

August 19, 2013

OK, we know Lincoln acted extra-constitutionally during the beginning months of the Civil War. How does that compare to the current lawlessness? Answers from a [WSJ OpEd](#) by a Georgetown Law prof.

... Scholars have debated whether Lincoln exceeded his power by suspending the writ and whether Congress's retroactive ratification cured any constitutional infirmity. Whatever one's answer, this is a case of a president—himself a constitutional lawyer—trying, under impossible circumstances, to be as faithful to the Constitution as possible.

Contrast all of this with President Obama's announcement that he is unilaterally suspending part of the Affordable Care Act. Like Lincoln, Mr. Obama is a constitutional lawyer. And like Lincoln's action, Mr. Obama's was a unilateral executive suspension of the law. But in every other way, the president's behavior could not have been more different from Lincoln's.

First, Lincoln's action was at least arguably constitutional, while Mr. Obama's is not. The Constitution has a provision for suspending habeas. It has no general provision for executive suspension of laws. English kings used to suspend laws, but the Framers rejected that practice: The president "shall take Care that the Laws be faithfully executed."

Second, Lincoln volunteered an articulate constitutional defense of his action. Mr. Obama seemed annoyed when the New York Times dared to ask him the constitutional question. When the reporter asked whether he had consulted with lawyers about the legality of the mandate's delay, he declined to answer.

As for Republican congressmen who had the temerity to question his authority, Mr. Obama said only: "I'm not concerned about their opinions—very few of them, by the way, are lawyers, much less constitutional lawyers." Mr. Obama made no mention of Iowa Sen. Tom Harkin—a Democrat, a lawyer and one of the authors of ObamaCare—who said: "This was the law. How can they change the law?" ...

Mark Steyn reacts to what NSA does "accidentally."

On Thursday, the Washington Post's revelation of thousands upon thousands of National Security Agency violations of both the law and supposed privacy protections included this fascinating detail:

A "large number" of Americans had their telephone calls accidentally intercepted by the NSA when a top secret order to eavesdrop on multiple phone lines for reasons of national security confused the international code for Egypt (20) with the area code for Washington (202).

Seriously.

I enjoy as much as the next chap all those Hollywood conspiracy thrillers about the all-powerful security state — you know the kind of thing, where the guy's on the lam and he stops at a diner at a windswept one-stoplight hick burg in the middle of nowhere and decides to take the risk of making one 15-second call from the payphone, and as he dials the last digit there's a click in a

basement in Langley, and even as he's saying hello the black helicopters are already descending on him.

It's heartening to know that, if I ever get taken out at a payphone, it will be because some slapdash time-serving pen-pusher mistyped the code for Malaysia (60) as that of New Hampshire (603).

The Egypt/Washington industrial-scale wrong number is almost too perfectly poignant a vignette at the end of a week in which hundreds are dead on the streets of Cairo.

On the global scene, America has imploded: its leaders have no grasp of its national interests, never mind any sense of how to achieve them. The assumption that we are in the early stages of "the post-American world" is now shared by everyone from Gen. Sisi to Vladimir Putin. Sisi, I should add, is Egypt's new strongman, not Putin's characterization of Obama. Meanwhile, in contrast to its accelerating irrelevance overseas, at home Washington's big bloated blundering bureaucratic security state expands daily. It's easier to crack down on 47 Elm Street than Benghazi.

Perhaps this is unavoidable. A couple of months back, I quoted Tocqueville's prescient words from almost two centuries ago: Although absolute monarchy theoretically "clothed kings with a power almost without limits," in practice "the details of social life and of individual existence ordinarily escaped his control."

In other words, the king couldn't do it even if he wanted to. What would happen, Tocqueville wondered, if administrative capability were to evolve to bring "the details of social life and of individual existence" within His Majesty's oversight? That world is now upon us. Today, the king concedes he certainly can do it, but assures us not to worry, he doesn't really want to. ...

Reminding us of Candy Crowley's interference in one of last season's debates, [John Fund](#) celebrates the GOP's willingness to take control back from the media.

