

November 20, 2013

We have a president created and supported by a bodyguard of lies. The latest example comes from a [NY Post](#) story about how pre-election employment figures were manipulated.

In the home stretch of the 2012 presidential campaign, from August to September, the unemployment rate fell sharply — raising eyebrows from Wall Street to Washington.

The decline — from 8.1 percent in August to 7.8 percent in September — might not have been all it seemed. The numbers, according to a reliable source, were manipulated.

And the Census Bureau, which does the unemployment survey, knew it.

Just two years before the presidential election, the Census Bureau had caught an employee fabricating data that went into the unemployment report, which is one of the most closely watched measures of the economy.

And a knowledgeable source says the deception went beyond that one employee — that it escalated at the time President Obama was seeking reelection in 2012 and continues today.

“He’s not the only one,” said the source, who asked to remain anonymous for now but is willing to talk with the Labor Department and Congress if asked.

The Census employee caught faking the results is Julius Buckmon, according to confidential Census documents obtained by The Post. Buckmon told me in an interview this past weekend that he was told to make up information by higher-ups at Census. ...

The healthcare train wreck prompted this from [Walter Russell Mead](#).

... All this has plunged the White House into the deepest hole of the Obama presidency to date, but the biggest shock isn’t about the cruddy rollout, the kludgy law or the disingenuous sales job by which it was passed. The biggest shock and the most damning revelation came in the President’s hasty and awkward press conference when President Obama responded to a reporter’s question about his knowledge of the website’s problems:

“OK. On the website, I was not informed directly that the website would not be working as — the way it was supposed to. Ha[d] I been informed, I wouldn’t be going out saying, boy, this is going to be great. You know, I’m accused of a lot of things, but I don’t think I’m stupid enough to go around saying, this is going to be like shopping on Amazon or Travelocity, a week before the website opens, if I thought that it wasn’t going to work.”

This was eyepopping. Obamacare is the single most important initiative of his presidency. The website rollout was, as the President himself has repeatedly stated, the most important element of the law’s debut. Domestically speaking there was no higher priority for the President and his staff than getting this right. And the President is telling the world that a week before the disaster he had no idea how that website was doing.

Reflect on that for a moment. The President of the United States is sitting in the Oval Office day after day. The West Wing is stuffed with high power aides. His political appointees sit atop federal bureaucracies, monitoring the work of the career staff around them. The President has told his core team, over and over, that the health care law and the website rollout are his number one domestic priorities.

And with all this, neither he nor, apparently, anyone in his close circle of aides and advisors knew that the website was a disaster. Vapid, blind, idly flapping their lips; they pushed paper, attended meetings and edited memos as the roof came crashing down. It is one thing to fail; it is much, much worse not to see failure coming. ...

And according to [Yuval Levin](#), the healthcare long game has been sacrificed for short term news cycles.

... The president, in his Thursday press conference, did not treat November 30 as a key date. He did not suggest that there was just one large obstacle to overcome and then things would be fine. He did not say the product was good but the website is bad. He said things like this:

"But even if we get the hardware and software working exactly the way it's supposed to with relatively minor glitches, what we're also discovering is that insurance is complicated to buy. And another mistake that we made, I think, was underestimating the difficulties of people purchasing insurance online and shopping for a lot of options with a lot of costs and lot of different benefits and plans and somehow expecting that that would be very smooth, and then they've also got to try to apply for tax credits on the website."

These are the words of a man who has had to internalize a lot of grim briefings lately, and to come to terms with some painful realities. And the decision the president announced is the decision of a man who has to just think about politics day by day now, rather than in terms of large goals and visions.

It may turn out, of course, that the situation of Obamacare and its champions is not in fact this dire, that the exchange system will find some balance relatively soon and function in a way that bears some resemblance to how it was designed to work, and that the politics of health care in 2014 will be more mixed and complicated than the fiasco the Democrats now face. But the last few days have suggested that Democrats, including the president, are beginning to lose faith in that possibility.

Things aren't all bad, we do have Clarence Thomas sitting as a Justice of the Supreme Court. He was the main event at a recent meeting of the Federalist Society. [Scott Johnson](#) of Power Line posts.

I had the great good fortune of attending the Federalist Society National Lawyers Convention annual dinner featuring Justice Thomas last night. Justice Thomas was the attraction who drew a packed house of more than 1,300 justices, judges, attorneys and law students, and he just about brought down the house.

Responding to questions put to him by Seventh Circuit Judge Diane Sykes, Justice Thomas told a deeply American story. He ranged widely over his life and career, recalling his slave forebears, his grandparents, his teachers, his studies in college, seminary and law school, and his first job with Senator John Danforth. He recalled in detail the day he gave up the hate in his heart — April 16, 1970 — and spoke frequently of his loves. He spoke of his love for his wife, for his life on the Court, for his clerks, and above all, for the Constitution.

