



Fact Checking the Ninth GOP Debate

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The ninth GOP debate featured the top six remaining candidates for the party's presidential nomination. They repeated several false and misleading claims, and made some new ones, too.

- Sen. Ted Cruz claimed that “we have 80 years of precedent of not confirming Supreme Court justices in an election year.” That’s wrong. Justice Anthony Kennedy was confirmed in 1988, an election year.
- Businessman Donald Trump called Cruz the “single biggest liar” for saying Trump “supports federal taxpayer funding for Planned Parenthood.” But Trump did leave open the possibility of funding some aspects before later saying he wouldn’t support funding as long as the group performed abortions.
- Sen. Marco Rubio said that illegal immigration “is worse today than it was three years ago, which is worse than it was five years ago.” The estimated number of immigrants in the country illegally has remained stable over that time.
- Retired neurosurgeon Ben Carson attributed a quote to Joseph Stalin that experts say didn’t come from the Soviet dictator.
- Trump falsely claimed that a failed eminent domain case to benefit a Trump casino project in 1998 “wasn’t for a parking lot.” It was.
- Former Florida Gov. Jeb Bush conflated two Trump quotes in claiming Trump called Sen. John McCain a “loser because he was a P.O.W.” Trump said he was a loser, because he lost the 2008 presidential election.
- Trump claimed that the nation’s economy “didn’t grow” in the last quarter. It did grow, by a small amount.
- Trump repeated his claim that he is a self-funded candidate. Not entirely. His money makes up 66 percent of his campaign’s money through the end of 2015. The rest comes from individual donors.

And there were several other repeated claims we’ve fact-checked before on jobs, taxes, immigration and regulation.

Analysis

The debate was held in Greenville, South Carolina, and moderated by John Dickerson of CBS News. Participating were: former Florida Gov. Jeb Bush, retired neurosurgeon Ben Carson, Texas Sen. Ted Cruz, Ohio Gov. John Kasich, Florida Sen. Marco Rubio and businessman Donald Trump. It was the first Republican debate since New Jersey Gov. Chris Christie and former Hewlett Packard CEO Carly Fiorina ended their presidential campaigns.

An Election-Year Supreme Court Confirmation

Dickerson asked the candidates if, given the death of Supreme Court Justice Antonin Scalia, President Obama should use his constitutional authority to name a replacement justice this year.

Cruz claimed that “we have 80 years of precedent of not confirming Supreme Court justices in an election year.” That’s wrong.

President Ronald Reagan nominated Justice Anthony Kennedy to the high court on Nov. 30, 1987, and Kennedy was confirmed by the Senate on Feb. 3, 1988, by a vote of 97-0. That was the same year that George H.W. Bush was elected to succeed Reagan as president.

Kennedy was actually Reagan’s third nominee to replace retiring Justice Lewis Powell. Robert Bork, who Reagan nominated on July 1, 1987, was rejected by a vote of 42-58 on Oct. 23, 1987. And Douglas Ginsburg withdrew his name from consideration in early November 1987, after acknowledging that he had smoked marijuana several times.

When Dickerson pointed out that Kennedy was confirmed in 1988, Cruz said, “No, Kennedy was confirmed in ’87.” But Dickerson was right and Cruz was wrong.

That also makes Rubio’s claim that “it has been over 80 years since a lame duck president has appointed a Supreme Court justice” problematic.

If Rubio considers Obama to be a “lame duck president,” meaning his time as president will soon be over, the same could be said of Reagan, who nominated a replacement justice well into his second and final term as president.

Trump’s Position on Planned Parenthood

When Cruz said Trump “supports federal taxpayer funding for Planned Parenthood,” Trump responded that Cruz was the “single biggest liar.” Trump said in August that he didn’t support funding abortions performed by Planned Parenthood but he left open the possibility of funding other aspects of the group’s work on women’s health.

In early September, however, Trump said, “I wouldn’t do any funding as long as they are performing abortions.”

Here’s part of the disagreement between the two candidates in the debate:

Trump: *Where did I support?*

Cruz: *You supported it when we were battling over defunding Planned Parenthood. You went on...*

Trump: *That’s a lot of lies.*

Cruz: *You said, “Planned Parenthood does wonderful things and we should not defund it.”*

Trump: *It does do wonderful things but not as it relates to abortion.*

Cruz: *So I’ll tell you what...*

Trump: *Excuse me. Excuse me, there are wonderful things having to do with women’s health.*

Cruz: *You see you and I...*

Trump: *But not when it comes to abortion.*

In an Aug. 11, 2015, interview with CNN’s Chris Cuomo, Trump said, “Well, the biggest problem I have with Planned Parenthood is the abortion situation. It’s like an abortion factory frankly. You can’t have it and it shouldn’t be funding and that should not be funded by the government. I feel strongly about that.”

