dollars in your company, because we like the looks of your hotel chain. That's not money directly; but it's lining the Trump family's pockets, because of an investment, or an expedited permitting, or a loan from a government or bank. The bank of China is owned by China. And there are similar banks around the world. This is an “attractive nuisance” as we say in the law. It's not that Trump may wake up with a corrupt motive that morning and do a corrupt act, like Nixon and Watergate. It's built into every relationship. And, if I can just give one more example, Ralph. During this transition it occurred a week ago that the Trump sons gave their names to a charity event. And let's say the charity was pretty good. It had to do with conservation. And the reward was: for a one million dollar contribution, they got pictures with Donald and Eric and a conversation with the President of the United States. Forget the destination. Let's say it was philanthropic. Clearly, it was money for access. No one else can do it. By the way, money for access to a Senator is not pretty. It goes on all the time. It's called a campaign contribution. But money or a thing of value to a President violates the Constitution.

Ralph Nader: He also has foreign tenants, such as Chinese institutions in his buildings in New York. He bragged about it during the debates. Let's say you were a pro bono counsel to Trump, and he wanted you to tell him exactly what would comply with the Emoluments Clause, exactly how he would divest. Would he have to change the name of his hotels and condos around the country and around the world? And who couldn't he give it to or sell it to?

Mark Green: Your comment about “He bragged about his hotels in the debate” - as we speak, the government in Bahrain is in the Trump Tower. And their lease is expiring. So they have to renegotiate the lease. That’s going to happen. And that’s the kind of economic relationship that could lead to bribery or a shakedown. Here’s what should happen: the Trump people - Rudy Gulianni when he was defending Trump said - “You can’t expect him to sell. His assets are so much bigger than any other president’s. It’s just unreasonable.” Whoa, whoa, whoa, the Constitution doesn’t have a degree-of-difficulty test like an Olympic high dive - actually, if anything, the bigger the investment the more urgent the Emoluments Clause. So what do you do? The White House or the government office of ethics hires an independent trustee - like Ken Feinberg is to so many fraught situations like after 9/11 - who then does a public sale, not a fire sale, but an arm’s length transaction, where you sell off parts or the whole thing. And then the proceeds, of course, go to the Trump family. That can’t be helped. Or there’s a blind trust. Someone comes in and manages the hotels but not his children. Then they’d have to change the name of the hotels, because obviously the “Trump” name would attract problems. But if you sold it, Ralph, to another entity, lock, stock and barrel, it would be up to the new owner to decide whatever they want to call the hotels. If they want to keep calling it Trump, I guess they could. Although, that’s a close question. But President Trump then would not be personally, and his family would not be personally benefiting. We did not elect a 45<sup>th</sup> President to become the Borgia Family.

Ralph Nader: Tell me this: what can Trump keep? His home, his vehicles, his yachts?

Mark Green: This person in Trump’s circle who I spoke with - mentioned earlier - said, “Wait a second, is he’s supposed to sell his homes?” I said, “Come on, you’re a lawyer. Grow up.” In any bankruptcy petition, you’ll have to sell your assets to satisfy your creditors. But you can keep household assets, hypothetically. And all likely here: his homes, we’ll give him two or three. His plane, his yachts, okay I don’t want to hurt his style of life, whatever but - and that’s completely different than the possible hotel chain he was researching in Taiwan before he took the call, and the President of Taiwan affecting America’s historic policy towards China.

Ralph Nader: Not to mention his vast undisclosed partnerships all over the world, which he refuses to disclose as part of his obligation - many people think - to disclose his tax return.

Mark Green: Ralph, very quickly, Trump and Gingrich: they’re saying, “Oh come on. The voters knew about his assets and the possible conflict when they voted for him.” Oh, then why didn’t he disclose his taxes or holdings? Why do he keep them secret before? That’s a phony argument.

Ralph Nader: Before we close, tell the people how they can connect when they go to [change.org](http://change.org), so they can sign on this mass citizen petition to Trump to divest his assets?

