

Tuscola County Democratic Party Newsletter

April 2025

Volume 4, Issue 4

Our Goals

- Ensure honest and transparent government.
- Restore and protect our environment.
- Support strong economic growth and opportunity.
- Strengthen voter access and turnout.
- Promote affordable education and health care for all.

Contact Us

Chair: Deb Parker

Vice Chair: Alex Kirsch

Secretary: Chuck Stockwell

Treasurer: Mike Furgerson

(989) 262-9883

tuscolademocrats@gmail.com

Tuscola County Democratic Party
P.O. Box 605
Caro, MI 48723

Follow Us

<https://www.tuscoladems.com>

<http://facebook.com/tuscoladems>

Notice of Our April Meeting

The regular monthly meeting of the Tuscola County Democratic Party will be held on **Thursday, April 17, 2025**, at the Brentwood, 178 Park Drive, Caro, MI. Social hour will begin at 5:30 p.m. and the meeting will begin at 6:30 p.m.

We hope you will join us.

Highlights of Our March Meeting

Chair Deb Parker called the meeting to order at 6 p.m. on March 20, 2025, at the Brentwood. Thirty-five members and three guests were in attendance — our largest turnout ever! Our guest speaker was Genesee County Sheriff Chris Swanson, who is running for governor of Michigan in 2026. He spoke to us about his personal beliefs, his qualifications, and his plans and goals if elected governor.



Alex Kirsch then gave us a rundown of current events. Lisa Bertsch reviewed plans for running political ads on a local radio station. Deb Parker called for volunteers to help with our upcoming road cleanup and donations of food to stock our Blessing Boxes. We discussed plans and signed up members for the upcoming protest at Lisa McClain's office in Lake Orion and the *Hands Off!* rallies. The meeting was adjourned at 7:30 p.m.

Protest at Lisa McClain's Office



On March 28, Tuscola Dems drove down to Lake Orion to protest on the sidewalk in front of Lisa McClain's office, joining more than a hundred Democrats from other counties within Michigan's 9th Congressional District. We marched back and forth, waved our signs, and chanted loudly, and were mostly well received by passing motorists.

HANDS OFF!



On April 5, Tuscola Dems took to the streets at *Hands Off!* rallies — part of a nationwide day of protest against Trump's assault on our democracy. More than 1,400 rallies were held across the country on that day and at least three million Americans turned out. The rallies were organized by various advocacy groups, including *MoveOn*, *Third Act*, *Reproductive Freedom for All*, and the *50501 Movement*. They took place at more than fifty locations in Michigan, including at least thirty in the Metro Detroit area and even a few in the Upper Peninsula.

Radio Ads



On April 7, Tuscola Dems began running ads on radio station *WIDL* (92.1 FM) in Cass City. Many thanks to Mary Ruthco and the others who created the ads and to Bob DeCoe and Jack and Lynn Adams, who generously donated the money to pay for them.

These ads are terrific! Check them out.

Road Cleanup



Every year, Tuscola Dems take part in MDOT's *Adopt-A-Highway* program. We pick up roadside trash on a two-mile stretch of M-81 between Caro and Cass City. (We call it our "Trash Bash.") This year, we'll be cleaning up the roadside on a Saturday morning in late April or early May. We usually assign each two-person team a half mile stretch of road (one side). Afterwards we gather up the trash bags, take them to a central location, and then we go have lunch. If you are willing to help, please call Deb at (989) 673-6569 and let her know.

We'll See You in Court!

As they pursue their assault on our democracy, Trump and his minions have run afoul of the US Constitution and multiple federal statutes:

The **Appointments Clause of Article II of the US Constitution** reads, in part, as follows: *[The President] . . . shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.*

The Supreme Court has interpreted this clause as distinguishing between two types of federal officer. First, there are “principal officers,” who report directly to the president, are nominated by the president, and must be confirmed by Senate. Second, there are “inferior officers,” who report to someone other than the president, but are appointed by the president and do not require Senate confirmation. Trump appointed Elon Musk as head of the so-called “Department of Government Efficiency” (DOGE). Musk reports directly to the president, so he’s a “principal officer” under the Constitution and therefore subject to Senate confirmation. Dozens of lawsuits have been filed challenging Trump’s authority to appoint Musk. Judge Tanya Chutkan has allowed the states challenging the constitutionality of DOGE and Elon Musk’s role in the government to obtain expedited discovery in their litigation. District Judge Ellen Hollander has blocked the DOGE from accessing data at the Social Security Administration and ordered them to destroy copies of any personal information they have already accessed.

