July 2, 2013

Jeff Jacoby starts our look at the Supreme's voting rights decision.
LIKE EVERYTHING else in our polarized age, reaction to the Supreme Court's 5-4 ruling in Shelby County v. Holder divided sharply along political lines. The court held Section 4 of the Voting Rights Act unconstitutional, effectively lifting the burden on certain states to get federal approval before making any change to their election procedures. Predictably, conservatives and liberals clashed over whether the majority opinion by Chief Justice John Roberts got the constitutional law right.

But I was struck less by the legal arguments than by the angry denial on the left, especially among minorities, that the ingrained racial disenfranchisement the Voting Rights Act was enacted to eradicate is dead and buried. The defeat of Jim Crow is one of the great progressive triumphs of American history. But to hear the outraged critics, you'd think the court had just thrown the door open to a revival of poll taxes and literacy tests. Worse, you'd think white Americans were eager to revive them.

It saddened me to hear an emotional John Lewis, who was on the front lines of the civil rights struggle in the 1960s and is now a congressman from Georgia, blast the court for plunging "a dagger" into black political emancipation. "Voting rights have been given in this country and they have been taken away," he said. The gains made by freed slaves during Reconstruction "were erased in a few short years." Lewis is sure it could happen again.

Other civil-rights advocates strike the same foreboding tone. Harvard law professor Charles Ogletree insists that black voting rights are "being threatened at a level we haven't witnessed . . . since before the Voting Rights Act was passed." A spokeswoman for MALDEF, the Mexican American Legal Defense and Educational Fund, says the court's ruling "tries to disenfranchise Latinos and minorities from voting." The NAACP's Sherrilyn Ifill expresses alarm at a decision that "leaves virtually unprotected minority voters in communities all over this country."

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Jennifer Rubin has more.
... The decision is typical in some ways of the Roberts court. It is cautious, and in this case chose to leave open the possibility that Congress could craft some formula that would still allow for pre-clearance. But in practice this may be harder than it seems. If the baseline becomes, for example, 1980, how many jurisdictions would still be subject to pre-clearance? In sum, although the court's ruling is technically limited in practice, conservatives who find the Voting Richts Act entirely out of date and an unfair burden on states that have long since departed from their past history of discrimination may find Voting Rights Act pre-clearance severely limited.

George Will says the Court paid a complement to the Voting rights act.
... Tuesday's decision came eight months after a presidential election in which African Americans voted at a higher rate than whites. It came when in a majority of the nine states covered by the preclearance requirements, blacks are registered at a higher rate than whites. It

came when Mississippi has more black elected officials — not more per capita; more — than any other state. ...

... Section 5 is now a nullity because it lacks force absent a Section 4 formula for identifying covered jurisdictions, and today's Congress will properly refuse to enact another stigmatizing formula. On Tuesday, however, the court paid the VRA the highest possible tribute by saying the act's key provision is no longer constitutional because the act has changed pertinent facts that once made it so.

Jonathan Tobin tells us why the decision has the left in high dungeon.
... Why then are political liberals and the so-called civil rights community so riled up about the decision? Some are merely offended by the symbolism of any alteration in a sacred piece of legislation. But the reason why the left is howling about this isn't so much about symbolism as it is about their ability to manipulate the law to their political advantage. Under the status quo, enforcement of the Voting Rights Act isn't about reversing discrimination so much as it is in applying the political agenda of the left to hamper the ability of some states to enact commonsense laws, such as the requirement for photo ID when voting or to create districts that are not gerrymandered to the advantage of liberals. By ending pre-clearance until Congress puts forward a new scheme rooted in evidence of systematic discrimination going on today, it has placed all states on an equal footing and made it harder for the Obama Justice Department to play politics with the law. It has also given racial hucksters that continue to speak as if a nation that has just re-elected an African-American president of the United States was little different from the one where blacks couldn't vote in much of the country. ...

It must have pained them to say so, but **WaPo** had to admit the scary sequester stories were not true.
Before "sequestration" took effect, the Obama administration issued specific — and alarming — predictions about what it would bring. There would be one-hour waits at airport security. Four-hour waits at border crossings. Prison guards would be furloughed for 12 days. FBI agents, up to 14.

At the Pentagon, the military health program would be unable to pay its bills for service members. The mayhem would extend even into the pantries of the neediest Americans: Around the country, 600,000 low-income women and children would be denied federal food aid.

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Sequestration did hit, on March 1. And since then, the $85 billion budget cut has caused real reductions in many federal programs that people depend on. But it has not produced what the Obama administration predicted: widespread breakdowns in crucial government services. ...

The Post also had to admit Bush has helped Africa more. **Power Line** has the story.
George W. Bush isn't a man to gloat. If we were, his message to Africans, as he visits the continent at the same time as President Obama, would be: "Miss me yet?"