*... It's not controversial to note that presidential debates have long displayed real problems with fairness on the part of moderators and panelists. PBS anchor Jim Lehrer notes in a recent book, *Tension City: Inside the Presidential Debates*, that the panelists in one of the 1988 presidential debates between George H. W. Bush and Michael Dukakis pressured CNN moderator Bernard Shaw to withdraw or alter what became his famous question to Dukakis: Would he favor the death penalty if his wife, Kitty, were raped and murdered? Now-MSNBC anchor Andrea Mitchell and ABC's Ann Compton confirmed to Lehrer that they had put pressure on Shaw, who is still peeved over the incident. "I've never confronted any of the three panelists," Shaw said. "But I was outraged at the time that a journalist would try to talk a fellow journalist out of asking a question. I think you can tell I am still doing a burn over it. I just wouldn't think of doing that."*

Old-school journalists such as Shaw would no doubt have wondered at the shenanigans of the 2012 campaign. During the final debate between President Obama and Mitt Romney, CNN moderator Candy Crowley stepped out of her role and took Obama's side in a heated moment in the debate, attempting to correct Romney on a factual question about the Benghazi terrorist attack. She later had to admit that Romney had been more right than wrong in his answer. ...

Last week's NY Times' report of chaos in the Clinton Foundation gets a déjà vu reaction from Maureen Dowd.

CLINTON nostalgia is being replaced by Clinton neuralgia.

Why is it that America's roil family always seems better in abstract than in concrete? The closer it gets to running the world once more, the more you are reminded of all the things that bugged you the last time around.

The Clintons' neediness, their sense of what they are owed in material terms for their public service, their assumption that they're entitled to everyone's money.

Are we about to put the "For Rent" sign back on the Lincoln Bedroom?

If Americans are worried about money in politics, there is no larger concern than the Clintons, who are cosseted in a world where rich people endlessly scratch the backs of rich people.

They have a Wile E. Coyote problem; something is always blowing up. Just when the Clintons are supposed to be floating above it all, on a dignified cloud of do-gooding leading into 2016, pop-pop-pop, little explosions go off everywhere, reminding us of the troubling connections and values they drag around.

There's the continuing grotesque spectacle of Anthony Weiner and Huma Abedin. And there's the sketchy involvement of the Clintons' most prolific fund-raiser, Terry McAuliffe, and Hillary's brother Tony Rodham in a venture, GreenTech Automotive; it's under federal investigation and causing fireworks in Virginia, where McAuliffe is running for governor. ...

Last week was the 10th anniversary of the great blackout in the NorthEast. Popular Mechanics explains why we haven't had a repeat.

... So why haven't we had a major power outage since then? For one thing, power companies are now forced to prune their trees thanks to the Energy Policy Act of 2005. But the other major factor is a technological advance. According to Matt Wakefield of the Electric Power Research Institute, most power transmission companies have now installed high-tech synchrophasors, which allow them to detect problems in transmission lines and reroute electricity around trouble spots. The synchrophasors work by giving real-time feedback on power flows and voltage and transmitting the data back to power companies.

"While we will always have local and regional power outages because of things like weather," Wakefield says, "these synchrophasors mean that these rolling blackouts that can affect large regions of the country at once are much less likely." ...

WSJ

Obama Suspends the Law. What Would Lincoln Say?

The current president's hero tried to abide by the Constitution and enlist Congress's support.