Mark Green: If you go to change.org and then they have a search function. You can either look up the name Ralph Nader and Mark Green, because your name is probably involved with other things over time. And/or we call it #divestorimpeach. “Divest or impeach” or “Ralph Nader” will get you to the petition, which you can sign. Will the petition alone persuade Trump? No, it won't. But added to the scale of justice, all these Elizabeth Warren laws and all these Larry Tribe lawyers, I hope at some point shortly a list of hundreds of lawyers petitioning Trump. He's going to see that this jeopardizes his credibility, his sway and his status, either by 2018 off-year election or 2020 re-election. If you politically threaten his base and his support in Congress and legally threaten him by impeachment, some of his lawyers are going to say, “Hey boss, we understand your emotional and economic attachment. It's not worth it.”

Ralph Nader: Okay, prediction time before we close, Mark Green. It's January 30<sup>th</sup>. President Trump is in the White House. Would anything change from what it is now?

Mark Green: One inadequate thing or Band-Aid: he'll announce with great fanfare, “You know, though not required, I'm going to end any organizational role or management role in the Trump organization. I'm not going to spend one minute on it. And my children will take it over.” What's behind the curtain and more important is the investment. And if he's making money, either through his children or on his own, that's as a big violation of the Emoluments Clause as managing it daily.

Ralph Nader: Let's say he sells everything. What does he do with the money? Doesn't that create a problem if he invests in stocks, AT&T, ExxonMobil?

Mark Green: Imagine Barack Obama, who made a little money actually, because of his bestselling books. He becomes President. He puts all his assets in a blind trust. The trust may invest in Exxon or Clean Energy, but President Obama doesn't know it. That's the key. So he can't favor it. So, however much money is generated by a forced arm's-length public sale, a true blind trustee - not his children - could invest it any way he wants. The day he's out of office, he looks into his portfolio, and it's either zero or fifty billion or something in between, but he doesn't know where it's invested, so can't put his thumb on the scale of policy to help himself. The reason - the axiom: no man can be a judge in his own case. That's the essence of a conflict of interest.

Ralph Nader: Steve, do you have a question?

Steve Skrovan: Yeah, this is to either of you or both of you. From a politically strategic point of view, as two people who would not want to see the Trump agenda totally enacted, is it better for him to divest and be clear of this so that he is free and clear to do what he wants, or would it be better for him to be tied up with all of these ethics questions and lawsuits and things that might prevent him from enacting his agenda?

Mark Green: Let me try to answer, Ralph. Because unlike you, I am a rule-of-law lawyer and a Democrat. So, I have a public interest law hat that I've worn for forty years. But I'm also a Democrat, who's run for office. And as a Constitutionalist and a lawyer, he of course should sell for the reasons we discussed. Speaking politically, narrowly, it'll be in the interest of the out-party that he - in the first off-year election after a president's initially elected, the party in power usually loses votes, usually loses seats, Senate and House. And I can see some current Senator or group of members saying to him what Senator Barry Goldwater, the Republican nominee in 1964, said to President Richard Nixon. And in 1974 he said to President Nixon, "It's over Dick. You violated the Constitution with your Watergate burglary and cover up. Be gone." And *that* Nixon had to listen to.

Ralph Nader: Well, listeners might say this is the least problem that they're expecting from the Trump administration, given the warmongering of his nominees, the dismantling of the public schools, the stripping of health care, the privatization of Medicare. But in the interest of proportionality, we will cover a lot of these issues in future programs. But this subject of divesting his assets and not exposing himself to wealthy enhancement or shakedowns and extortion is not a minor issue. And I'm glad we covered it with someone as knowledgeable as you, Mark Green. Thank you very much.

Mark Green: Thank you. Loved it, Ralph.

Steve Skrovan: We have been speaking with Mark Green, who along with Ralph wrote a public letter to President-elect Donald Trump, demanding that he either divest himself of his many business interests or face impeachment for violating the Constitution. We will link to that letter on the Ralph Nader Radio Hour website.