The **First Amendment to the US Constitution** reads as follows: *Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

Trump blocked Associated Press journalists from presidential events because the AP continues to use the traditional name “Gulf of Mexico” for the gulf that Trump is trying to rename, and the AP has sued him. Trump has also targeted at least five large law firms, moving to terminate federal government contracts with them, limiting them from entering federal buildings, and even in some cases barring interaction by federal employees with them. Perkins Coie filed a lawsuit and Judge Beryl Howell stopped Trump from enforcing key portions of his executive order against them. Lawsuits have also been filed by law firms Jenner & Block and WilmerHale.

The **Due Process Clause of the Fifth Amendment to the US Constitution** reads, in part, as follows: *No person shall be . . . deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*

Trump summarily fired or put on leave tens of thousands of federal employees, including Gwynne Wilcox, a Black woman and the first member of the National Labor Relations Board to be removed since the board was established in 1935. The law says that members of the Board can only be removed after notice and for negligence or misconduct, but Trump fired her

without any of those. US District Judge Beryl Howell has ruled that Trump lacked the authority to fire Wilcox and that she must be immediately reinstated. Trump appealed, saying that her firing, along with others he has made, was justified because “these were far-left appointees with radical records of upending longstanding labor law, and they have no place as senior appointees in the Trump administration.” That sort of political rationale falls squarely within the type of excuse the Supreme Court has previously ruled as impermissible. US District Judge Sparkle Sooknunan has ruled that the firing of Susan Grundmann from the Federal Labor Relations Authority not only violated the agency’s founding statute but also “long-standing Supreme Court precedent that is binding on this Court.” US District Judge Rudolph Contreras has ruled that the firing of Cathy Harris from the Merit Systems Protection Board was illegal because such appointees cannot be fired unless it’s for inefficiency, neglect of duty or malfeasance in office — and Trump didn’t accuse her of such things. In other cases, Judge William Alsup of the Northern District of California ruled that the Office of Personnel Management’s firings of probationary employees at several agencies were likely illegal. He also slapped down the White House’s effort to fire scores of federal workers and ordered some agencies — including Treasury and Defense — to reinstate them. US District Judge Ana Reyes ruled that Trump’s executive order banning transgender people from the military violated the due process clause of the Fifth Amendment. Another judge blocked Trump’s attempt to place transgender women who are federal prisoners into men’s prisons. A federal court also granted a nationwide injunction against other Trump’s executive orders attacking diversity, equity, and inclusion on the grounds that they violated the Fifth Amendment.

The **Citizenship Clause of Fourteenth Amendment to the US Constitution** reads, in part, as follows: *All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.*

Trump ordered an end to birthright citizenship for children born to unauthorized immigrants and people who are in the country on temporary work, student, or tourist visas. Trump’s order has been blocked by several federal judges as a violation of the Fourteenth Amendment. One of them, US District Judge John Coughenour, called Trump’s move “blatantly unconstitutional” and issued a warning about Trump’s disrespect for the rule of law.

The **1798 Alien Enemy Act** reads as follows: *Whenever there shall be a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion shall be perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured and removed, as alien enemies.*

In the 227 years since its enactment, the Alien Enemies Act has been invoked only three times and always after Congress had declared war. James Madison used the law to arrest British nationals during the War of 1812. Woodrow Wilson invoked it against Germans during World War I. Franklin Roosevelt used it during World War II against Italian and German noncitizens and also to hold more than 100,000 people of Japanese descent in incarceration camps.

Trump recently signed a proclamation invoking the Alien Enemy Act against Tren de Aragua (TdA), an international gang with deep roots in Venezuela. He ignored the fact that the US is not at war with Venezuela and justified his action by declaring that TdA is part of a “hybrid criminal state that is perpetrating an invasion of and predatory incursion into the United States” — a far-fetched argument, to say the least. In fact, TdA is not a “foreign nation or government,” and there is no “invasion or predatory incursion against the territory of the United States.”

The White House kept Trump’s proclamation secret until the chief judge of the US District Court for the District of Columbia, James Boasberg, issued a temporary restraining order against removing anyone being held under the Alien Enemies Act from the US. Despite the judge’s order, Trump flew 238 members of TdA and 23 members of the Salvadoran MS-13 gang to El Salvador and agreed to pay the Salvadorians \$6 million to imprison them for a year.

The **1974 Impoundment Control Act** makes it plain that the president cannot delay or withhold funding appropriated by Congress unless he submits a special request to Congress to let him do so. Congress can then choose how much, if any, of the president’s request to accept. If Congress does not approve the president’s request, then the president must spend the appropriated funds and cannot propose to withhold it again.