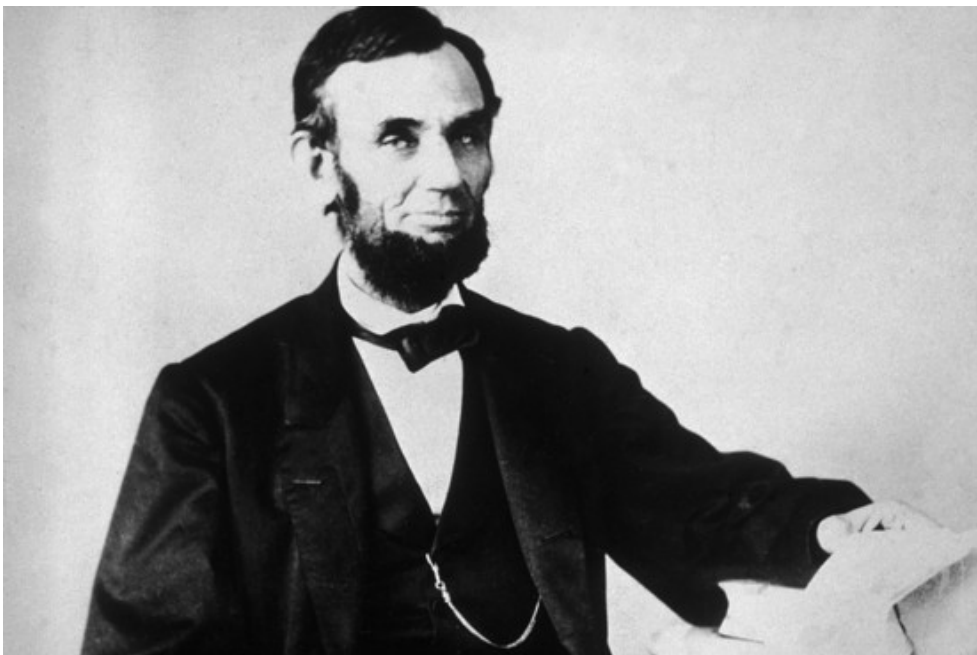
by Nicholas Quinn Rosenkranz

The Obama administration announced last month via blog post that the president was unilaterally suspending ObamaCare's employer mandate—notwithstanding the clear command of the law. President Obama's comments about it on Aug. 9—claiming that "the normal thing [he] would prefer to do" is seek a "change to the law"—then added insult to constitutional injury. It also offers a sharp contrast with a different president who also suspended the law.

On April 27, 1861, President Lincoln unilaterally authorized his commanding general to suspend the writ of habeas corpus so that he could detain dangerous rebels in the early days of the Civil War. Lincoln's order was constitutionally questionable. The Constitution provides that "The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

A rebellion was in progress, so suspension was permissible. But the Constitution doesn't specify who can suspend the writ in such circumstances. Since the Suspension Clause appears in Article I of the Constitution, which is predominantly about the powers of Congress, there is a strong argument that only Congress can suspend the habeas writ.

Lincoln's order was legally dubious, but what he did next showed remarkable constitutional rectitude. On July 4, 1861, he delivered a solemn message to Congress, in which he did everything possible to square his action with the Constitution. In this message, he set forth the best possible constitutional arguments that he had unilateral power to suspend the writ. These arguments may have been wrong, but they were serious, and they were presented seriously, in good faith.



Lincoln also made a powerful argument about the necessity of his action. Even if he was wrong, and only Congress had the power to suspend the writ, surely the circumstances had to be considered: Congress was in recess and the South was in open rebellion. "The whole of the laws which were required to be faithfully executed, were being resisted, and failing of execution, in nearly one-third of the states," Lincoln said to Congress.

Should Lincoln have refrained from suspending habeas, if doing so meant that the republic would fall? As he put it: "[A]re all the laws, but one, to go unexecuted, and the government itself go to pieces, lest that one be violated?"

Lincoln also invited Congress to ratify his actions: "Whether there shall be any legislation upon the subject, and, if any, what, is submitted entirely to the better judgment of Congress." On Aug. 6, 1861, Congress did indeed retroactively ratify "all the acts, proclamations, and orders of the President . . . respecting the army and navy of the United States." And later, on March 3, 1863, Congress expressly authorized the president to suspend the writ.

Scholars have debated whether Lincoln exceeded his power by suspending the writ and whether Congress's retroactive ratification cured any constitutional infirmity. Whatever one's answer, this is a case of a president—himself a constitutional lawyer—trying, under impossible circumstances, to be as faithful to the Constitution as possible.

Contrast all of this with President Obama's announcement that he is unilaterally suspending part of the Affordable Care Act. Like Lincoln, Mr. Obama is a constitutional lawyer. And like Lincoln's action, Mr. Obama's was a unilateral executive suspension of the law. But in every other way, the president's behavior could not have been more different from Lincoln's.

First, Lincoln's action was at least arguably constitutional, while Mr. Obama's is not. The Constitution has a provision for suspending habeas. It has no general provision for executive suspension of laws. English kings used to suspend laws, but the Framers rejected that practice: The president "shall take Care that the Laws be faithfully executed."