David Feldman: Can I ask a stupid question just out of curiosity?

Ralph Nader: Yeah.

Steve Skrovan: Go ahead.

David Feldman: After Watergate, the laws that were implemented, did we change anything or is it worse now? Is there more opportunity now for mischief, legally, than there was right after Watergate?

Ralph Nader: Well, the Watergate committee recommended thirty-four changes, reforms and very few of them got through. That's the forgotten story of Watergate. The Freedom of Information Act got through, and that's the very important component in preventing corruption. But by and large, no, there weren't many changes.

Steve Skrovan: Now, let's take a short break and check in with the corporate crime reporter Russell Mokhiber in Washington DC. Russell?

Russell Mohkiber: From the National Press Building in Washington DC, this is your corporate crime reporter morning minute for Friday, December 23, 2016. I'm Russell Mokhiber. T-Mobile employees under pressure to meet sales goals are sometimes driven to mislead customers or to enroll them in services they didn't asked for. That's according to a complaint filed by Change to Win with the Consumer Financial Protection Bureau. The labor group claimed that T-mobile sets unrealistic sales targets that encourage workers to act in ways that may not benefit consumers. The group found that some workers said they felt pressured to add insurance, phone lines, and other services that customers didn't explicitly ask for to meet sales targets and earn commission payments. The findings were based on a review of consumer complaints collected by the Federal Trade Commission, a consumer protection agency, interviews with workers and online surveys of people, who identified themselves as T-Mobile employees and customers. For the corporate crime reporter, I'm Russell Mohkiber.

Steve Skrovan: Thank you Russell. A couple of weeks ago we talked to Public Citizen President Robert Weissman about how President Obama should spend his last weeks in office. And Ralph, you suggested in one of your latest columns that this would be a good opportunity for the President to recognize Palestine, tell us what you're thinking is there?

Ralph Nader: Well, I took note of an op-ed by former President Jimmy Carter in the *New York Times* in late November. And it was titled "America Must Recognize Palestine." He made an urgent plea to President Obama to take "the vital step to grant American diplomatic recognition to the State of Palestine as 137 countries have already done and help it achieve full United Nations membership" - before he leaves office on January 20, 2017. And Mr. Carter proceeds to reference the 2009 statement by President Obama, calling for a complete freeze on settlement expansion on Palestinian territory and also to develop a peace agreement generally based on the 1967 lines and the UN resolution 242. What's important about this is that the proposals being made by Jimmy Carter - without whom there would never have been a peace agreement between Egypt and Israel in 1978 - he knows what he's talking about. He's been there many times. He has unquestioned good intent to have a two-state solution, where both Israel and Palestine live peacefully next to each other and solve this extremely explosive problem that has been bedeviling the Middle East and bedeviling US politics. I wrote an op-ed that was an open letter to President Obama titled "Decision Time for Israeli-Palestinian Peace." And I said that he has done incredible favors for the Israeli government. He has signed a ten-year unprecedented military aid agreement. He has transferred the latest military technologies, sold them the latest military weaponry, and kept them

up to date with the latest intelligence, and exhibited enormous forbearance when Prime Minister Netanyahu sidestepped him and went straight to the Congress to undermine the Iranian Multi-Lateral Nuclear Agreement. He's got a lot of political capital; and he should make this one last move to our diplomacy and peace by recognizing Palestine and allowing the UN Security Council to accept Palestine as a full member of the United Nations. Over a hundred countries have already done that, including Sweden, for example.

Steve Skrovan: What are the chances you think he will do this?