*He moved the audience several times to laughter and, I think, by the end, to tears. David Lat captures the event in his [Above the Law](#) post "[Justice Clarence Thomas speaks—and oh what a speech!](#)" I left the event thinking, *this is a man.**

Here's the article by [David Lat](#) mentioned by Scott.

Over the past few years, some amazing speakers have appeared at the Thursday evening dinner of the Federalist Society's [National Lawyers Convention](#). Last year, Justice Samuel A. Alito offered a [very funny look back](#) at his time at Yale Law School. In 2010, Justice Antonin Scalia engaged in a [spirited and wide-ranging conversation](#) with legal journalist Jan Crawford.

Last night's event will be tough to top. Justice Clarence Thomas, speaking with Judge Diane Sykes of the Seventh Circuit, delivered remarks that were "equal parts hysterical, poignant and inspiring," as Texas Supreme Court Justice Don Willett noted on [Twitter](#).

I was lucky enough to attend, seated just one table away from the stage. Here's my account of the evening (plus a few photos)....

The event took place in the cavernous ballroom of the Omni Shoreham Hotel, one of the few venues large enough to accommodate the roughly 1,300 attendees. The crowd included legal luminaries too numerous to mention; I'll simply note that the room was one vote shy of being able to grant cert (Justice Antonin Scalia and Justice Samuel Alito also attended).

Judge Sykes — stylishly attired in a bright magenta jacket, shiny black pants, and an impressive amount of bling for a federal judge — did a superb job interviewing Justice Thomas. She did not make the mistake made by [some SCOTUS interviewers](#) of being too interventionist; instead, she gently and unobtrusively guided the conversation with thoughtful questions, keeping the spotlight on Justice Thomas. Her interviewing skill won praise from the attendees I spoke with after the event, as well as from the [Los Angeles Times](#). ...

[Click here for Justice Thomas interview/speech from You Tube.](#)

Interesting article from [WaPo](#) reports what American cities are warned against by foreign governments.

Planning a trip abroad? It's probably best to check out the State Department's [list of travel warnings](#) for countries with unsafe political situations. At the moment, the State Department has issued travel warnings for 34 countries, from the Central African Republic and El Salvador to Iraq and North Korea.

Well, just as State warns Americans about dangerous places to travel, so too do foreign ministries in other countries — and some countries warn their citizens to avoid heading to certain cities in the U.S. France, in particular, warns travelers to be careful in a large number of specific cities.

Here's what other countries, mostly France, say about American cities: ...

NY Post

Census 'faked' 2012 election jobs report

by John Crudele

In the home stretch of the 2012 presidential campaign, from August to September, the unemployment rate fell sharply — raising eyebrows from Wall Street to Washington.

The decline — from 8.1 percent in August to 7.8 percent in September — might not have been all it seemed. The numbers, according to a reliable source, were manipulated.

And the Census Bureau, which does the unemployment survey, knew it.

Just two years before the presidential election, the Census Bureau had caught an employee fabricating data that went into the unemployment report, which is one of the most closely watched measures of the economy.

And a knowledgeable source says the deception went beyond that one employee — that it escalated at the time President Obama was seeking reelection in 2012 and continues today.

“He’s not the only one,” said the source, who asked to remain anonymous for now but is willing to talk with the Labor Department and Congress if asked.

The Census employee caught faking the results is Julius Buckmon, according to confidential Census documents obtained by The Post. Buckmon told me in an interview this past weekend that he was told to make up information by higher-ups at Census.

Ironically, it was Labor’s demanding standards that left the door open to manipulation.

Labor requires Census to achieve a 90 percent success rate on its interviews — meaning it needed to reach 9 out of 10 households targeted and report back on their jobs status.

Census currently has six regions from which surveys are conducted. The New York and Philadelphia regions, I’m told, had been coming up short of the 90 percent.

Philadelphia filled the gap with fake interviews.

“It was a phone conversation — I forget the exact words — but it was, ‘Go ahead and fabricate it’ to make it what it was,” Buckmon told me.

Census, under contract from the Labor Department, conducts the household survey used to tabulate the unemployment rate.

Interviews with some 60,000 household go into each month’s jobless number, which currently stands at 7.3 percent. Since this is considered a scientific poll, each one of the households interviewed represents 5,000 homes in the US.

Buckmon, it turns out, was a very ambitious employee. He conducted three times as many household interviews as his peers, my source said.

By making up survey results — and, essentially, creating people out of thin air and giving them jobs — Buckmon’s actions could have lowered the jobless rate.

Buckmon said he filled out surveys for people he couldn’t reach by phone or who didn’t answer their doors.

But, Buckmon says, he was never told how to answer the questions about whether these nonexistent people were employed or not, looking for work, or have given up.

But people who know how the survey works say that simply by creating people and filling out surveys in their name would boost the number of folks reported as employed.

Census never publicly disclosed the falsification. Nor did it inform Labor that its data was tainted.

“Yes, absolutely they should have told us,” said a Labor spokesman. “It would be normal procedure to notify us if there is a problem with data collection.”