Trump has cut off billions of dollars in federal funding without sending the required requests to Congress. On January 20, he signed an executive order that froze all foreign assistance funding for 90 days and ordered a review of all US development work abroad. Another executive order signed that day froze the disbursement of all appropriated funding from the Inflation Reduction Act and the Infrastructure Investment and Jobs Act, while an additional executive order froze federal funding for sanctuary cities. Additionally, a January 27 OMB memo to all heads of executive branch departments and agencies paused agency grant, loan, and other financial assistance programs. His order to slash “overhead” at research labs funded through the National Institutes of Health was blocked by a district judge. US District Judge Theodore Chuang has issued a preliminary injunction blocking Musk and DOGE from taking any further actions to dismantle USAID and ordered that the agency be allowed to reoccupy its headquarters in the Ronald Reagan building in Washington, D.C.

The **1977 International Economic Powers Act** gives the president extensive powers to deal with national emergencies. Trump announced he would introduce tariffs on imports from Canada, Mexico, and China, even though the US Constitution grants the power to impose tariffs to Congress, not the president. To get around this, Trump declared a “national emergency,” claiming that those three countries posed an “extraordinary threat” to the US by “allowing the entry into the US of illegal aliens and deadly drugs,” which allowed him to invoke the International Emergency Economic Powers Act (IEEPA). However, there are two problems. First, it isn’t at all clear that the tariffs are an appropriate response to “allowing the entry of illegal aliens and deadly drugs.” Second, the IEEPA empowers a president to embargo imports and impose sanctions but does not empower him to impose tariffs. Since the IEEPA was enacted 48 years ago, not once has a president ever used that law to impose a tariff. Nevertheless, Trump has imposed tariffs on goods from neighboring Canada and Mexico as well as China on all steel and aluminum imports and on foreign cars and auto parts. Lawsuits have been filed.

Trump recently imposed what he calls “reciprocal” tariffs of 10 percent on imports to the US from all countries and higher tariff rates on goods from countries that run trade surpluses with us. (Later he announced a 90-day pause on those higher tariff rates, except for China). Trump claims that his authority to impose “reciprocal” tariffs comes from the 1962 Trade Expansion Act, which permits the president to impose a tariff on imported goods that “threaten to impair” US national security, and the 1974 Trade Act, which permits the president to impose tariffs on goods from countries that violate US trade agreements or engage in acts that are “unreasonable.” Although Trump’s so-called “reciprocal” tariffs are regarded by most economists as hare-brained, it seems that these statutes authorize him to impose them without invoking IEEPA.

The **1917 Espionage Act** makes it illegal to disclose sensitive national security information. The **1950 Federal Records Act** requires each federal agency to make and preserve a record of all official communications.

On March 13 to 15, Trump’s top national security officials took part in a chat via *Signal* — a commercially available messaging app — in which Defense Secretary Pete Hegseth disclosed top-secret plans for a US military strike against the Houthi militia in Yemen. Jeffrey Goldberg, the editor-in-chief of *The Atlantic*, was mistakenly invited to join the chat. At first, Goldberg kept details of the chat secret, but after the White House claimed that no classified material was disclosed, he published the entire text, omitting only the name of a CIA intelligence officer. The Espionage Act makes it illegal to disclose top-secret information, even if done inadvertently, but no lawsuit has yet been filed accusing Trump officials of violating this statute. In addition to disclosing top-secret information, it turns out that the *Signal* chat was set to be automatically deleted after four weeks, which is a violation of another statute, the Federal Records Act. A nonpartisan watchdog group, American Oversight, brought a lawsuit accusing the Trump officials who took part in the chat of flouting that law. Shortly thereafter, US District Judge James Boasberg ordered those officials — Defense Secretary Pete Hegseth, Director of National Intelligence Tulsi Gabbard, CIA Director John Ratcliffe, Treasury Secretary Scott Bessent, and Secretary of State Marco Rubio — to preserve their copies of the chat.

Thus far, the courts have blocked, temporarily at least, some of Trump’s unlawful acts. But the question remains: Will the courts be able to save us? A person close to Trump recently said that the president’s power over judges comes from the fact that they do not command an army, whereas the president does. “Are they going to come and arrest him?” that person asked, apparently confident that the answer is “no.” Resistance to Trump must ultimately come from the streets. History tells us that loud public protest by ordinary citizens is what separates democracies that survive from those that succumb to assault by autocrats.

Remember Martin Niemöller? He was a prominent Lutheran pastor in Germany. At first, he sympathized with the Nazis, but after Adolf Hitler came to power in 1933, he became an outspoken critic and ended up spending eight years in Nazi prisons. He managed to survive, and years later, he wrote this:

*First, they came for the socialists, and I did not speak out — because I was not a socialist.
Then they came for the trade unionists, and I did not speak out — because I was not a trade unionist.
Then they came for the Jews, and I did not speak out — because I was not a Jew.
Then they came for me — and there was no one left to speak for me.*

Make Tuscola County
a better place
to live.



*Paid for with regulated funds
by the Tuscola County Democratic Party
P.O. Box 605, Caro, MI 48723*

Elect Democrats