



The Morning
News
Florence, SC
Circ. 35092
From Page:
3a
8/21/2015
61050

148 Gov. Haley will fight bringing Guantanamo detainees to state

The Associated Press

COLUMBIA — Gov. Nikki Haley said Thursday that she will fight the possibility that detainees from Guantanamo Bay, Cuba, will be brought to the Naval Brig near Charleston.

The Defense Department has said it will evaluate the brig, in Hahanan, as a potential site to house detainees as part of the Obama administration's push to close the Guantanamo prison. Fort Leavenworth, Kansas, is also being considered.

The Pentagon has said it will send a survey team to the military prison in South Carolina by month's end. A similar assessment was conducted Aug. 14 at Fort Leavenworth.

"They are wasting their time," Haley said. "We are absolutely drawing a line. We are not going to allow South Carolina to be a magnet for terrorists."

The Republican governor said moving the detainees to any state would violate a law passed by Congress, but she doesn't trust that will prevent their transfer to South Carolina. President Barack Obama has "skirted the law" before, she said.

The closure of the Guantanamo Bay detention center has been a top priority for Obama, who pledged on his first day in office to shut it down. But that effort has faced persistent hurdles, including staunch opposition from congressional Republicans and some Democrats.

About 52 of the 116 current detainees have been cleared for release. The remaining 64 have been deemed too dangerous.

Haley said she's exploring all options but gave no specifics for how she'll fight the possibility that any will come to South Carolina other than to say, "I can get loud."

She noted that South Carolina is known as a strong military state.

"This is a slap in the face to the people of South Carolina who have sacrificed so much for their country," Haley said.

On Wednesday, her predecessor, U.S. Rep. Mark Sanford, wrote a letter to the Defense Department opposing the possibility. In it, he said he's concerned about moving detainees from a remote corner of Cuba to a prison near a school, homes and a port.





The Morning
News
Florence, SC
Circ. 35092
From Page:
3a
8/20/2015
61050



148 Governor names new chief of staff

BY ANDREW SHAIN
The State
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COLUMBIA — Gov. Nikki Haley named Swati Patel, a veteran of two gubernatorial administrations, as her new chief of staff Wednesday.

Patel will succeed James Burns on Sept. 1.

Burns is leaving after 10 months to return to the Nelson Mullins Riley & Scarborough law firm where he worked before joining Haley's office.

Patel, 44, has been Haley's chief legal counsel since she took office in 2011. She also worked as legal counsel to Gov. Mark Sanford during portions of his two terms in office.

Patel previously also was counsel to the S.C. House Judiciary and Ethics committees, and the Judicial Merit Selection Commission. She also was a staff attorney with the Legislative Council, which helps draft legislation.

Patel will earn \$130,000 a year, the same salary as Burns.

"I can't think of anyone who is more widely respected or uniquely qualified to lead our team than Swati Patel," Haley said. "Swati's steady leadership as legal counsel has strengthened our staff, guided our administration and helped us deliver results to the people

of South Carolina — and, as chief of staff, Swati will keep that momentum going."

Holly Pisarik, special assistant to state Department of Social Services director Susan Alford since last year, will succeed Patel as Haley's chief legal counsel.

The governor appointed Pisarik as director of the S.C. Department of Labor, Licensing and Regulation in 2012. She also worked at Nelson Mullins.

Burns, a former military attorney, worked on an ethics reform task force for Haley and headed the State Ethics Commission before becoming the governor's chief of staff soon after her re-election last year. He succeeded Ted Pitts, a former lawmaker who became head of the S.C. Chamber of Commerce.

"When James Burns joined our team last year, he had an immediate, positive impact," Haley said. "He was the right person to lead us into a second term. We have been incredibly blessed by his leadership and integrity — and by the sacrifice of his entire family — during one of the most challenging periods in our state's history, and we couldn't be prouder to forever call him a member of Team Haley."

Patel is Haley's fifth chief of staff since she took office in 2011.



148 GOP Gov. Haley asks for review of 3 abortion clinics

The Associated Press

COLUMBIA — Gov. Nikki Haley asked South Carolina's public health agency Tuesday to investigate the state's three abortion clinics, starting with the one operated by Planned Parenthood.

Haley is the latest Republican to call for a review of abortion practices following the release of videos — secretly taped by an anti-abortion group — that show Planned Parenthood officials discussing the collection of fetal organs for research.

Three weeks ago, 26 House Republicans requested a review by the Legislative Audit Council. Ten senators signed an identical request Monday. The council's governing board will vote on the letters at its next, not-yet-scheduled meeting.

Haley's letter to the director of the Department of Health and Environmental Control — the agency that regulates abortion clinics — called for a "comprehensive investigation of the policies and practices of abortion clinics," starting with Planned Parenthood.

In response, agency spokeswoman Jennifer Read said "we will promptly initiate an investigation." The governor does not directly control the agency, but she appoints all of its board members.

Haley noted that a Legislative Audit Council report in May found the agency hasn't consistently inspected the state's three licensed abortion clinics as required by law.

Jenny Black, president of the Planned Parenthood South Atlantic, said last month that South Carolina's anti-abortion legislators are using the videos to advance their own political agendas, calling it

part of a smear campaign by extremists who want to ban abortion.

None of Planned Parenthood's clinics in the South Atlantic region — which includes the Carolinas, West Virginia and much of Virginia — participates in fetal tissue collection, according to its regional office in Raleigh, North Carolina.

The anti-abortion group, Center for Medical Progress, said the videos it released show that Planned Parenthood illegally sells fetal tissue for profit.

Planned Parenthood

executives contend any donations are legal and ethical. Federal law allows abortion providers to be paid for processing fees.

