

NATIONAL REVIEW

Meet Tom Perez

How ‘the most dangerous person in the administration’ found his way onto Hillary Clinton’s VP shortlist.

Jim Geraghty

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On the shortlist of potential Democratic running mates filled with senators and governors, one name stands out for its obscurity. *Tom Perez? Who?* Why on earth would Hillary Clinton consider the little-known Secretary of Labor for VP? How could *USA Today*’s panel of Democratic insiders possibly rank him the third most likely choice?

Though Perez lacks name recognition, he would bring a lot to Clinton’s campaign. His Dominican heritage means he checks the box as a Latino, a key demographic in plenty of swing states that is likely to be even more important than usual in the Year of Trump. And he is a progressive warrior in the mold of Bernie Sanders or Elizabeth Warren, only without any of the anti-Clinton animus typical to members of that crowd. (He effusively endorsed her in December of last year.)

Perez’s liberal credentials are as impeccable as they come. *Mother Jones* called him “one of the administration’s most stalwart progressives.” Conservative policy experts who have followed his work in the Justice and Labor Departments consider him perhaps the Obama administration’s most radical and relentless ideologue.

Iain Murray, the Competitive Enterprise Institute’s vice president of strategy, calls Perez “possibly the most dangerous person in the administration right now.”

“His rewriting of U.S. labor law is probably the most fundamental attack on the free-enterprise system going on at present,” Murray says. “If he has his way, we won’t just revert to the 1930s. We’ll do things that even Franklin Roosevelt couldn’t do, like eliminate vast numbers of independent-contractor jobs and unionize those that remain.”

Murray sees Perez’s ideological vision as driven by an arrogant insistence that most workers are oblivious to their own exploitation by employers, and need the state to intervene to help them understand proper “work-life balance” or to make basic choices about work.

His work in the Justice Department was just as extreme.

“He essentially operationalized Eric Holder’s radicalization of the Department of Justice,” says Ilya Shapiro, a senior fellow in Constitutional Studies at the Cato Institute. “No civil-rights theory too crazy to pursue, no litigants too awkward to pay off.”

“Perez has shown a glaring inability to tell the truth and dispassionately apply the basic constitutional tenet of ‘equal justice under law,’” declared Judicial Watch President Tom Fitton.

Long before Obama stepped into the Oval Office, Perez stood out as a Democratic lawmaker willing to ignore or contravene laws that impeded his agenda. As a member and then chairman of the Montgomery County Council, Perez promoted driver’s licenses and in-state tuition eligibility for Maryland illegal immigrants.

In 2006, Perez ran for state attorney general and pushed for one of his favorite ideas at the county level, a program to have state residents import low-cost prescription drugs from Canada. But the federal Food and Drug Administration said the program would be illegal, and county attorneys concurred in a formal review, adding, “one need not be a lawyer nor clairvoyant to see the potential for civil liability.” Perez responded that, “Sometimes you have to push the envelope in pursuit of the right thing.”

When he arrived at the Justice Department, Perez was ready to “push the envelope” until it tore.

Throughout his career, Perez has touted “disparate-impact theory” in discrimination law, which contends that discrimination exists in just about any circumstance where statistical data point to a racial disparity, regardless of whether discriminatory intent can be proven. He was willing to go to unprecedented lengths to protect this touchstone of his legal thinking.

A whistleblower lawsuit claimed that the city of Saint Paul, Minn., had “received tens of millions of dollars of community-development funds, including stimulus funding, by improperly certifying its compliance with federal law.” The Department of Housing and Urban Development, the U.S. Attorney’s Office in Minnesota, and the DOJ’s Civil Fraud Section were ready to pursue what seemed like a glaring case of local-government malfeasance. At the same time, the city of was fighting in court with area landlords, whom it had accused of racial discrimination under the Fair Housing Act. The landlords contended that nothing in the Fair Housing Act allowed the use of disparate-impact theory as the measurement for discrimination, and had appealed to the Supreme Court.

For Perez, the stakes of that latter lawsuit were high: There was a strong possibility that the Supreme Court would reject disparate-impact theory as a valid indicator of legal discrimination.

In 2012, Perez personally arranged a complicated quid pro quo deal for the city of Saint Paul, in which the city would drop its appeal to the Supreme Court in the case with the landlords and the Department of Justice and HUD would drop the whistleblower case. The House Oversight Committee later concluded that, “Perez sought, facilitated, and consummated this deal because he feared that the Court would find disparate impact unsupported by the text of the Fair Housing Act.”

Perez’s personal biography has enough storybook touches for a gauzy convention video — he helped pay for college by working as a garbage collector and a warehouse laborer — and his historical status as the first Latino on a major-party ticket would surely be touted endlessly by a friendly media. But his record reflects something far more sinister: As Mitch McConnell put in

when Perez was nominated to be labor secretary, he is “a committed ideologue who appears willing, quite frankly, to say or do anything to achieve his ideological end.”