Ralph Nader: There's no way of telling. He has every reason to embellish his foreign policy legacy by doing it. He hasn't succeeded in a lot of foreign policy efforts other than the Iranian nuclear deal. And I think he has unraveled areas around the world, with Hillary's war toppling Libya and creating a huge area of Africa and utter violent chaos. And then of course he still has been unable to get out of Iraq or settle the Afghanistan conflict. So, this is a great chapter in his foreign policy if he does it. And he can do it on his own as part of his presidential authority and part of his farewell message to the American people. A majority of Jewish Americans and a majority of Arab Americans want this to be done. And the two-state solution is still supported by a majority of Israelis and Palestinians, except at times of high conflict. So, he's got a lot of backing. A lot of Americans are worried about not paying attention to the Middle West and paying too much attention to the Middle East in often a destructive and boomeranging way, so I think he would have public opinion behind him and certainly, world opinion behind him.

Steve Skrovan: Is this something that the Trump administration could, especially with his proposed UN Ambassador, who does not believe in a two-state solution, immediately undo?

Ralph Nader: Yeah. It's another reason why President Obama has to do it, because an avalanche of destructive policy is coming in with the Trump administration. He's nominated David Friedman, who is his bankruptcy lawyer and therefore privy to a lot of internal business dealings with Trump - talk about influence - to become the next ambassador to Israel. And David Friedman is for expanding the colonies on Palestinian land. He is against a two-state solution. He's basically aligned himself with the extreme hard line in Israel. He's frightening Jewish Americans for Peace, J Street, and he's certainly frightening a lot of peace advocates inside Israel with the news of his forthcoming nomination. And I think J Street, which is a Jewish American group for a two-state solution, and Jewish Voices for Peace, are going to testify against his nomination in the Senate. So it's not a sure thing. But, it's very troubling that if President Obama does not recognize Palestine and get Palestine to be a member of the UN, and get a UN resolution, which is only being held-up by a threatened veto by the US that to develop a path to diplomacy in a two-state solution were going to have chaos. It's going to blow up in that area. And that tends to affect other countries in that area as well. So, President Obama, we need a modest profile and courage from you. Listen to Jimmy Carter and do the right thing, for this country, for Israel, for Palestine and for Middle East peace.

Steve Skrovan: My question is, that's not something that could be immediately undone.

Ralph Nader: No. It's almost unheard of to un-recognize a state, especially one that doesn't declare war on you. Once he recognized it, once Palestine is a full member of the United Nations, that would be irreversible.

Steve Skrovan: All right, speaking of Trump's agenda and conflicts of interest, some of the people who would like to be out there fulfilling the agenda are the cabinet picks that he has been making. And Ralph, you wrote a recent column about his cabinet picks. Let's just do a little thumbnail sketch of your take on as many as we can. And I'll start the bidding with Elaine Chao for Secretary of Transportation. What about that pick?

Ralph Nader: Former Secretary of Labor under George W. Bush, very anti-labor. She is the wife of Senator McConnell, who's the majority leader of the US Senate, so politically she's a clever pick for Donald Trump. She does not like government regulation, yet she going to be Secretary of Transportation, which has regulatory obligations for auto safety, railroads, busses, trucks, and airplanes, including marine transportation. Not a very good auspicious pick for the health and safety of the American people.

Steve Skrovan: Now, let's move to Department of Health and Human Services. It's someone named Tom Price. Who's that?

Ralph Nader: Tom Price is a member of Congress in the senior role in the House. From the South. He's a physician. He does not believe in Obamacare. He doesn't believe in single-payer. He wants to privatize or corporatize everything, including dismantling Medicare and giving it over to corporate contractors or vouchers. He is a steadfast opponent of the Law of Torts. He thinks that medical malpractice should not be subjected to the Law of Torts. An arch right-winger and certainly not going after hundreds of billions of dollars of billing fraud in the healthcare industry, which is one of his responsibilities as head of Department of Health and Human Services. One of the worst picks by Donald Trump.

Steve Skrovan: Wow. How about CIA: Mike Pompeo?

Ralph Nader: He's another member of the Republican House of Representatives. He worked in the area as a member on national security and intelligence. Very hard liner, very aggressive on the use of the US military empire abroad. He may shape things up inside the CIA establishment,

because he's very strong-willed, but he's not going to be restrained on war-making for Donald Trump and the White House.

