

## PICK

# Feds rescind guidance on affirmative action

The Associated Press

WASHINGTON — The Trump administration is rescinding Obama-era guidance that encouraged schools to take a student's race into account to promote diversity in admissions.

The shift gives schools and universities the federal government's blessing to take a race-neutral approach in admissions and enrollment decisions.

The affirmative-action policies were among 24 documents rescinded by the Justice Department on Tuesday for being "unnecessary, outdated, inconsistent with existing law, or otherwise improper." Attorney General Jeff Sessions called the changes an effort to restore the "rule of law" and blamed past administrations for imposing new rules without any public notice or comment.

"That's wrong, and it's not good government," Sessions said in a statement.

The action comes amid a high-profile court fight over admission at Harvard University as well as Supreme Court turnover expected to produce a more critical eye toward schools' affirmative-action policies.

The court's most recent significant ruling on the subject



AFP/GETTY IMAGES / ALEX WONG

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bolstered colleges' use of race among many factors in the admission process. But the opinion's author, Anthony Kennedy, announced his retirement last week, giving President Donald Trump a chance to replace him with a justice who may be more reliably skeptical of admissions programs that take race and ethnicity into account.

The new policy would dramatically depart from the stance taken by the Obama administration, which in a 2011 policy document said courts had recognized schools' "com-

PELLING interest" in diverse populations. The guidance said that while race should not be the primary factor in an admission decision, schools could lawfully consider it in the interest of achieving diversity.

"Institutions are not required to implement race-neutral approaches if, in their judgment, the approaches would be unworkable," the guidance said. "In some cases, race-neutral approaches will be unworkable because they will be ineffective to achieve the diversity the institution seeks."

That guidance has now been

rescinded, as have more than a half-dozen other similar documents, including some that sought to explain Supreme Court rulings affirming the use of race as one of several factors in the admissions process.

The Obama approach replaced Bush-era policy from a decade earlier that discouraged affirmative action and instead encouraged the use of race-neutral alternatives, like percentage plans and economic diversity programs.

The Trump administration's announcement Tuesday is more in line with Bush administration policy, and though the guidance does not have the force of law, schools could use it to help defend themselves against lawsuits over their admission policies.

The Justice Department in the Trump administration had already signaled its concern about the use of race in admissions decisions.

The department, for instance, has sided with Asian-American plaintiffs suing Harvard University who argue that the school unlawfully limits how many Asian students are admitted.

Civil liberties groups decried the move, saying it went against decades of court rulings that permit colleges and universities to take race into account.

## Trump, at W. Va. resort, pays tribute to vets

The Associated Press

WHITE SULPHUR SPRINGS, W. Va. — President Donald Trump celebrated active-duty service members and veterans during a military tribute Tuesday on the eve of Independence Day.

Delivering remarks at a "Salute to Service" charity dinner at the Greenbrier resort in White Sulphur Springs, West Virginia, Trump praised "Americans of every generation" who have served in the armed forces.

The event was held in conjunction with the PGA Tour's

Greenbrier Classic, which has been re-christened as "A Military Tribute at The Greenbrier." The venerable resort is owned by the state's Republican governor, presidential ally Jim Justice.

Highlighting his efforts to boost spending for the military, Trump said, "As the golfers can tell you, the stronger we get, the less likely it is that we will have to use it." An avid golfer, Trump praised the "incredible athletes" in attendance. "These are unbelievably talented people," he said. "They're talented in their mind and in their body. Their

muscles are strong, but their mind has to be stronger."

The event marked Trump's latest appearance in a state he won by more than 40 percentage points in 2016. Its Democratic senator, Joe Manchin, is seeking re-election.

Trump has criticized Manchin for voting against tax cuts the president enacted last year. Manchin is among Democrats with whom Trump recently discussed the vacancy on the Supreme Court.

Trump previewed his upcoming nomination to fill the vacancy, saying he "hit a home run" with Justice Neil Gor-

such, whom he picked for the nation's high court last year. "We're going to hit a home run here," he said.

The president also criticized calls from some Democrats to abolish U.S. Immigration and Customs Enforcement, the federal agency charged with detaining and deporting unauthorized immigrants. "We're not abandoning ICE and we're not abandoning law enforcement," he said.

President Trump is expected to announce his nominee for the Supreme Court on Monday. **Video: [newsday.com/nation](https://www.newsday.com/nation)**

such, Trump's first pick to the high court, have indicated more broadly that they respect legal precedent.

Trump has said he is focusing on up to seven potential candidates, including two women, to fill the vacancy being left by Kennedy, a swing vote on the nine-member court.

AP / EVAN VUCCI