Second, Lincoln volunteered an articulate constitutional defense of his action. Mr. Obama seemed annoyed when the New York Times dared to ask him the constitutional question. When the reporter asked whether he had consulted with lawyers about the legality of the mandate's delay, he declined to answer.

As for Republican congressmen who had the temerity to question his authority, Mr. Obama said only: "I'm not concerned about their opinions—very few of them, by the way, are lawyers, much less constitutional lawyers." Mr. Obama made no mention of Iowa Sen. Tom Harkin—a Democrat, a lawyer and one of the authors of ObamaCare—who said: "This was the law. How can they change the law?"

Third, Lincoln offered a brilliant and compelling argument about the necessity of his action, given that the republic was in imminent danger. Mr. Obama's official version of the constitutional-necessity argument was nothing more than a breezy blog post attributed to an assistant secretary for tax policy. The title? "Continuing to Implement the ACA in a Careful, Thoughtful Manner."

Fourth, and most strikingly, Lincoln promptly looked to Congress to ratify his unilateral action. Congress agreed with Lincoln, and the president welcomed and signed new legislation. President Obama says only that he wishes he could follow the same course. Last week, he said he would like to "simply call up the Speaker" of the House to request a "change to the law" that would achieve his desired delay.

In fact, as the president knows, he doesn't even need to pick up the phone: On July 17, the House of Representatives passed the Authority for Mandate Delay Act (with 229 Republicans and 35 Democrats voting in favor). This would authorize President Obama's desired suspension of the law, just as Congress ratified Lincoln's suspension of habeas corpus.

But unlike Lincoln, President Obama doesn't welcome this congressional ratification. He has called the House bill that fixes the constitutional problem he created "unnecessary," and he threatened to veto it. Why? Because the House also passed a companion bill that would delay the individual mandate too. For political reasons, the president doesn't want to be in the inconvenient position of signing one bill that would give companies a reprieve from ObamaCare, while vetoing another that would grant individuals the same delay. The Democratic-controlled Senate will quietly kill the House bill and save Mr. Obama the awkwardness of having to veto it.

Faced with military exigencies, Lincoln did everything possible to enlist Congress's support—and thus to follow the Constitution. Mr. Obama, faced with mere political and bureaucratic inconveniences, spurned Congress's support and flouted the Constitution.

Mr. Rosenkranz is a professor of law at Georgetown and a senior fellow in constitutional studies at the Cato Institute.

Investor's Business Daily

[Thousands Of NSA Violations Revealed, But Obama's Response Is Blasé](#)

by Mark Steyn

On Thursday, the Washington Post's revelation of thousands upon thousands of National Security Agency violations of both the law and supposed privacy protections included this fascinating detail:

A "large number" of Americans had their telephone calls accidentally intercepted by the NSA when a top secret order to eavesdrop on multiple phone lines for reasons of national security confused the international code for Egypt (20) with the area code for Washington (202).

Seriously.

I enjoy as much as the next chap all those Hollywood conspiracy thrillers about the all-powerful security state — you know the kind of thing, where the guy's on the lam and he stops at a diner at a windswept one-stoplight hick burg in the middle of nowhere and decides to take the risk of making one 15-second call from the payphone, and as he dials the last digit there's a click in a basement in Langley, and even as he's saying hello the black helicopters are already descending on him.

It's heartening to know that, if I ever get taken out at a payphone, it will be because some slapdash time-serving pen-pusher mistyped the code for Malaysia (60) as that of New Hampshire (603).

The Egypt/Washington industrial-scale wrong number is almost too perfectly poignant a vignette at the end of a week in which hundreds are dead on the streets of Cairo.

On the global scene, America has imploded: its leaders have no grasp of its national interests, never mind any sense of how to achieve them. The assumption that we are in the early stages of "the post-American world" is now shared by everyone from Gen. Sisi to Vladimir Putin. Sisi, I should add, is Egypt's new strongman, not Putin's characterization of Obama. Meanwhile, in contrast to its accelerating irrelevance overseas, at home Washington's big bloated blundering bureaucratic security state expands daily. It's easier to crack down on 47 Elm Street than Benghazi.

Perhaps this is unavoidable. A couple of months back, I quoted Tocqueville's prescient words from almost two centuries ago: Although absolute monarchy theoretically "clothed kings with a power almost without limits," in practice "the details of social life and of individual existence ordinarily escaped his control."