The answer, according to the Washington Post, is a resounding "yes." Consider this passage from the Post's story "Bush AIDS policies shadow Obama in Africa":

[A]cross this continent, many Africans wish Obama was more like Bush in his social and health policies, particularly in the fight against HIV/AIDS — one of the former president's signature foreign policy aid programs. Bush poured billions of dollars into the effort to combat the spread of the disease that once threatened to consume a generation of young Africans, and as Obama has spent two days touring South Africa, the shadow of his predecessor has trailed him.

For once, Obama even felt compelled to praise Bush. And, reportedly, he's considering a joint appearance in Tanzania with his predecessor.

Obama's words have carried him far in America. But on matters of life and death, actions speak much louder than even Obama's words. In South Africa, Bush's actions helped reduce the HIV infection rate by 30 percent and put nearly 2 million people are on antiretroviral drugs.

Obama, by contrast, produced a budget last year that reduces AIDS funding globally by roughly $214 million, the first time an American president has reduced the U.S. commitment to fighting the epidemic. He has proposed additional cuts for 2014. ...

Boston Globe

Civil-rights generation prisoner to its fears

by Jeff Jacoby

LIKE EVERYTHING else in our polarized age, reaction to the Supreme Court's 5-4 ruling in Shelby County v. Holder divided sharply along political lines. The court held Section 4 of the Voting Rights Act unconstitutional, effectively lifting the burden on certain states to get federal approval before making any change to their election procedures. Predictably, conservatives and liberals clashed over whether the majority opinion by Chief Justice John Roberts got the constitutional law right.

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It saddened me to hear an emotional John Lewis, who was on the front lines of the civil rights struggle in the 1960s and is now a congressman from Georgia, blast the court for plunging "a dagger" into black political emancipation. "Voting rights have been given in this country and they have been taken away," he said. The gains made by freed slaves during Reconstruction "were erased in a few short years." Lewis is sure it could happen again.

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I realize that part of this is posturing for effect by those with a vested interest in provoking racial anxieties. But I don't doubt that much of the fear and anger is genuinely felt, kept alive by communal memories of slavery and segregation that still exert a powerful psychological toll. To most Americans it may be an obvious and happy fact that the evils of Jim Crow are gone for good. For too many blacks, however, the chains of remembrance make it impossible to believe that the old racist impulses aren't still smoldering, ever ready to ignite.

Our capacity to remember, and to draw meaning from our memories, is invaluable to our humanity. I was raised in a Jewish tradition that raises remembrance to the level of religious obligation — "Remember what Amalek did to you along the way when you came out from Egypt" is one such injunction — and among a community of Holocaust survivors for whom "Never Forget" became almost an 11th Commandment.

But there is such a thing as remembering too much, of being so focused on the horrors of the past that present realities become permanently distorted. A child who lived through the Depression becomes a lifelong hoarder of string and scraps, incapable of accepting that the abundance she knows today won't be gone tomorrow. The same thing can happen to communities, groups, and nations. Collective remembrance can be ennobling and enriching. But it can also be debilitating.

Many American Jews, for example, are so indelibly shaped by historical memories of Christian anti-Semitism that they find it impossible not to be suspicious of the sincere philo-Semitism so common among evangelical Christians today.

Consider a more global example: the impact of collective memory on modern European defense policy. Scarred by two horrendous world wars, much of Europe came to the conviction that military might and nationalist feeling are fundamentally illegitimate, and that security is best ensured through treaties, multilateral organizations, and the minimizing of sovereignty. The result, time and again, has been a rift between US administrations that believe in peace through strength and a European establishment that embraces appeasement as the safest response to aggression.

It is true, as Justice Ruth Bader Ginsburg wrote in her passionate Shelby County dissent, that "what's past is prologue." But what it is prologue to is not always more of the same. Sometimes the evils of the past really do lead to heartfelt — and permanent — progress. Even if some people, paralyzed by memory, cannot bring themselves to believe it.

Right Turn

Voting Rights Act dealt a blow

by Jennifer Rubin

In the blockbuster from the Supreme Court today, Chief Justice John Roberts, writing for the 5 to 4 majority, found that Section 4 of the Voting Rights Act is unconstitutional. However, the opinion falls short of conservatives hopes in that it does not affect the most contentious part of the Voting Rights Act, Section 5, which requires certain states and jurisdictions to obtain pre-clearance from the Justice Department in order to change voting rules. In essence, the court found that the formulas and data used to determine the covered states subject to pre-clearance are out of date and therefore cannot be used.