In South Carolina, regulations require fetal tissue to be incinerated, buried or donated for medical research.

Planned Parenthood's Columbia clinic accounted for 29 percent of the 5,700 abortions performed in South Carolina last year. Clinics in Greenville and Charleston that provide abortions are not operated by Planned Parenthood. They respectively provided 37 percent and 33 percent of the 2014 abortions. The remaining 1 percent occurred in hospitals, according to data from the Department of Health and Environmental Control.

The videos on Planned

Parenthood have incensed Republican lawmakers across the nation. Anti-abortion groups are organizing protests outside their clinics nationwide this weekend, including in South Carolina.

A new rule issued Friday by Arizona Gov. Doug Ducey requires abortion clinics in that state to report what happens to

The Morning News
Florence, SC
Circ. 35092
From Page: 4a
8/19/2015
61050





the remains of aborted fetuses.

Also Friday, Arkansas GOP Gov. Asa Hutchinson ordered an end to Medicaid payments to Planned

Parenthood for family planning and gynecological services. Similar announcements in Alabama and Louisiana earlier this month prompted a warn-

ing from the U.S. Department of Health and Human Services that it could violate federal law.

The Morning
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Florence, SC
Circ. 35092
From Page:
4a
8/19/2015
61050

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CINDI ROSS SCOPPE
ASSOCIATE EDITOR

Oversight panel's work is too important for distraction

ISUSPECT Paul Townes would be looking for work now if not for a quirk of timing that brought the internal auditor before the House's Legislative Oversight Committee just as the Transportation Commission was getting fed up with his interest in looking for waste, fraud and abuse.

If not for Mr. Townes' very public complaints at a very public meeting of the new legislative committee, we likely never would have known that the commissioners were at loggerheads with the internal auditor over whether he should act as a watchdog or a lapdog.

Saving individual auditors from getting axed is not technically the task of the committee. Its job is much bigger than that: to find problems in state agencies. It was serendipity that brought Mr. Townes before the panel at precisely the moment that the transportation commissioners were preparing to show him the door, almost certainly in violation of state law.

Saving this auditor was merely a startling side effect of the Legislature's new focus on actually paying attention to what's going on in the state agencies that it traditionally has created, funded and then ignored until a crisis erupted.

Perhaps this will be the only such dramatic benefit of the new

process, but I rather doubt it.

That is, I rather doubt it as long as the committee stays focused on its work.

Which it voted last week not to do.

Last week, the committee voted to distract itself from the intensive reviews it has pledged to complete this year of the huge Transportation Department and nine other state agencies, adding an investigation into the relationship between Planned Parenthood and four state agencies.

Now, there are circumstances under which it might be a good use of the panel's time (or at least not a bad use) to jump into the political firestorm that has been raging nationally since the release of secretly recorded videos showing Planned Parenthood officials talking cavalierly about harvesting and selling aborted fetal tissue to medical researchers.

It certainly would make sense, for instance, to add that line of questioning if the panel already were reviewing the agencies it plans to call in for questioning: the Medical University of South Carolina and the departments of Health and Environmental Control, Health and Human Services and Social Services. But it's not.

It might even be a worthwhile question for the panel to pursue if no one else was examining whether any fetal tissue was

being harvested in South Carolina, and whether any state funds were supporting that. *And* if there were anything to suggest that what we know has happened in California and Oregon might be happening here. *And* if the committee weren't already overloaded.

But none of that is the case.

The attorney general is investigating Medicaid payments to Planned Parenthood clinics. Gov. Nikki Haley has asked DHEC to investigate those clinics. And I think it's safe to say

that her Cabinet directors at DSS and Health and Human Services would let her know if there were any hint of problems in their agencies, and that Mr. Wilson will expand his investigation if he gets any remotely credible suggestions that there's anything amiss.

Separately, more than 35 legislators have asked the Legislative Audit Council to pin down how much tax money goes to Planned Parenthood. Frankly, that's a task that's beneath the LAC's expertise, and could easily be performed by the House and Senate budget committees. If budget writers don't already have that information, it's only because they've had no interest in having it, not because it would be difficult to get.

Even more important than the lack of a need for this foray is

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that question of capacity. And focus.

The House committee was created to comply with a 2014 law that also turned control of most central administrative functions of government over to the governor; the twin components of that law were designed to give the governor the tools and authority to act like a governor and to give the Legislature the tools and mandate to act like a legislature. The Legislature gave itself the new oversight mandate in hopes of pulling our state out of its crisis-to-crisis pattern by helping lawmakers spot potential problems before they become crises, by conducting regular audits of state agencies, on a seven-year rotating basis.

Rather than creating a single new committee to become an expert at examining agencies, the Senate tasked its standing

committees with investigating the agencies already assigned to them, with the assistance of a central staff of investigators.

This was the approach envisioned by the authors of the law, who also wanted to get more legislators familiar with what happens in state agencies. That should help them understand how laws need to be changed to accomplish our goals.

House Speaker Jay Lucas convinced me, and his colleagues in the House, that his approach was worth trying, in spite of its shortcomings and drawbacks. But I still had my doubts as to whether the panel was up to its extremely important and challenging and time-consuming task.

My doubts grew when the panel's wisely modest first-year list of four agencies to review morphed into a list of 10.

And now this.

Let's be nice and assume that the House members who voted to divert their attention from their actual mission weren't just looking for an opportunity to score political points by taking on what is rapidly becoming one of the least popular entities in the country, at least among Republican primary voters.

Let's just stick with what we know: Their investigation is duplicative. Their investigation will distract them from their mission. Our state desperately needs them to succeed in their mission.

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