In other words, the king couldn't do it even if he wanted to. What would happen, Tocqueville wondered, if administrative capability were to evolve to bring "the details of social life and of individual existence" within His Majesty's oversight? That world is now upon us. Today, the king concedes he certainly can do it, but assures us not to worry, he doesn't really want to.

"If you look at the reports," said President Obama earlier this month, "even the disclosures that Mr. Snowden's put forward, all the stories that have been written, what you're not reading about is the government actually abusing these programs and, you know, listening in on people's phone calls or inappropriately reading people's emails. What you're hearing about is the prospect that these could be abused."

But that was a week ago. And the "prospect" is now a reality: "actual abuse" — including "listening in on people's phone calls" and "inappropriately reading people's emails" — occurs daily.

In early 2012, "actual abuse" was occurring at the rate of ten "incidents" a day — and "incident" is a term of art that can cover hundreds of violations of thousands or even millions of citizens.

Privacy is dying in all technologically advanced nations, and it may simply be a glum fact of contemporary existence that the right to live an unmonitored life is now obsolete unless one wishes to relocate to upcountry villages in Somalia or Waziristan.

Nevertheless, even by the standards of other Western nations, America's loss of privacy is deeply disturbing. Its bureaucracy is bigger and better funded, and its response to revelations of its abuse of power is to make it bigger and better funded and more bureaucratic still.

For example, after multiple significant violations of the law in 2009, the NSA's "oversight staff" was quadrupled. Quadrupled! Just like that! And what was the result of putting four times as

many salaried, benefitted, pensionable, fully credentialed government-licensed "overseers" in place? The rate of NSA violations increased dramatically through 2011.

Who would have thought it? In the first quarter of 2012 the NSA's executive order violations were running at almost twice the rate of what they were in the second quarter of 2011. Maybe if they'd octupled the number of "oversight staff" all these overseers would have been able to keep pace with the rampaging lawlessness.

Or maybe the oversight is a lot of hooey anyway. The Egyptian dialing-code fiasco, for example, was never passed on to the NSA's "oversight staff," but it was the subject of a "quality assurance review," which sounds like the sort of follow-up you get when you buy a fridge from Sears.

Maybe they could just have NSA customer-service representatives announcing that your call may be monitored for quality control purposes at the start of every telephone conversation. Of course, most customer-service representatives are based in India (telephone code 91) but there's a sporting chance the NSA would confuse it with Kansas (code 913), which could do wonders for the employment rate.

NSA personnel additionally fall under the external oversight of the FISA Amendment Act, which means the Department of Justice and Office of the Director of National Intelligence.

A leaked document instructs NSA agents to remove all details of the "targeting rationale" except for "one short sentence" in generic language. An actual example from the leaked document:

"Mohammad Badguy was on the buddy list of al-Qaida in Mogadishu, Somalia."

That's way too much information. In order to comply with federal oversight, it should be amended to:

"Selector was found on buddy list of al-Qaida in Somalia."

"Selector was found on selector list of al-Selecta in Selectistan" would probably work, too.

OK. Well, how about this Foreign Intelligence Surveillance Court that has to sign off on everything? The chief judge of the FISC court, Reggie B. Walton, says that he can only "rely upon the accuracy of the information that is provided to the Court." So, if it sounds kosher, it probably is.

I once bought my daughter a Siamese kitten in rural Quebec and drove her back to my home in New Hampshire. At the border post, the guard leaned in the window and said, "You better have some paperwork for that cat." I handed over the official form from the Ordre des médecins vétérinaires du Québec. The officer stared at it for a few seconds, and then asked, "Do you understand French?"

"Yes," I said.

"Does this seem on the level to you?"

"Yes," I said. She waved us through.

That's basically what FISA court "oversight" boils down to. And, insofar as they decide it isn't on the level, it's usually after the fact.

What does that leave? Congressional oversight? Sen. Dianne Feinstein said that she had not seen the 2012 NSA audit on its 2,776 legal violations until the Washington Post asked her about it. Which means until Edward Snowden brought it to her attention. So she's just another rubber stamp, too.