Roberts writes:

The Fifteenth Amendment commands that the right to vote shall not be denied or abridged on account of race or color, and it gives Congress the power to enforce that command. The Amendment is not designed to punish for the past; its purpose is to ensure a better future. See Rice v. Cayetano, 528 U. S. 495, 512 (2000) ("Consistent with the design of the Constitution, the [Fifteenth] Amendment is cast in fundamental terms, terms transcending the particular controversy which was the immediate impetus for its enactment."). To serve that purpose, Congress—if it is to divide the States—must identify those jurisdictions to be singled out on a basis that makes sense in light of current conditions. It cannot rely simply on the past. We made that clear in Northwest Austin, and we make it clear again today. . . .

Our decision in no way affects the permanent, nation-wide ban on racial discrimination in voting found in §2. We issue no holding on §5 itself, only on the coverage formula. Congress may draft another formula based on current conditions. Such a formula is an initial prerequisite to a determination that exceptional conditions still exist justifying such an "extraordinary departure from the traditional course of relations between the States and the Federal Government." . . . Our country has changed, and while any racial discrimination in voting is too much, Congress must ensure that the legislation it passes to remedy that problem speaks to current conditions.

Justice Thomas in concurrence argued that Section 5 should have been thrown out altogether under the majority's rationale.

The decision is typical in some ways of the Roberts court. It is cautious, and in this case chose to leave open the possibility that Congress could craft some formula that would still allow for pre-clearance. But in practice this may be harder than it seems. If the baseline becomes, for example, 1980, how many jurisdictions would still be subject to pre-clearance? In sum, although the court's ruling is technically limited in practice, conservatives who find the Voting Richts Act entirely out of date and an unfair burden on states that have long since departed from their past history of discrimination may find Voting Rights Act pre-clearance severely limited.

Washington Post

Supreme Court is correct on Voting Rights Act

by George Will

"But history did not end in 1965."

— Chief Justice John Roberts on Tuesday

Progressives resent progress when it renders anachronistic once-valid reasons for enlarging the federal government's supervisory and coercive powers. Hence they regret Tuesday's Supreme Court ruling that progress has rendered Section 4 of the 1965 Voting Rights Act unconstitutional.

This section stipulates the formula by which nine states and some jurisdictions in others are brought under Section 5, which requires them to get federal permission — "preclearance" — for even the most minor changes in voting procedures. The 15th Amendment empowers Congress to enforce with "appropriate legislation" the right to vote. Sections 4 and 5 were appropriate 48 years ago, when the preclearance provisions were enacted for five years. They have been extended four times, most recently in 2006 for 25 years.

The Voting Rights Act (VRA) is the noblest legislation in United States history, more transformative than the 1862 Homestead Act, the 1862 Morrill Act (land-grant colleges) or the 1944 GI Bill of Rights. But extraordinary laws that once were constitutional, in spite of being discordant with the nation's constitutional architecture, can become unconstitutional when facts that made the law appropriate change. The most recent data, such as registration and voting rates, on which Section 4 is based, are from *1972*. The data would have been 59 years old when the most recent extension expired in 2031. Tuesday's decision prevents this absurdity that Congress embraced.

In 2009, the court chose not to rule on the continuing constitutionality of the VRA's formula. The court — Chief Justice Roberts writing for the majority — clearly challenged Congress to update the VRA because it "imposes current burdens and must be justified by current needs." On Tuesday, Roberts tersely said Section 4 is "based on decades-old data and eradicated practices."

The 2006 extension was passed by votes of 390-33 and 98-0 in the House and Senate, respectively. Justice Antonin Scalia suggested during February's oral argument that these numbers indicated not conviction based on reflection about continuing necessities but rather the reluctance of risk-averse legislators to vote against something with the "wonderful" name Voting Rights Act. Scalia should have cited the actual name of the 2006 extension: the "Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act." It is anti-constitutional to argue that it would have been admirable "restraint" for the court to respect Congress's decision to extend all of the VRA — whether from conviction, cowardice or sloth — regardless of what the court has called the act's "substantial federalism costs."

Tuesday's decision came eight months after a presidential election in which African Americans voted at a higher rate than whites. It came when in a majority of the nine states covered by the preclearance requirements, blacks are registered at a higher rate than whites. It came when

Mississippi has more black elected officials — not more per capita; *more* — than any other state.

The Supreme Court's 1896 *Plessy v. Ferguson* decision affirming the constitutionality of racial segregation in separate but supposedly equal public accommodations rejected the idea that such segregation imposed a "badge of inferiority." But of course it did, as the court acknowledged in its 1954 school desegregation ruling. And during oral argument in February, Justice Stephen Breyer suggested the VRA remains constitutional *because* it acknowledges the South's continuing moral inferiority. He likened Southern racism to a dormant but still dangerous disease:

"Imagine a State has a plant disease, and in 1965 you can recognize the presence of that disease. .□.□. Now, it's evolved. .□.□. But we know one thing: The disease is still there in the state."

