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Here Are the Facts Behind President Trump's Biggest State of the Union Claims

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President Donald Trump had a lot of ground to cover in his rescheduled State of the Union address Tuesday night.

The longest government shutdown in history just ended at an impasse, new trade talks with China just wrapped up, a summit with North Korean leader Kim Jong Un is in the works and the United States is pulling out of its nuclear arms treaty with Russia. Trump also boasted of the unemployment rate, which is near its lowest point in about 50 years.

The State of the Union began at 9 p.m. Tuesday, and despite the divisive national issues the country is facing, Trump focused his speech on unity. However, many critics argue that no individual has polarized Americans more than Donald Trump. According to a poll conducted by NPR, PBS and Marist late last year, 68% of Republicans strongly approve of his job, compared to 4% of Democrats. 73% of Democrats strongly disapprove of his job, compared to 4% of Republicans.

Trump also called for unity during his State of the Union address last year, but a few days later called Democrats “un-American” or even “treasonous” for refusing to clap during the address.

Former Georgia governor candidate Stacey Abrams delivered the Democratic rebuttal.

TIME talked to a series of experts to help provide context to some of Trump’s talking points which he delivered to a joint session of Congress.

Claim: The U.S. would be at war with North Korea if not for Trump

Trump will meet with North Korean leader Kim Jong Un for a second time later this month in Vietnam. During his speech, he claimed this relationship with the East Asian nation has potentially saved lives. “If I had not been elected President of the United States, we would right now, in my opinion, be in a major war with North Korea with potentially millions of people killed,” he said.

Matthew Schmidt, a political science professor and national security expert at the University of New Haven, says the bold assertion is categorically false.

“It’s extreme myopia to think that your own administration can claim that kind of credit,” he told TIME after Trump’s address. “Most importantly, is that Trump simply writes South Korea out of this story. The work of the government in Seoul in averting war, and in setting up Trump’s meeting with Kim, is the real driver of peace in the peninsula.”

But in addition to that bold assertion, Trump also walked back a previous one. “Much work needs to be done but my relationship with Kim Jong Un is a good one,” he said Tuesday. It was a marked shift from his confidence last month.

“North Korea, we’re doing very well,” Trump told reporters in January. “There’s no rockets. There’s no anything.”

In a previous interview, Schmidt explained the system in which intelligence professionals determine global threats. First, analysts will present information, such as satellite images that show weapons or spies on the ground that present details. Then an ancillary team will come in and try to disprove what the first team presented. From there, a final report is written, detailing the possible and probable risk levels.

“The President’s theory on this is already included in this process. And if it doesn’t make it into the report, that’s because the facts don’t allow it to be brought into the report,” Schmidt says. “It’s as apolitical as anything can be. And what the President misunderstands, willfully or not, is that the intelligence agencies deal in facts and have processes in place to avoid the politicizations of analytical conclusions.”

Though North Korea has agreed to close some testing sites, potentially as a way to show they are cooperating with Trump’s negotiations, the country maintains a strong weapons capability, Schmidt says.

“As every credible analyst will tell you, the reason is because the Kim regime has no power in the international realm. Kim himself has no respect in the international realm without the nuclear program,” he says. “There’s almost no chance that the North Korean regime is going to give up its weapons program, that it’s going to give up the one thing that gives it leverage on the Korean peninsula, or in the world.”

Though other U.S. Presidents have been invited to negotiate, Trump is the first to accept. He claims the negotiations are indicative of bargaining power and a path toward denuclearization, which has long been a concern of national security experts.

Claim: The wall is needed because of a crisis at the border

The shutdown may be over, but the fight continues. Although Trump agreed to reopen the government, he is still calling for more than \$5 billion for a wall on the Mexican border, arguing that it is necessary because of a “security crisis at our southern border.”

During his speech, Trump said “walls work, walls save lives.” However, the facts tell a more complicated story.

Immigration, by some metrics, is increasing. In Fiscal Year 2008, 42,710 immigrants filed for asylum — a legal protection status intended to help refugees fleeing unsafe conditions in their home countries. In 2018, that number surged to 159,590: a 274% increase in a decade’s time. There is also a substantial increase in immigrants migrating with their children. Individuals

traveling with relatives made up about a third of all border apprehensions in 2018 — the highest proportion in seven years.

Contrary to some of Trump’s claims, immigrants are generally less likely to commit serious crimes than native-born citizens. According to a case study by libertarian think-tank the CATO Institute, undocumented immigrants were 16% less likely than native-born citizens to be convicted of murder in Texas in year 2015.

Overall, there are also substantially fewer border apprehensions in total than there used to be. The rate is 70% lower than it was in Fiscal Year 2000.

“Most experts agree that there is no crisis at the southern border,” said William Banks, an international security expert and law professor at Syracuse University. “Indeed, the heads of our intelligence agencies released their Worldwide Threat Assessment [last] week and reviewed a significant set of risks and challenges confronting the national security. The southern border and migration were not on the list.”