Steve Skrovan: Well, as long as you're talking about the CIA, Ralph, there's been all this talk about Russian hacking. People seem to say there was a hack of the election, but there was a hack of the campaign. Do you believe the CIA and the FBI on that?

Ralph Nader: They're certainly coming together and saying that it's connected to high sources in the Russian government. But all the evidence is secret, so we're going to have to believe it rather than examine it. I did notice that two senior retirees from the National Security Agency led by Mr. Binney - who was a major expert on decoding codes and other aspects of the NSA - they just came out with a two-pager saying that they don't believe that it came from high sources in the Russian government. And they made a distinction between a hack and a leak. And they seem to lean toward the proposition that this material was leaked, rather than hacked. This got no publicity at all when it was released. So, we have to wait for this Congressional investigation to get to the bottom of it. I wonder along with a lot of people why Vladimir Putin didn't vociferously deny all these charges, you know making a big deal out of it. They certainly had an interest in disrupting the US election. And they didn't want Hillary, the hawk, who pushed for NATO to go to the western frontiers of Russia and was aching to pick a fight with Russia. So, they did have a motive. But we really don't know for sure 'til more comes out publicly.

Steve Skrovan: So you're thinking that Putin's response of not denying it indicates that maybe he was involved?

Ralph Nader: He knows something we don't know - and that is the US has all kind of stuff embedded in Russian intelligence. They have all kinds of wiretaps and all kinds of surveillance, so if he did deny it and he was responsible for, he would be documented to be a prevaricator. So maybe that explains his reluctance. But, we won't know until more comes up. There will be plenty of speculation.

Steve Skrovan: All right, let's keep moving on, on our Trump's cabinet picks. Moving on to the generals now: first we have retired general James Mattis as pick for Secretary of Defense. What's your take on him?

Ralph Nader: Well, he reads a lot. He's got a personal library of 10,000 volumes. He's respected for his knowledge. He has criticized Barack Obama for being too weak in Syria and in the Middle East generally. They don't call him "Mad Dog" Mattis for nothing. So he's not as wild as the National Security Advisor, retired General Mike Flynn to Donald Trump; but he is not as restrained as former Secretary of Defense, Robert Gates, is either.

Steve Skrovan: So, you think he might call for military action, American military action in Syria?

Ralph Nader: But not as recklessly as retired General Mike Flynn, working out of the White House. And he is a National Security Advisor. He's been a purveyor of fake news against Hillary. He's been on the stage supporting Trump during the campaign with the most outrageous militant assault, calling Islam not a religion but a political ideology and expressing all kinds of Islamophobic assertions. And he's very aggressive militarily. He was relieved of his duties as head of the Defense Intelligence Agency by his military colleagues, because they thought he was too unreliable and not a good manager. Not a good prospect for peace.

Steve Skrovan: That brings us now to another retired general: John Kelly for Homeland Security.

Ralph Nader: Now that the rise in Homeland Security by putting another general in place, a General who was a believer in enforcing the Monroe Doctrine south of the Rio Grande all the way to the southern, South America. He represents the opposite of what retired Marine General double Congressional medal of honor winner, Smedley Butler wrote about in his book in the late 1930's about "War is a Racket," and that he represented the U.S. sugar companies, the National Bank in Cuba, Central America and United Fruit. So we're going to see more militarization of domestic national security. That could mean more militarized equipment to city police forces, which the Obama administration has been drawing back on.

Steve Skrovan: That's actually not a bad segue to the next one which is the CEO of Exxon, Rex Tillerson being nominated for Secretary of State.