Breyer's insinuation was that we "know" the covered jurisdictions remain uniquely diseased, or potentially so. Tuesday, Roberts's response was that (in words from a prior court ruling) "the constitutional equality of the States is essential to the harmonious operation of the scheme upon which the Republic was organized."

Section 5 is now a nullity because it lacks force absent a Section 4 formula for identifying covered jurisdictions, and today's Congress will properly refuse to enact another stigmatizing formula. On Tuesday, however, the court paid the VRA the highest possible tribute by saying the act's key provision is no longer constitutional because the act has changed pertinent facts that once made it so.

Contentions

Left Lives in the Past on Voting Rights

by Jonathan S. Tobin

Listen to the hue and cry from liberals over the Supreme Court's decision today in *Shelby County v. Holder* and you would think the conservative majority had just overturned *Brown v. Board of Education* or declared discrimination on the basis of race to be legal. Of course, the 5-4 decision on the future of the Voting Rights Act did nothing of the kind. The high court not only reaffirmed the validity of the act but also even left in place Section 5, which created a mechanism that would require pre-clearance by the federal government of any changes in voting procedures in states and localities that were deemed by Congress to be habitual violators of the right to vote. But what it did do was to declare the existing formula stated in Section 4 to be the places where such scrutiny would be carried out to be unconstitutional. The reason for this is so obvious that it barely deserves to be argued: the Jim Crow south that Congress put under the federal microscope five decades ago isn't the same place today. If there is to be a formula that would require some places to get the government's prior permission to do anything that affects voting, it should be one based on the current situation, not one crafted to deal with the problems faced by Americans during the Lyndon Johnson administration.

Why then are political liberals and the so-called civil rights community so riled up about the decision? Some are merely offended by the symbolism of any alteration in a sacred piece of

legislation. But the reason why the left is howling about this isn't so much about symbolism as it is about their ability to manipulate the law to their political advantage. Under the status quo, enforcement of the Voting Rights Act isn't about reversing discrimination so much as it is in applying the political agenda of the left to hamper the ability of some states to enact commonsense laws, such as the requirement for photo ID when voting or to create districts that are not gerrymandered to the advantage of liberals. By ending pre-clearance until Congress puts forward a new scheme rooted in evidence of systematic discrimination going on today, it has placed all states on an equal footing and made it harder for the Obama Justice Department to play politics with the law. It has also given racial hucksters that continue to speak as if a nation that has just re-elected an African-American president of the United States was little different from the one where blacks couldn't vote in much of the country.

The Voting Rights Act was needed in 1965 because for a century the federal government had failed to enforce the 15th Amendment—that guaranteed the right to vote of former slaves and any other American citizen—in the states of the old Confederacy. Though Americans were long taught that the period of "Radical Reconstruction" that followed the Civil War was an abuse that was rightly abandoned, the truth is the attempt to reconstruct the south didn't go far enough and was ended too soon. What ensued was a Jim Crow regime in the south that was kept in place by a Democratic coalition of northern liberals and southern racists and enabled by apathetic Republicans. That is a sorry chapter of American history, but the achievements of the civil rights era have put it firmly in our past.

The reality of 2013 is that even the left is hard pressed to find anyplace in the country where anyone who is legally entitled to vote and wants to exercise their franchise is being prevented from doing so. Stating that is not to deny that racism still exists in some quarters of American society anymore than any other species of hatred. Nor does it imply that our electoral system is perfect or incapable of betterment. But to leave in place a legal formula that treated some states differently than others solely because of history is not only absurd, it is unconstitutional discrimination. In a country where, as it was argued before the court, Mississippi may have a more healthy voting rights environment in some respects than Massachusetts, preserving the battle lines of the fight against Jim Crow is not only meaningless, it actually hampers efforts to combat illegal practices.

But the main interest of those dedicated to preserving the status quo wasn't in preventing states from denying a right to vote that is not in question. It was in holding onto their capacity to use federal law to prevent some states from passing voter ID laws that have been wrongly branded as a form of discrimination or voter suppression. The vast majority of Americans—including the members of those groups that civil rights advocates claim will be injured by voter ID laws—think these measures are merely a matter of common sense to ensure the integrity of the election system. But by disingenuously waving the bloody shirt of Jim Crow, the left has sought to brand race-neutral laws like voter ID a form of racism.

Opponents of the majority decision claim this is a judicial usurpation of the prerogative of the legislature since Congress has re-authorized the Voting Rights Act without changing the formula that placed all or parts of 15 states under the Justice Department's control with regard to voting. But that is due to the fact that the vote to retain the act became a ritual by which members were forced to prove their anti-racist bona fides, not a rational debate about the actual provisions of the law. Congress lacked the courage to face facts on a part of the law that had past its expiration date, so the court was forced to deal with it.