He went on to say, “What I would do is look at the individual things that they do and maybe some of the things are good, I know a lot of things are bad. But certainly the abortion aspect of it should not be funded by government.”

Cuomo followed up, asking, “So you would take a look at it before you defund it. That’s what is being asked for right now. Many in your party are doing the opposite. They are saying defund it and then look at it. You’d say look at it first.”

Trump responded: “I would look at the good aspects of it. I would also look as I’m sure they do some things properly and good and good for women. I would look at that. I would look at other aspects also, but we have to take care of women. We have to absolutely take care of women. The abortion aspect of Planned Parenthood should not be funded.”

So, Trump did not say he supported cutting off all federal funding to Planned Parenthood, as other Republicans, including Cruz, have done. He did say that abortions performed by Planned Parenthood shouldn’t be funded. (For the record, federal funding for abortion is restricted by the Hyde Amendment to only abortion cases involving rape, incest or endangerment to the life of the mother.)

But, as CNN wrote in a headline on the Trump interview, he has waffled on this issue. A week earlier, on Aug. 4, 2015, radio host Hugh Hewitt asked whether Trump would support shutting down the government in an attempt to cut off federal funding to Planned Parenthood.

Trump responded: “I would.”

Trump has made other conflicting statements. Also on Aug. 11, in an interview with Fox News when asked whether taxpayers should give Planned Parenthood a penny since it performs abortions, Trump said that abortion services was a small part of what the group did and that it provided important services to women (starting at the 5:50 mark).

Trump, Aug. 11, Fox News: *Let’s say there’s two Planned Parenthoods in a way. You have it as an abortion clinic. Now that’s actually a fairly small part of what they do, but it’s a brutal part and I’m totally against it and I wouldn’t do that. They also however service women. ...*

We have to help women. A lot of women are helped. We have to look at the positives, also, for Planned Parenthood.

Trump left open the possibility of cutting off funding unless the group stops performing abortions, saying, “Maybe unless they stop with the abortions, we don’t do the funding for the stuff that we want. There are many ways you can do that.”

But then in another Fox News interview on Sept. 8 with Bill O’Reilly, Trump took a harder line and denied that he supported funding the group: “No, I mean a lot of people say it’s an abortion clinic. I’m opposed to that. And I wouldn’t do any funding as long as they are performing abortions. And they are performing abortions. So I would be opposed to funding — I would be totally opposed to funding,” Trump said.

Rubio Wrong on Illegal Immigration

Rubio said that illegal immigration “is worse today than it was three years ago, which is worse than it was five years ago.” It has remained pretty flat in that time.

There were 11.3 million people living in the U.S. illegally in 2014. That’s the most recent estimate from the Pew Research Center. That is lower than the 11.5 million the center estimated were living in the U.S. illegally three years earlier in 2011, and the same as the 11.3 million in 2009.

Overall, “[t]his population has remained essentially stable for five years after nearly two decades of changes,” Pew said in its July 2015 report.

Stalin Didn’t Say That

In his closing statement, Carson attributed a quote to Joseph Stalin that experts say didn’t come from the Soviet dictator.

“Joseph Stalin said if you want to bring America down you, have to undermine three things: our spiritual life, our patriotism and our morality,” Carson said. “We, the people, can stop that decline, starting right here in South Carolina.”

The Internet myth-busters at Snopes.com looked into the quote when it made the rounds as a Facebook meme (the exact quote attributed to Stalin then was, “America is like a healthy body and its resistance is threefold: its patriotism, its morality, and its spiritual life. If we can undermine these three areas, America will collapse from within.”). Snopes searched collections of Stalin’s speeches, writings, interviews and other statements and was unable to turn up any reference to that quote. Snopes also noted that none of the numerous citations on the Internet referenced a verifiable source for the quote.

After the debate, we reached out to David Brandenberger, an associate professor of history and international studies at the University of Richmond, who has written extensively about Stalin, and he told us the quote is bogus.

“Indeed, the only thing more remarkable than Carson quoting Stalin at the debate was that he attributed to him a made-up quotation,” Brandenberger told us via email. “Of course, Stalin is

often credited with apocryphal statements ('Death is the solution to all problems. No man – no problem,' etc.), but that doesn't excuse Carson tonight."

Stanford history professor Norman Naimark, who holds the Robert and Florence McDonnell Chair in East European History and wrote "Stalin's Genocides," told us he has never heard of that quote from Stalin either. "I suspect Carson made it up, but I don't know for sure," Naimark told us.

Trump/Bush on Eminent Domain

Trump and Bush once again argued over New Jersey's failed attempts to use eminent domain to benefit a Trump casino project in Atlantic City. But, in defending himself, Trump misrepresented the case.