Ralph Nader: Another nail in the corporate state's deep roots. Here you have the head of the biggest oil company in the United States who is now Secretary of State. He knows a lot of heads of state. He knows Vladimir Putin, because he has to cut all these oil concessions, oil and gas concessions. He is smart. He's confident. I don't think he would've taken the job just to be a toady to the other Generals in the Trump administration. He's very strong-willed. He's not going to be a puppet. On the other hand, he comes with a very corporate, commercial background. And he is not certainly going to undermine the reign of global oil and fossil fuels at a time when we have to convert very rapidly into renewable energy, solar energy, and conservation.

Steve Skrovan: Now we have Secretary of Labor Andrew Puzder.

Ralph Nader: He should be called the Secretary of Anti-labor. He is a restaurant chain executive, who loved the federal minimum wage of \$7.25. Although he just didn't believe in minimum wage,

but he was opposed to the increase of the minimum wage to such an extreme degree, Steve, that a group of progressive restaurateurs in Washington started an association to raise the minimum wage and to oppose him. He also doesn't believe in fair labor standards. He doesn't believe in adequate labor pensions. He's a total corporatist. And he's hell-bent on dismantling the mission of the Department of Labor. Now, before people get too discouraged, do not underestimate the ability of the civil service in our federal government, resisting these corporate appointments at the top by Trump. They're not going to go away that easily. And there're going to be a lot of public interest law firms and other groups who are going to file a lot of lawsuits. If they try rollback a lot of this stuff, they're going to meet a lot of resistance. The problem is they're not going to advance anything. That's serious enough for the American people.

Steve Skrovan: And the nominee for a department that you had a lot of influence in promoting back in the early '70s, the EPA, is someone named Scott Pruitt. Who is Scott Pruitt?

Ralph Nader: He's the Attorney General of Oklahoma, who's filed lawsuits against the EPA to control coal pollution for example. He is a climate denier. And he is hell-bent on defanging what's left of the EPA. Here we have another anti-EPA mission heading the EPA. And that's going to be tremendously controversial. He's going to have Democratic state attorney generals against him. They're already organizing. Some of these hard-liners in the Trump administration, they start fighting each other, Steve, and some of them may be so drunk with their power that they cross the line; and they may be asked to resign even by President Trump in terms of scandals or violations of law. So stay tuned. The next one is the Department of Education Betty DeVos. She comes from the Amway family in Michigan, where she helped expand commercially run Charter Schools that are scandalous in the way they were run. Threw her weight around with a lot of money in the Michigan state legislature in Lansing and is heading to Washington to head the Department of Education. She wants to dismantle public education by using taxpayer-funded vouchers, so people could go to private schools with very little surveillance, of course, very little monitoring. She's a wrecker on the way to Washington as well.

Steve Skrovan: Before I talk to you about Attorney General Jeff Sessions, I just want to ask, you are one of the rare people who has the perspective of the lived experience, because your career has spanned so long, how would you compare these appointments, this Administration's proposed agenda - that is indicated by these appointments - with what Ronald Reagan was doing in the 1980's, which seemed to be the first - what was called the Reagan Revolution, which I guess was a revolution against the Roosevelt New Deal. How would you compare the Reagan Revolution with what you see is in store for us now?

Ralph Nader: These are worst cabinet appointments I think in American history. They are militantly pro-war, militantly pro-empire, militantly getting rid of health and safety regulations, militantly against social safety nets, like child supports and Medicare and Medicaid. They want to corporatize all of this stuff. Basically, they want to sell off Washington. The only bright spot is a Congressman from Montana, who has been nominated to head the Department of Interior.

And although he has a lot of right-wing positions, he has steadfastly stated he does not want to sell off any of the public land out West and in Alaska and in Hawaii. And that occurred, because he's a hunting buddy of Donald Trump Jr., Donald Trump's son, who persuaded his father to nominate him as Secretary of the Interior. That's the only half light bulb in this entire darkness of nominations, including Senator Jeff Sessions, who has really a racist background in the South. He couldn't even become a federal judge, because of his statements. And so he generated revenge - he ran for Senate from Alabama. And now he's going to be Attorney General. He's not going to be strong on corporate crime. He's going to be weak on civil rights. He may be fairly good on civil liberties. And he may be more committed to some enforcement in the environmental area, although that's still up in the air. But, by and large, a bad choice for Attorney General. He is not going to stand up to Trump, when Trump crosses that legal line again and again, as he is expected to do.