Neither this decision nor the debate that will follow it will affect the ability of Americans to vote because that is a right that is no longer in dispute. What it will do is send a reminder to Americans that we have moved on from our unhappy past and that if we are to protect voting rights, it must be done on the basis of reality rather than sentiment or symbolism. That will make it harder for the left to accuse their opponents of racism without basis. But an American society that has thankfully moved on from this debate will be better off for it.

Washington Post

They said the sequester would be scary. Mostly, they were wrong.

by David A. Fahrenthold and Lisa Rein

Before “sequestration” took effect, the Obama administration issued specific — and alarming — predictions about what it would bring. There would be one-hour waits at airport security. Four-hour waits at border crossings. Prison guards would be furloughed for 12 days. FBI agents, up to 14.

At the Pentagon, the military health program would be unable to pay its bills for service members. The mayhem would extend even into the pantries of the neediest Americans: Around the country, 600,000 low-income women and children would be denied federal food aid.

But none of those things happened.

Sequestration did hit, on March 1. And since then, the $85 billion budget cut has caused real reductions in many federal programs that people depend on. But it has not produced what the Obama administration predicted: widespread breakdowns in crucial government services.

The Washington Post recently checked 48 of those dire predictions about sequestration’s impact. Just 11 have come true, and some effects are worse than forecast. But 24 predictions have not come to pass. In 13 cases, agencies said it is too soon to know.

So many predictions fell short because, in recent months, the administration and Congress did what was supposed to be impossible: They undid many of sequestration’s scariest reductions. In the process, this supposedly ironclad budget cut — ostensibly immune to political maneuvering — became a symbol of the reality that nothing in Washington is beyond politics.

In some cases, politicians transferred cuts from high-value programs to lower-value ones. Employee travel was limited. Maintenance deferred.

But in other cases, they found “cuts” that didn’t cause much real-world pain. The Justice Department, for instance, prevented furloughs by “cutting” $300 million in money that had already legally expired, as well as $45 million meant to house detainees who didn’t exist.

This is why the sky didn’t fall. Sequestration was intended to show there was no longer any escape from austerity in Washington.

There was.

“The dog barked. But it didn’t bite,” said Robert L. Bixby of the Concord Coalition, which pushes for fiscal responsibility in Washington. Bixby said he worries that this budget maneuvering will eventually backfire.

After all, sequestration is not finished, and another round of cuts is coming in October. “Next time you warn about those things, people just say, ‘Yeah, sure,’ and write it off as political hype,” Bixby said. “There is that danger.”

Sequestration had been drawn up as a “dumb” cut — it would slash accounts at many federal agencies equally. There would be no gaming the system. No getting out.

It “won’t consider whether we’re cutting some bloated program that has outlived its usefulness or a vital service that Americans depend on every single day,” President Obama said on Feb. 19, decrying sequestration as a “meat-cleaver approach.” “It doesn’t make those distinctions.”

Now, however, it does.

The Post found enormous variation among the outcomes of those administration predictions. In 13 cases, the results were unclear. Almost four months after sequestration took effect, the agencies could not, or would not, say if the predictions were coming true.

In 11 cases, sequestration turned out to be as bad as advertised, or worse.

The Labor Department had predicted that emergency unemployment benefits for the long-term unemployed would be cut by 9.4 percent. But in some states, the reductions have been larger: 11 percent. For an individual, that could mean $450 less in benefits this year.

At the Pentagon, officials had predicted that they would reduce training for the Army, flying time for the Air Force and ship deployments for the Navy. They did all three. “It’s extremely hard to show a degradation in our readiness, although we feel it deeply across the force,” Pentagon spokeswoman Beth Robbins said.

Across the government, more than 125,000 employees have been furloughed from the Environmental Protection Agency, the Department of Housing and Urban Development, the Internal Revenue Service, and other agencies. About 650,000 Defense Department civilians will start taking 11 unpaid days next week. Public defenders are losing up to 15 days of pay.

In 24 cases, however, The Post’s review showed that the predictions were wrong — sequestration had not lived up to the administration’s alarms.

That included some cases in which furloughs were threatened but then reduced or eliminated. Customs and Border Protection agents, for example, faced up to 14 unpaid days before the Department of Homeland Security shifted money around last month to avoid the furloughs.

Administration officials say they didn’t exaggerate sequestration’s effects on purpose. They believed it would be that bad. But then they got unexpected help from Capitol Hill.

“Subsequent to those estimates, Congress took action that changed a number of things,” an administration official said. The official was made available by the administration on the condition that the official speak anonymously.