Trump falsely claimed that the eminent domain case "wasn't for a parking lot," but rather for "a very large tower" that would "employ thousands." But the eminent domain case *was* for a parking lot. A "very large tower" was not part of the condemnation proceedings, but there was a proposed hotel renovation that would have been accomplished through a private sale.

Trump: *When Jeb had said, "You used eminent domain privately for a parking lot." It wasn't for a parking lot. The state of New Jersey — too bad Chris Christie is not here, he could tell you — the state of New Jersey went to build a very large tower that was going to employ thousands of people. I mean, it was going to really do a big job in terms of economic development.*

Here are the facts, as we have reported once before: The state Casino Reinvestment Development Authority attempted to condemn three parcels of land in Atlantic City as part of a \$28.6 million hotel project proposed by Trump Plaza Associates. The properties were owned separately by three families with the last names Banin, Coking and Sabatini.

Here's how a state court judge, in ruling against the state and Trump in 1998, described Trump's proposal and the three properties that the state wanted to condemn to complete it:

Casino Reinvestment Development Authority v. Banin, July 20, 1998: *Trump's project called for the redevelopment of the city block abutting the boardwalk between the Trump Plaza Hotel-Casino and Caesars Hotel-Casino. The block was located in the Corridor Area which was an area previously identified by CRDA for redevelopment. The site was occupied by the former Holiday Inn Hotel, the rusting steel structure of the aborted Penthouse Hotel-Casino project, some undeveloped lots and a few private residences and small businesses. Included within the site were the properties of defendants Banin, Coking and Sabatini.*

Trump's project proposed creation of a 361-room hotel by rehabilitation of the Holiday Inn building; removal of the dilapidated Penthouse steel structure; construction of surface parking and a driveway bisecting the block from Missouri Avenue to the entrance of the Trump Plaza Hotel; and creation of a park or privately-owned landscaped area along Pacific Avenue. The project also called for construction of a two-story porte-cochere at the Trump Plaza entrance spanning Columbia Place, the public street between Trump Plaza and the site, as well as linkage of the renovated hotel to Trump Plaza by way of a sky bridge over Columbia Place near the Boardwalk.

Superior Court Judge Richard Williams wrote in his opinion that the “parcels in the area proposed for the driveway, surface parking, and the landscaped park area were held by other owners. Because Trump had previously been unable to acquire these privately-owned parcels, CRDA was requested to use its power of eminent domain for their acquisition.”

Williams wrote that under Trump’s plan “Coking’s property [would] be blacktopped and used for surface parking and Banin and Sabatini’s properties would be planted with grass and used for a park or green space.”

It was Vera Coking who was featured in a Cruz ad attacking Trump for seeking to bulldoze Coking’s home “for a limousine parking lot for his casino.” As the *Philadelphia Inquirer* reported in 1998, Trump proposed “a limousine waiting area” on Coking’s property.

So, while Trump can make the argument that his project would have created jobs, he cannot say that the eminent domain case “wasn’t for a parking lot.” It was for a parking lot and public park to complete the project.

Did Trump Call McCain a ‘Loser’?

In a pointed exchange, Bush claimed Trump once called Sen. John McCain a “loser because he was a P.O.W.” Trump called McCain a loser, but not because he was a prisoner of war. He called him a “loser” because he lost the 2008 presidential election to Barack Obama.

In the debate, Bush said, “And, it’s really weak to call John McCain a loser because he was a P.O.W.”

“I never called him — I don’t call him,” Trump responded.

“That is outrageous,” Bush continued. “The guy’s an American hero.”

There are two Trump quotes in question here. And Bush was conflating them.

At the Family Leadership Summit in Ames, Iowa, in July, Trump said of McCain, “He’s not a war hero. He was a war hero because he was captured. I like people who weren’t captured.” In comments to the media after his speech, Trump seemed to walk that back a bit, saying, “If somebody’s a prisoner, I consider them a war hero.”

In the same speech, Trump also took a shot at McCain for losing the 2008 presidential race to Barack Obama.

“He lost,” Trump said. “He let us down. I never liked him as much after that because I don’t like losers.”

GDP Growth

Trump claimed that the nation’s economy “didn’t grow” in the last quarter. It did grow, although fourth-quarter growth was weak.

Trump: *We have an economy that last quarter, GDP didn’t grow. It was flat. We have to make our economy grow again.*

In a [Jan. 29 press release](#), the Bureau of Economic Analysis said the nation's gross domestic product grew at an annual rate of 0.7 percent in the fourth quarter of 2015. For the year, the U.S. economy grew by 2.4 percent — the same as 2014, BEA said.