Steve Skrovan: All right David, do you have any questions or anything else to add?

David Feldman: I was just curious... the question about Reagan: he invented the idea of appointing people to a cabinet to dismantle it. Before that, there was no such thing, right?

Ralph Nader: Sure. There was going back in the American history and certainly there were some nominations in that category from Richard Nixon's White House; but this is the grand slam. And we've just got to mobilize ourselves back in the districts. We've got to support some members of the Republican contingency in Congress that might spin off and tip the vote in favor of the Democrats in the Senate on some judicial nominations. We just can't give up. We have to continue the struggle. We do not have a right to be weary.

Steve Skrovan: Which is a nice segue to into this last segment we want to present to close out the old year. Two and a half months ago, professor Noam Chomsky was a guest on the Ralph Nader Radio Hour, which turned out to be the first time Ralph and Professor Chomsky, these two titans of progressive thought in the last half century, have ever had a public conversation. In a tumultuous year that for many of us has ended rather darkly, we want to play for you a small snippet from that conversation that concludes on a very hopeful note about how we as citizens can and have affected change.

Ralph Nader: Now, our listeners are fairly familiar, Professor Chomsky, with your writings. I want to take it to the next step. We have empire here. We have both parties pursuing attacks, war, subversions, drones, Special Forces, supporting, dividing, sectarian conflicts all over parts of Asia and Africa. And the question I wanted to ask you is what to do you think can start turning this around in terms of A, the citizenry, B, institutional turnarounds maybe the Congress, C, electoral challenges from third parties or insurgent primary chances like Bernie Sanders. If you have to describe a scenario of how we can turn around from empire, from imperialism, from

colonialism, from the military industrial complex having a vested interest in war rather than peace, what scenario would you urge on the public, or what scenario do you see?

Noam Chomsky: Well, I think the crucial word that you mentioned was “citizenry.” That underlies all of the options that you mentioned: electoral, third parties, lobbying, demonstrations, activism. And it can have an effect. It’s happened over time. A lot of things wrong with the country - we agree on all of that - but there has been progress over the years. In some ways, it’s a more civilized country than it was say fifty years ago in many respects, like Women’s Rights and Gay Rights, even opposition to aggression. The public activism did manage to - there’s pretty good reason to believe that the mass demonstrations of 1969 about the Indochina War may have actually averted a nuclear attack – it’s not certain, but there’s evidence to that affect. They certainly did lead to a retrenchment. What happened after that was horrible enough, but it could have been a lot worse. But let’s move on a couple of years. In the early 1980’s when Reagan came in, his administration tried to follow almost exactly the playbook of the Kennedy Administration in the early 1960’s when they escalated the war in Vietnam - almost point by point. But there was a big difference. When Kennedy did it, there was no reaction, and they went on to build up a huge war. When the Reagan administration started, there was immediately a major public reaction, and protests all over the place, popular groups, church groups, activist groups. And they backed off. In fact, within a couple of weeks, exposures started to appear in the mainstream press, the Wall Street Journal of the falsehoods in the White Papers that they had produced. And they backed off. What happened again, what happened is that they were trying to launch a major war in Central America. What actually happened was awful enough, but it wasn’t as bad as what happened in Indochina in the 1960s than it could have been. Let’s go on to the Iraq war. A lot of people claim, believe - I think falsely - that the protests had no impact. I don’t agree with that. This is the first war in imperialist history that was massively protested before it was officially launched. And I think it had an effect. Again, what happened was horrible enough, but it was nothing like what could have been done and in fact was done in Indochina in the 1960s. Again, I think not the best consequence we would like by any means, but there is an impact. And I think it continues. And the more the citizenry becomes active and engaged in all of the dimensions that you mentioned, from protests to electoral politics and on, the more that we can see significant changes in the country.