So this is how Washington took the scare out of the sequester: In some cases, agencies dug into their budgets and found millions they could spare. In other cases, Congress passed a law that allocated new funds or shifted money around. In others, lawmakers signed off on an agency’s proposal to “reprogram” its money.

In the process, the “meat cleaver” of sequestration often became a scalpel. It spared crucial programs but cut second-tier priorities such as maintenance, information technology, employee travel and scientific conferences.

At the U.S. Geological Survey, for instance, officials had said they would have to shut off 350 gauges that provide crucial predictions of impending floods. They didn’t. The real number is less than 90. What was cut instead?

For one thing, $2.7 million in conference expenses have been chopped since February.

“That’s where science gets done, at those meetings. That’s where you present your preliminary results,” said Jerad Bales, the agency’s chief scientist for water. One example: Bales said the government spends about $1,000 per scientist who goes to an annual conference in San Francisco.

Last time, it sent 469 scientists. The attendance for this fall’s conference has not been set, but Bales guessed it would be more like 350, for a cost of $350,000. “We are not investing in the future,” Bales said.

In other cases, however, budget maneuvers made sequestration even less painful. It wasn’t a cleaver. It wasn’t a scalpel. It was more like liposuction — carefully removing the things that would be missed the least.

The Justice Department, for instance, cut more than $300 million in what it called “expired balances.” In essence, this was money that had been allocated to the department in past years but wasn’t spent. When those years ended, the money expired; without Congress’s permission, it generally couldn’t be spent on anything new.

But, with Congress’s permission, it could still be “cut.”

So, instead of saving money by furloughing FBI agents and prison guards, the department lost only what it wasn’t free to spend anyway.

“It really was a loophole that allowed the Justice Department to largely escape the consequences of sequester,” said Scott Lilly, a former congressional staffer who works at the liberal Center for American Progress. “It’s a good thing that they got past it. But it also sort of nixed this whole notion that everybody’s being treated the same — and everybody’s having to tighten their belt in the same way.”

At the Federal Aviation Administration, Congress found a similarly painless cut. Furloughs were looming for air-traffic controllers. Travel delays were expected to pile up.

But they didn't. Congress prevented the furloughs by substituting another "cut." It took $253 million from the FAA's Airport Improvement Program, which gives grants to airports (among the longtime recipients: Lake Murray State Park Airport in Oklahoma, which was eligible for $150,000 per year, despite averaging one takeoff and one landing per week).

But the FAA's loss wasn't as bad as it sounds: The grantees that were entitled to this money had already told the government they didn't need it this year. They didn't have anything immediate to spend it on. The FAA might still, however, have given it to somebody else.

At the Department of Homeland Security, officials had predicted that there would be insufficient space to hold detained illegal immigrants. It was one of four Homeland Security predictions that didn't come true; another one, about cutbacks at the Coast Guard, did.

What was cut instead? Some things that hurt: Maintenance. Employee bonuses. Hiring.

And some things that didn't.

The department, for example, cut $7.8 million for a grant program that helped prepare for disasters. But it told Congress that this program had $36 million waiting in the bank, "neither dedicated to a project nor an activity." And it said the program was duplicative, anyway. Other federal programs were already doing the same thing. "There is no impact from this reduction because of the duplication," the department told Congress.

At smaller agencies, predictions also turned out to be wrong. U.S. Park Police officers were supposed to have 12 furlough days. They took three. The National Park Service found $4 million in savings in its budget.

It was, in sum, a remarkable disappearing act.

The Obama administration still gives credence to estimates that sequestration might cost the country up to 750,000 jobs. Research by Goldman Sachs has shown declines in federal payrolls and layoffs at defense contractors.

But sequestration has not become a daily hassle for most Americans, and its effects on the economy have been softened by a stronger job market and low interest rates.

"It was more the unquantified predictions of calamity by politicians that were wrong," said Jim O'Sullivan, chief U.S. economist for High Frequency Economics, a research firm.

But now, the Obama administration will seek to make the threat reappear. In October, when the new fiscal year begins, so will another round of sequestration. The administration expects a $109 billion cut.

This time, it says, there will be fewer ways to soften its impact. Many of the easier trims have already been made. The White House is again pressing Congress to agree on a broader budget deal, and replace the sequester, before October comes.

The problem is, officials said all that before.

“Their credibility — I don’t want to say it’s shot, but it’s definitely diminished,” said Rep. Jeff Duncan (R-S.C.), who chairs a House subcommittee that has oversight over Homeland Security and has examined its sequestration predictions. “They’re going to have a hard time doing that, when they had the doomsday scenario, and the sky didn’t fall.”