Most nations that spy on their own citizens manage to make do with one fig leaf of accountability, but in money-no-object Washington there are fig leaves without end.

Meanwhile, the Wall Street Journal reports that the IRS is continuing to target American citizens according to their political ideology — and that's before they have your ObamaCare records to frolic and gambol in.

But, like Obama says, it's merely a theoretical "prospect" of abuse. You'd have to be paranoid to think it could actually happen

National Review

[Taking Back the GOP Debates](#)

The party has a right to protect its own interests: no more fact-challenged Candy Crowleys.

by John Fund

The summer meetings of national political parties are usually quiet affairs, but this week's Republican National Committee meeting in Boston is full of controversy about who should moderate and run the 2016 GOP presidential-primary debates. A few RNC members are even talking about ditching conventional journalists as moderators and bringing in Sean Hannity or Mark Levin to do the deed. "I actually think that's a very good idea," RNC chairman Reince Priebus told Fox News's Andrea Tantaros. "I mean, there's a lot of good people out there that can actually understand the base of the Republican Party, the primary voters." Another possibility is that new players — ranging from C-SPAN to Telemundo to the Christian Broadcasting Network — might be allowed to sponsor debates.

Priebus himself jump-started the debate earlier this month when he asked NBC and CNN to withdraw their planned multi-part film projects on the life of Hillary Clinton. Priebus said that giving the likely Democratic frontrunner for president such exposure so close to the election called the objectivity of the networks into question and motivated the RNC to reconsider whether these networks should even participate in organizing presidential debates.

It's not controversial to note that presidential debates have long displayed real problems with fairness on the part of moderators and panelists. PBS anchor Jim Lehrer notes in a recent book,

Tension City: Inside the Presidential Debates, that the panelists in one of the 1988 presidential debates between George H. W. Bush and Michael Dukakis pressured CNN moderator Bernard Shaw to withdraw or alter what became his famous question to Dukakis: Would he favor the death penalty if his wife, Kitty, were raped and murdered? Now-MSNBC anchor Andrea Mitchell and ABC's Ann Compton confirmed to Lehrer that they had put pressure on Shaw, who is still peeved over the incident. "I've never confronted any of the three panelists," Shaw said. "But I was outraged at the time that a journalist would try to talk a fellow journalist out of asking a question. I think you can tell I am still doing a burn over it. I just wouldn't think of doing that."

Old-school journalists such as Shaw would no doubt have wondered at the shenanigans of the 2012 campaign. During the final debate between President Obama and Mitt Romney, CNN moderator Candy Crowley stepped out of her role and took Obama's side in a heated moment in the debate, attempting to correct Romney on a factual question about the Benghazi terrorist attack. She later had to admit that Romney had been more right than wrong in his answer.

In the primaries, ABC's George Stephanopoulos asked all of the GOP candidates before the New Hampshire primary whether they thought states should ban contraception. At the time, there was no public-policy debate in any state on the issue. He continued to harp on contraception after the candidates addressed the issue. Newt Gingrich, for one, fought back, telling the former top aide to President Bill Clinton after a question about gay marriage: "I just want to raise a point about the news-media bias. You don't hear the opposite question asked. Should the Catholic Church be forced to close its adoption services in Massachusetts because it won't accept gay couples, which is exactly what the state has done? . . . The bigotry question goes both ways, and there's a lot more anti-Christian bigotry today than there is concerning the other side. And none of it gets covered by the news media."

NBC's Brian Williams also demonstrated how out of touch he was with public opinion during one debate at the Reagan Library, when he asked Governor Rick Perry about the criminals executed in the state of Texas: "Have you struggled to sleep at night with the idea that any one of those might have been innocent?" After Perry explained that anyone convicted had by that point exhausted numerous appeals and deserved the "ultimate justice," many in the audience clapped. Williams then asked Perry to explain the audience reaction. "What do you make of that dynamic that just happened here, the mention of the execution of 234 people drew applause?" It was almost as if Williams, disgusted by the audience reaction, was unaware that Americans have consistently backed the death penalty for murder by a 2-to-1 ratio, with support among Republicans at 80 percent or higher.