Additionally, the most common location of entry for drug smugglers is at official border crossing posts, not between them. “Most unlawful activities around the southern border occur at controlled access points,” says Banks. The way to make the southern border safer is not with a wall, he argues, but with improved detection systems and increased personnel in lightly monitored areas.

The 2018 National Drug Threat Assessment by the U.S. Drug Enforcement Agency (DEA) said that the vast majority of heroin that is seized crossing into the United States from Mexico is found at border checkpoints.

Claim: The economy is the best in decades

By many metrics, the economy is doing well. According to the monthly Bureau of Labor Statistics report, an estimated 304,000 jobs were added in January. Additionally, average hourly wages have increased 3.2% since last year, and the unemployment rate — though it edged up from 3.9% to 4% in a month — is still near a 50-year low. While these are strong numbers, according to economists, the effects of the shutdown cannot be ignored. The Congressional Budget Office predicts the 35-day showdown set the economy back \$11 billion.

Randy Olsen, professor emeritus of economics at Ohio State University, said the added jobs figure should be treated with skepticism because it doesn’t take into account that people can have more than one job. A more reliable number, he says, is the employment-to-population ratio, which is calculated by dividing the number of people with jobs by the total population of working age adults. Under the Trump Administration, it’s increasing.

“In the most recent report, that number was about 60.7%. That’s about 1% higher than it was when President Trump took office,” Olsen says. “I wouldn’t be at all surprised if he played up that angle. It’s definitely a strong point.”

Though it wasn’t necessarily anticipated to be this way, Olsen says.

“When President Trump took office, there were a lot of people that said we were headed into a recession. There were some of us who said if he’s able to do what he said he was going to do, it

would probably have a pretty positive effect on the economy,” he said. “I’ll have to count myself as one of those people who got the prediction right.”

Claim: Trump has stacked the courts with conservative judges

Trump has appointed 85 judges to federal courts that have been confirmed by the Senate in the President’s first two years, according to Russell Wheeler, a visiting fellow at the Brookings Institution and expert of the judicial system. In addition to nominating two conservative judges to fill the seats left vacant by the death of former Supreme Court Justice Antonin Scalia and the retirement of former Justice Anthony Kennedy, Trump has also outpaced his recent predecessors in filling vacancies on circuit courts, the second-highest rung in the U.S. judicial system.

The makeup of federal courts proves very influential in U.S. politics, especially when a President known for abrupt decisions is at the nation’s helm. In recent months, courts have ordered injunctions against the Trump Administration’s family separation policy, its decision to add a question about citizenship to the 2020 Census and its plan to immediately end former President Barack Obama’s Deferred Action for Childhood Arrivals program.

But Trump pegged his presidential campaign on the promise that he’d deliver conservative judges, and on that front, he’s been largely successful, says Syracuse University political science and law professor Keith Bybee.

“This is an area where he has actually been successful as he advertises. When he came into office, there was an unusually large number of vacancies on the federal bench,” he said. “It was largely because in 2015, when Republicans gained control of the Senate, they really slowed the pace of confirming judicial nominations. So when Trump came into office, there was a large backlog of vacancies.”

Bybee also says the gains can partially be attributed to new rules that currently favor a Republican Senate majority. Any federal judicial nominee, including for the Supreme Court, can be confirmed by a simple majority instead of the previously required 60 votes. “A large number of vacancies, plus an expedited confirmation process has led to a large number of the Administration’s appointees being confirmed by the Senate,” he says. Further, not all of Trump’s judicial nominations are replacing liberal judges. “You sometimes get a one-for-one swap,” says Bybee, citing conservative Justice Neil Gorsuch’s replacement of conservative Scalia.

Claim: An abortion law permits killing full-term babies

Trump brought up the issue of “late-term” abortion at the State of the Union address, following the passage of a new abortion rights law in New York and a similar bill proposed in Virginia. The President called for Congress to pass a law banning “the late-term abortion of children who can feel pain in the mother’s womb.”

Laws that prohibit abortion after about 20 weeks on the grounds of fetal pain exist in 17 states, according to the Guttmacher Institute, a research and policy organization that advocates for reproductive rights. But research has found that “fetal perception of pain is unlikely before the third trimester,” which begins around the 28th week of pregnancy.

Trump said Tuesday that New York’s abortion law “would allow a baby to be ripped from the mother’s womb moments from birth.” But the law does not extend later abortion access to any woman with a healthy, risk-free pregnancy. The law allows a woman to get an abortion after 24

weeks of pregnancy if her health is threatened, or if the fetus would be unable to survive outside the womb. The state's previous law only allowed a woman to get an abortion after 24 weeks if her life was at risk.

Medical experts say concerns about abortions taking place during labor are unfounded.

“Performing an abortion moments before birth doesn’t make any sense from a medical perspective,” says Dr. Daniel Grossman, director of Advancing New Standards in Reproductive Health at the University of California, San Francisco.

Trump also falsely claimed that Democratic Virginia Gov. Ralph Northam “stated he would execute a baby after birth” — a reference to Northam’s defense of a similar proposed bill in Virginia that would have reduced restrictions on later abortions if a woman’s health were threatened.