Power LIne

They miss Bush in Africa

by Paul Mirengoff

George W. Bush isn’t a man to gloat. If we were, his message to Africans, as he visits the continent at the same time as President Obama, would be: “Miss me yet?”

The answer, according to the Washington Post, is a resounding “yes.” Consider this passage from the Post’s story “Bush AIDS policies shadow Obama in Africa”:

[A]cross this continent, many Africans wish Obama was more like Bush in his social and health policies, particularly in the fight against HIV/AIDS — one of the former president’s signature foreign policy aid programs. Bush poured billions of dollars into the effort to combat the spread of the disease that once threatened to consume a generation of young Africans, and as Obama has spent two days touring South Africa, the shadow of his predecessor has trailed him.

For once, Obama even felt compelled to praise Bush. And, reportedly, he’s considering a joint appearance in Tanzania with his predecessor.

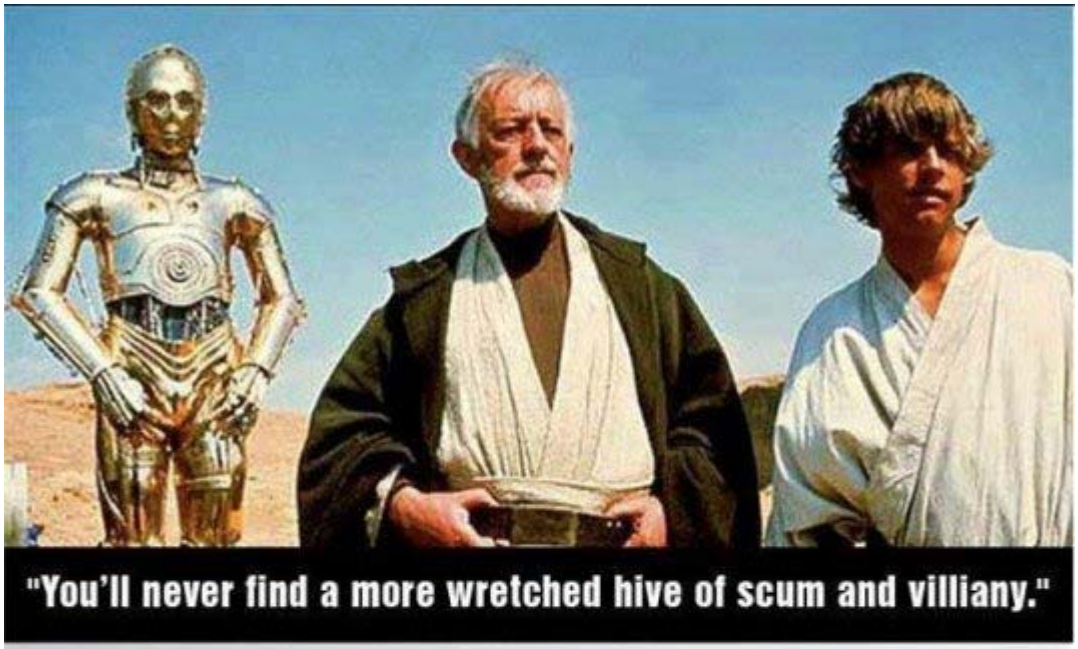
Obama’s words have carried him far in America. But on matters of life and death, actions speak much louder than even Obama’s words. In South Africa, Bush’s actions helped reduce the HIV infection rate by 30 percent and put nearly 2 million people are on antiretroviral drugs.

Obama, by contrast, produced a budget last year that reduces AIDS funding globally by roughly $214 million, the first time an American president has reduced the U.S. commitment to fighting the epidemic. He has proposed additional cuts for 2014.

Hillary Thulare of the AIDS Healthcare Foundation summarized the situation this way:

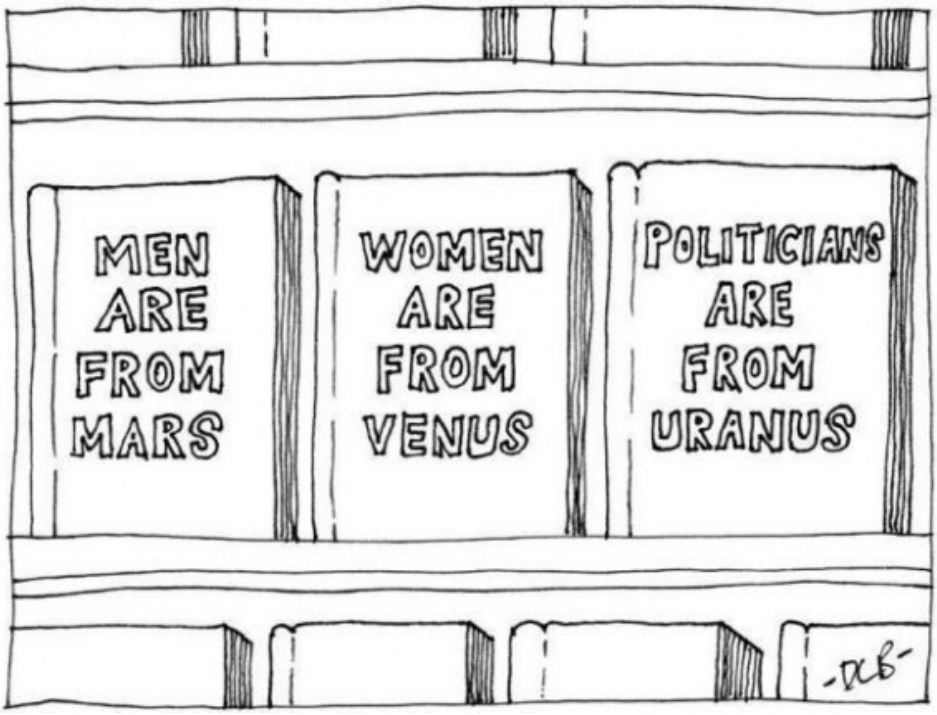
Knowing that Africa has many challenges, with fighting AIDS being one of the biggest challenges, we were really expecting President Obama to continue where President Bush had left off. But it’s been a disappointment. Obama is retreating on AIDS and, by this, retreating on Africa.

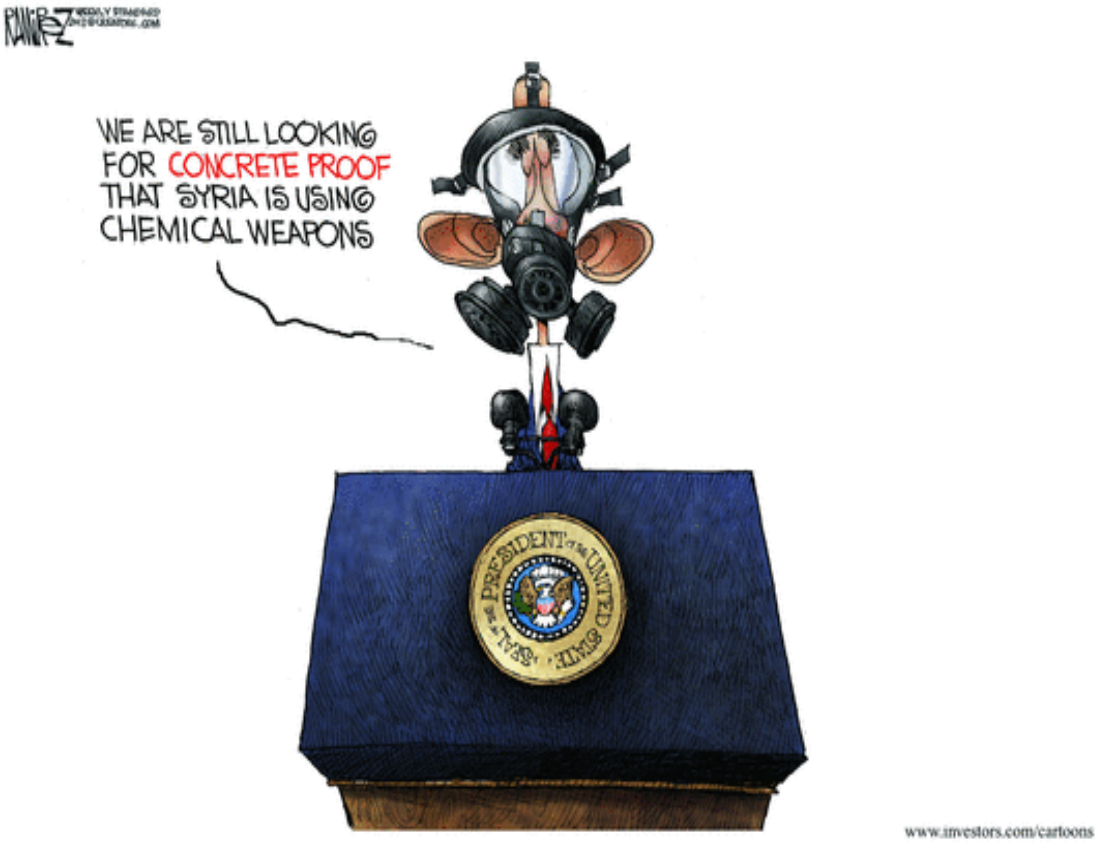
So, yes, they miss Bush in Africa. And all of Obama’s efforts to bask in the glory of Nelson Mandela won’t change this.



"You'll never find a more wretched hive of scum and villiany."

The Last Laugh By Derek Brettle





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