None of this is to suggest that Republicans who want to install exclusively conservative commentators as debate moderators and panelists have got it right. Debates will not serve the party well if they become an echo chamber or if the moderators address only hot-button issues that spark the conservative base. But a political party has a right to do its best to project the kind of image it wishes, and if that involves greater "diversity" in debate formats and participants, all the better. Just as the media landscape has offered more choices to consumers with the advent of new players, so too would presidential debates appeal to more viewers if they moved beyond the formats and cast that seem to have been ordained over a half century ago, during the Nixon-Kennedy confrontations. Everything else in the media is changing, so why not the fusty and frozen format of debates?

NY Times

Money, Money, Money, Money, MONEY!

by Maureen Dowd

WASHINGTON — CLINTON nostalgia is being replaced by Clinton neuralgia.

Why is it that America's roil family always seems better in abstract than in concrete? The closer it gets to running the world once more, the more you are reminded of all the things that bugged you the last time around.

The Clintons' neediness, their sense of what they are owed in material terms for their public service, their assumption that they're entitled to everyone's money.

Are we about to put the "For Rent" sign back on the Lincoln Bedroom?

If Americans are worried about money in politics, there is no larger concern than the Clintons, who are cosseted in a world where rich people endlessly scratch the backs of rich people.

They have a Wile E. Coyote problem; something is always blowing up. Just when the Clintons are supposed to be floating above it all, on a dignified cloud of do-gooding leading into 2016, pop-pop-pop, little explosions go off everywhere, reminding us of the troubling connections and values they drag around.

There's the continuing grotesque spectacle of Anthony Weiner and Huma Abedin. And there's the sketchy involvement of the Clintons' most prolific fund-raiser, Terry McAuliffe, and Hillary's brother Tony Rodham in a venture, GreenTech Automotive; it's under federal investigation and causing fireworks in Virginia, where McAuliffe is running for governor.

Many Israelis were disgusted to learn that Bill Clinton was originally scheduled to scarf up \$500,000 to speak at the Israeli president Shimon Peres's 90th birthday festivities in June. I guess being good friends with Peres and brokering the accord that won Peres the Nobel Peace Prize were not reasons enough for Bill to celebrate. The Israeli branch of the Jewish National Fund had agreed to donate half a mil to the Clinton foundation. Isn't the J.N.F. "supposed to plant trees with donor cash?" Haaretz chided before the fund pulled back. "I guess money does grow on trees."

I never thought I'd have to read the words Ira Magaziner again. But the man who helped Hillary torpedo her own health care plan is back.

In a Times article last week headlined "Unease at Clinton Foundation Over Finances and Ambitions," Nicholas Confessore and Amy Chozick offered a compelling chronicle about an internal review of the rechristened Bill, Hillary & Chelsea Clinton Foundation that illuminated the fungible finances and tensions between Clinton loyalists and the foundation architects Magaziner and Doug Band, former bag carrier for President Clinton.

You never hear about problems with Jimmy Carter's foundation; he just quietly goes around the world eradicating Guinea worm disease. But Magaziner continues to be a Gyro Gearloose, the inept inventor of Donald Duck's Duckburg.

“On one occasion, Mr. Magaziner dispatched a team of employees to fly around the world for months gathering ideas for a climate change proposal that never got off the ground,” Confessore and Chozick said.

We are supposed to believe that every dollar given to a Clinton is a dollar that improves the world. But is it? Clintonworld is a galaxy where personal enrichment and political advancement blend seamlessly, and where a cast of jarringly familiar characters pad their pockets every which way to Sunday.

“Efforts to insulate the foundation from potential conflicts have highlighted just how difficult it can be to disentangle the Clintons’ charity work from Mr. Clinton’s moneymaking ventures and Mrs. Clinton’s political future,” Confessore and Chozick wrote.

The most egregious nest of conflicts was a firm founded by Doug Band called Teneo, a scammy blend of corporate consulting, public relations and merchant banking. Band, a surrogate son to Bill, put Huma, a surrogate daughter to Hillary, on the payroll. Even Big Daddy Bill was a paid adviser.

As The Times reported, Teneo worked on retainer, charging monthly fees up to \$250,000 and recruiting clients from among Clinton Foundation donors, while encouraging others to become foundation donors. The Clintons distanced themselves from Teneo when they got scorched with bad publicity after the collapse of its client MF Global, the international brokerage firm led by the former New Jersey governor Jon Corzine.