Northam, a pediatric neurologist, defended the bill and explained in an interview how he would handle a situation in which a woman went into labor during a pregnancy that involved “severe deformities” or a “fetus that’s nonviable.”

“The infant would be delivered. The infant would be kept comfortable. The infant would be resuscitated if that’s what the mother and the family desired,” Northam told the radio station WTOP. “And then a discussion would ensue between the physicians and the mother.”

Republicans accused Northam of supporting infanticide — which Northam called “shameful and disgusting.” His office said the remarks were taken out of context. (Separately, Northam is now facing calls to step down over a racist photo on his medical school yearbook page and findings that he dressed in blackface at least once.)

Claim: ISIS has been defeated

President Trump has repeatedly justified his decision to withdraw the U.S. troops from Syria by saying that ISIS is defeated — or nearly defeated — in the country.

During his State of the Union Address, Trump narrowly focused his discussion about ISIS on the terrorists’ control of territory.

“When I took office, ISIS controlled more than 20,000 square miles in Iraq and Syria just two years ago,” Trump said. “Today, we have liberated virtually all of the territory from the grip of these blood-thirsty monsters. Now, as we work with our allies to destroy the remnants of ISIS, it is time to give our brave warriors in Syria a warm welcome home.”

While most intelligence experts agree that ISIS has lost most of its territory in Syria, whether the terrorist group is under control is another story. In July, the United Nations Security Council estimated that there are still between 20,000 and 30,000 ISIS fighters in Iraq and Syria, with about half in each country.

The Department of Defense also warned that ISIS could bounce back in a recent report. “Absent sustained [counterterrorism] pressure, ISIS could likely resurge in Syria within six to twelve months and regain limited territory,” the report said.

Director of U.S. National Intelligence Dan Coats also told a Senate lawmakers this January that the U.S. must “keep our eyes on” ISIS.

“While ISIS is nearing territorial defeat in Iraq and Syria, the group has returned to its guerrilla warfare roots while continuing to plot attacks and direct its supporters worldwide. ISIS is intent on resurging and still commands thousands of fighters in Iraq and Syria,” Coats said.

Nevertheless, the loss of ISIS’s territory has been a “major blow” to the terrorist group, says Jeff Martini, a senior Middle East researcher at the RAND Corporation. According to Martini, the group’s loss of territory makes it less likely that they can build a physical “Islamic State,” which is one of their primary goals. The group also lost access to a staging area where they could attract fighters and send them across the Turkish border.

“I think it would be much harder for them to carry out a Paris nightclub attack, or another Brussels,” he says.

However, Martini continued, Trump is deemphasizing some of the other reasons the United States is fighting in Syria. If the U.S. leaves, Iran could send troops and weapons into Syria and set up a “Hezbollah-like organization” that will point missiles at Israel. Martini says this contradicts Trump’s claims that he wants to put pressure on Iran. “This would be alleviating the pressure on Iran, not maximizing it,” he said.

Martini also takes issue with Trump’s previous claims that Turkey will help to contain ISIS. Most of ISIS is located across Syria from Turkey — which means that it would be difficult for the country to fight the group, and that it is not one of their major priorities.

“You can’t delegate this to Turkey. They lack the capability and they lack the will,” he says.

Claim: Iran is working on nuclear weapons

President Trump has been critical of the Joint Comprehensive Plan of Action, better known as the Iran nuclear deal. During his State of the Union address on Tuesday, he said that he had withdrawn from the “disastrous” deal “to ensure this corrupt dictatorship never acquires nuclear weapons.”

On Jan. 30, Trump has also said that the “intelligence people” have been “extremely passive and naïve” in Iran, and are underestimating the danger it will advance its nuclear program.

On Jan. 29, however, Director of U.S. National Intelligence Dan Coats strongly emphasized the threats posed by Iran in a statement to the Senate, noting that Iran has promised to “push the boundaries” of the deal if its economy does not improve.

However, neither Coats nor Trump has said that they have any evidence that Iran has actually violated the terms of the deal. “We do not believe Iran is currently undertaking activities we judge necessary to produce a nuclear device,” Coats said.

Jon Alterman, director of the Center for Strategic and International Studies’ Middle East Program, says that the intelligence community does not make statements like this lightly.

“If the intelligence community says something with a high degree of confidence, it’s not something they feel, it’s not something they guess,” Alterman says. He says that it was an “insult” to suggest that they are politically motivated, as many checks have been put in place since the start of the Iraq War to ensure that administrations cannot sway intelligence pronouncements.

Alterman also says that given the steps Iran has taken to follow the agreement, including eliminating their enriched uranium, “If they did everything right, it would still take them more than a year” to build a weapon and delivery device.

Chris Bidwell, an expert on nonproliferation from the Federation of American Scientists, says that while Iran has taken “significant steps” to undermine its nuclear program, Iran is running into the same problem Iraq did before the U.S. invasion — “proving a negative.”

“Proving you don’t have something is an impossible task,” Bidwell says.