Ralph Nader: How do you read these law schools? I know that you come at it from a non-legal background, but you certainly studied enough about illegal activities. Give me your views on the state of the law schools today and the propaganda that seems to insinuate itself in their curriculum.

Noam Chomsky: Let’s take Harvard Law School where I have given talks pretty regularly. There is a pretty active and quite effective human rights group among Harvard Law School students, which is working effectively even at doing research in support for initiatives that come out of organizations like The Center for Constitutional Law and so on. Those people are a base for

trying to change the law schools. It's like popular mobilization. Within the law schools, the students, and the few supportive faculty - there are some - simply have to try to take over their own institutions and turn them into legitimate institutions. And it can be done. Can I give you an example from my own university MIT down the street? In the late 60's where - MIT at that time, was practically a hundred percent funded by the Pentagon, and not for war work incidentally. Now, that's US industrial policy used Pentagon funding as a way to create the high tech economy of the future, computers, internet, micro-electronics and so on and so forth. But in the late 60's, as a small number of students - maybe about a dozen - succeeded in mobilizing a student opinion to the point where there were large-scale protests and demonstrations, pressure on the administration - there were couple of military labs that were run by MIT focused on that - but pressure on them to deal with the question of the effect of that technology in society. This is the major science engineering school in the world and the question of the impact of technology on society had been barely discussed, but it became a huge issue. One event organized by students was a sanctuary for a Marine deserter - you recall in those days mostly at churches - a group would stay with somebody who was deserting and protest against the war until the FBI came and picked him up. This was at a university - first time I think - and the whole campus, which almost closed for two weeks at the student center while this was going on, there were 24-hour seminars, theatre, discussions and all kinds of activities of the 60's variety. It just simply energized the student body to the point where a couple of weeks later the administration did call off classes for a day and devoted that day to the impact of technology on society. A couple of very good organizations sort of grew out of this, like the Union of Concerned Scientists. But the point is that it simply changed the character of the institution in a lasting way.

Ralph Nader: Started with a very few small number of students as you say.

Noam Chomsky: Yeah. I thought maybe a dozen, literally. They formed a small group called the Rosa Luxembourg organization. I doubt if it had more than a dozen members. But they were very effective. The most effective is Mike Albert, who's gone on to do many other things. He, in particular, with others students really did wonderful work. It shows that you *can* change things. Takes effort, activism, energy, but there're real possibilities.

Steve Skrovan: That was Professor Noam Chomsky. And that's our show.

David Feldman: A transcript of this episode will be posted on [ralphnaderradiohour.com](http://ralphnaderradiohour.com).

Steve Skrovan: For Ralph's weekly blog, go to [nader.org](http://nader.org). For more from Russell Mokhiber go to [corporatecrimereporter.com](http://corporatecrimereporter.com).

David Feldman: Remember to visit the country's only law museum, the American Museum of Tort Law in Winsted, Connecticut. Go to [tortmuseum.org](http://tortmuseum.org). And while you're there check out the Winsted Community Bookstore, which has recently opened as a nonprofit. Their books range from local author's works, civic activism, nonfiction novels and more. It is volunteer run with hundreds of brand new beautiful books.

Steve Skrovan: The producers of the Ralph Nader Radio Hour are Jimmy Lee Wirt and Matthew Marran.

David Feldman: Our executive producer is Alan Minsky.

Steve Skrovan: Our theme music "Stand Up, Rise Up" was written and performed by Kemp Harris.

David Feldman: Join us next week on the Ralph Nader Radio Hour. Have a safe and healthy New Year Ralph. I know you go crazy on New Year's Eve.

Ralph Nader: Hardly. I'm getting ready my New Year's civic resolutions. I hope all people will chose their role as civic advocates in addition to whatever occupation or profession they have. That is really the authentically "patriot act" to do. May you have a Happy New Year.