Not Entirely Self-Funded

Trump repeated his claim that he is a “self-funder” when it comes to funding his campaign. Not completely, he isn't.

Trump's presidential campaign received \$19.4 million in 2015, according to Trump's [year-end filing](#) with the Federal Election Commission in January. Trump loaned his campaign \$12.6 million of that amount, and he made additional in-kind contributions of \$219,000. So, [nearly 66 percent](#) of the campaign's money has come from Trump. The other 34 percent, or \$6.5 million, has come from individual donors.

We should also note that since Trump has [loaned that money](#) to his campaign, rather than donating it, he could potentially get it back. The individual donations that the campaign has received are enough to cover about half of the campaign's \$12.4 million in spending as of Dec. 31, 2015.

It's Groundhog Day All Over Again

Groundhog Day was less than two weeks ago, but watching the Republican debate felt a bit like that for us at FactCheck.org — we have seen many of the same misleading claims crop up again and again. Here are some of the repeat claims we heard:

- Cruz: “The business flat tax that is in my tax plan is not a VAT [Value-Added Tax]. A VAT in Europe is a sales tax.” As [we wrote](#) when this came up during the sixth Republican debate, the nonpartisan, business-funded Tax Foundation has described the Cruz proposal as a “subtraction method value-added tax,” and the conservative *National Review* also describes it as a VAT.
- Bush: “The Cato Institute, which grades governors based on their spending, rank [Kasich] right at the bottom.” We wrote about this recently after ads from the pro-Bush super PAC Right to Rise cited Cato Institute's 2014 [“Fiscal Policy Report Card on America's Governors,”](#) in which it gave Kasich an overall “D” rating and rated him worst among all governors on spending. [We noted](#) that the rating is based on data about Ohio's general revenue fund spending, but the nonpartisan group that published the data warned that the figures for Ohio were skewed, for state comparison purposes, due to accounting methods employed by the state for Medicaid expenditures.
- Bush: “We led the nation in job growth seven out of eight years” when he was governor of Florida. Bush has twisted jobs data a few different ways during the campaign, and this time his campaign says he is referring to the total number of jobs created in the last seven years of his governorship. As [we noted](#) last June, Florida gained more net jobs than any other state, regardless of size, in three of the eight years Bush was governor. But when it comes to the rate of job growth — which factors in the size of the state's job market — Florida ranked fifth over the entire eight years of Bush's two terms.

- Cruz: “Marco [Rubio] went on Univision in Spanish and said he would not rescind President Obama’s illegal executive amnesty on his first day in office.” As we explained when Cruz made a similar charge on two Sunday talk shows on Jan. 31, Rubio said he wouldn’t immediately revoke Obama’s 2012 order protecting so-called “Dreamers” — young people brought to the U.S. illegally by their parents — though he said it would have to end “at some point.” But Rubio has said he would revoke Obama’s 2014 executive action that protects as many as 5 million adults from deportation.
- Rubio: “And here is the truth, Ted Cruz supported legalizing people that were in this country illegally.” We’ve covered this one repeatedly, as it has come up in multiple debates. We covered the issue in detail after the fifth Republican debate, and the gist of it is that Cruz offered an amendment to a Senate immigration bill to strip it of a path to citizenship — although it would have left open the possibility of legalization. Cruz spoke many times in favor of his amendment, advocating its passage, but Cruz’s campaign says that was a political bluff to show that the real aim of the bill’s supporters was a path to citizenship, and that he never actually supported legalization.
- Carson: “You know, when you consider how much regulations cost us each year, you know? \$2 trillion dollars per family, \$24,000 per family.” We last wrote about this when then Republican presidential candidate Rick Perry said in February 2015 that the cost of government regulation “hits American families for \$15,000 a year.” That figure comes from a conservative group’s admitted “back-of-the-envelope” calculation of estimated regulatory costs that does not include any potential savings. The Competitive Enterprise Institute has released a newer version of the report cited by Perry, but the same shortcomings apply.
- Rubio: “Well, first of all, I think amnesty is the forgiveness of a wrongdoing without consequence and that — I’ve never supported that.” We wrote about Rubio’s evolution on immigration, as well as his evolving definition of amnesty back in 2013. In that story, we noted that in 2011, Rubio derided an “earned path to citizenship” as another word for “amnesty.”
- Kasich: “We have grown the number of jobs by 400,000 private-sector jobs since I’ve been governor.” As we wrote when Kasich made a similar boast in the seventh GOP debate, Ohio has, in fact, gained 400,700 private-sector jobs under Kasich. Still, Ohio’s private-sector job growth rate of 9.3 percent during Kasich’s tenure lags behind the national private-sector growth rate of 11.7 percent.