And Chelsea is now shaping the foundation’s future, and her political future. So there may not be as much oxygen for her troublesome surrogate siblings.

As George Packer wrote in The New Yorker, Bill Clinton earned \$17 million last year giving speeches, including one to a Lagos company for \$700,000. Hillary gets \$200,000 a speech.

Until Harry Truman wrote his memoirs, the ex-president struggled on an Army pension of \$112.56 a month. “I could never lend myself to any transaction, however respectable,” he said, “that would commercialize on the prestige and dignity of the office of the presidency.”

So quaint, Packer wrote, observing, “The top of American life has become a very cozy and lucrative place, where the social capital of who you are and who you know brings unimaginable returns.”

The Clintons want to do big worthy things, but they also want to squeeze money from rich people wherever they live on planet Earth, insatiably gobbling up cash for politics and charity and themselves from the same incestuous swirl.

Popular Mechanics

Ten Years Later, How Have We Avoided Another Mega Blackout?

August 14, 2003 was the beginning of the enormous North American blackout that left 50 million in the dark.

by John Galvin



Thousands of New Yorkers walk along the Brooklyn Bridge away from Manhattan August 14, 2003 in New York City.

Ten years ago August 14, the [largest blackout in North American history](#) darkened the homes and businesses of approximately 50 million people across Ontario, Canada, and the states of Connecticut, New York, New Jersey, Massachusetts, Maryland, Ohio, and Pennsylvania. In Cleveland, the water supply went down and the mayor denounced stores for price gouging. The Cyclone roller coaster at a Six Flags in Massachusetts stopped on its rails. A tunnel linking Detroit and Windsor, Canada, went dark, stranding thousands of motorists. And in New York, the subways ground to a halt and thousands were forced to walk home from work in the heat—and then trudge up their high-rise apartment stairs because the elevators were out too. Hundreds, if not thousands, of restaurants and grocery stores lost their entire inventory.

While power didn't go out until close to 4:00pm Eastern time that day, the roots of the massive chain reaction started two and a half hours earlier, when the Eastlake 5 power plant in northern Ohio lost one of its generators. Shortly thereafter, the power company's energy management system went down, leaving them in the dark, so to speak, about other trouble that was brewing. Between 3:05 and 3:41, the company's power-transmission lines—sagging from the August heat—came into contact with trees that should have been pruned. That sparked a massive short that further choked off the power supply to northern Ohio.

The result was a massive power surge as electricity from the interconnected grid tried to flood back into Ohio. The grid tripped off—as intended—to prevent overload damage. But then it sparked an irreversible surge-and-trip cascade across much of the Northeastern U.S. According to a report by a Canadian-U.S. task force, 265 power plants went down, many within a matter of minutes of each other.

So why haven't we had a major power outage since then? For one thing, power companies are now forced to prune their trees thanks to the Energy Policy Act of 2005. But the other major factor is a technological advance. According to Matt Wakefield of the Electric Power Research Institute, most power transmission companies have now installed high-tech [synchrophasors](#), which allow them to detect problems in transmission lines and reroute electricity around trouble spots. The synchrophasors work by giving real-time feedback on power flows and voltage and transmitting the data back to power companies.

"While we will always have local and regional power outages because of things like weather," Wakefield says, "these synchrophasors mean that these rolling blackouts that can affect large regions of the country at once are much less likely."

Nevertheless, those local and regional outages are growing increasingly common. Severe weather has been wreaking havoc with the power grid. According to [Massoud Amin](#), a professor of electrical and computer engineering at the University of Minnesota, in 2011 alone there were 136 weather-related power outages. This compares to just five per year during the 1980s. In the last five years, more than 178 million home electrical meters have been knocked out by local power outages.

So while the mega-outage may be a thing of the past, it's a good idea to stock up on some flashlights and backup batteries, and check out our recent primer on [blackout preparedness](#).





**EVERY DAY, THOUSANDS
OF INNOCENT PLANTS
ARE KILLED BY VEGETARIANS.**

HELP END THE VIOLENCE.

EAT BACON.

**Starry Night by Vincent Van
Gogh as rendered in bacon**