Census appears to have looked into only a handful of instances of falsification by Buckmon, although more than a dozen instances were reported, according to internal documents.

In one document from the probe, Program Coordinator Joal Crosby was ask in 2010, “Why was the suspected ... possible data falsification on all (underscored) other survey work for which data falsification was suspected not investigated by the region?”

On one document seen by The Post, Crosby hand-wrote the answer: “Unable to determine why an investigation was not done for CPS,” or the Current Population Survey — the official name for the unemployment report.

With regard to the Consumer Expenditure survey, only four instances of falsification were looked into, while 14 were reported.

I’ve been suspicious of the Census Bureau for a long time.

During the 2010 Census report — an enormous and costly survey of the entire country that goes on for a full year — I suspected (and wrote in a number of columns) that Census was inexplicably hiring and firing temporary workers.

I suspected that this turnover of employees was being done purposely to boost the number of new jobs being report each month. (The Labor Department does not use the Census Bureau for its other monthly survey of new jobs — commonly referred to as the Establishment Survey.)

Last week I offered to give all the information I have, including names, dates and charges to Labor's inspector general.

I'm waiting to hear back from Labor.

I hope the next stop will be Congress, since manipulation of data like this not only gives voters the wrong impression of the economy but also leads lawmakers, the Federal Reserve and companies to make uninformed decisions.

To cite just one instance, the Fed is targeting the curtailment of its so-called quantitative easing money-printing/bond-buying fiasco to the unemployment rate for which Census provided the false information.

So falsifying this would, in essence, have dire consequences for the country.

American Interest

[The Most Shocking Obamacare Revelation](#)

by Walter Russell Mead

It's been a grim month for fans of Obamacare, and perhaps especially for the red state Democrats in Congress who voted for it. Between the ghastly failure of the website, the waves of policy cancellations, and the grim realization that the 'wonks and experts' knew all along that the "you can keep your policy" mantra was pure hogwash, fans of President Obama's signature initiative have been looking a little green around the gills.

There is, it appears, worse to come. So far we are only looking at the fallout as Obamacare-mandated changes hit the relatively small individual insurance market. Coming soon to a cable news outlet near you: the tsunami of outrage when Americans in employer-sponsored programs discover that the President wasn't telling the truth about their plans and their doctors either.

There is a case that can be made for this law, shoddily designed as it was, but even its proponents seem to have believed that if the American people really knew what was in the law, it would never have passed. Now the law's backers face the convergence of three different centers of unhappiness: unhappiness with the bungled website rollout, unhappiness with a mix of cancellations and price increases by customers in the individual insurance market, and unhappiness on the part of millions of rubes (aka 'voters') that the proponents of the new health care system concealed potential deal breaking features while they were selling the law.

All this has plunged the White House into the deepest hole of the Obama presidency to date, but the biggest shock isn't about the cruddy rollout, the kludgy law or the disingenuous sales job

by which it was passed. The biggest shock and the most damning revelation came in the President's hasty and awkward press conference when President Obama responded to a reporter's question about his knowledge of the website's problems:

"OK. On the website, I was not informed directly that the website would not be working as — the way it was supposed to. Ha[d] I been informed, I wouldn't be going out saying, boy, this is going to be great. You know, I'm accused of a lot of things, but I don't think I'm stupid enough to go around saying, this is going to be like shopping on Amazon or Travelocity, a week before the website opens, if I thought that it wasn't going to work."

This was eyepopping. Obamacare is the single most important initiative of his presidency. The website rollout was, as the President himself has repeatedly stated, the most important element of the law's debut. Domestically speaking there was no higher priority for the President and his staff than getting this right. And the President is telling the world that a week before the disaster he had no idea how that website was doing.

Reflect on that for a moment. The President of the United States is sitting in the Oval Office day after day. The West Wing is stuffed with high power aides. His political appointees sit atop federal bureaucracies, monitoring the work of the career staff around them. The President has told his core team, over and over, that the health care law and the website rollout are his number one domestic priorities.

And with all this, neither he nor, apparently, anyone in his close circle of aides and advisors knew that the website was a disaster. Vapid, blind, idly flapping their lips; they pushed paper, attended meetings and edited memos as the roof came crashing down. It is one thing to fail; it is much, much worse not to see failure coming. There is no way to construe this as anything but a world class flop.

What is a staff for? Surely a competent staff would have set up an effective monitoring and reporting system so that accurate and timely information about website problems would reach the White House. Surely at the first signs of trouble, an effective trouble-shooting response from the White House would delve into the issues, develop some action plans, and also inform the President and senior staff about any threat to the scheduled rollout. But apparently none of this happened, and at least from what we see so far in public, the President is OK with that. No heads are rolling. No one is being taken to the White House woodshed. There are [reports that the President has vented](#), but "no drama Obama" is apparently still turning the other cheek. The President is content to keep working with the team he's got.

One would like to assume that a number of people, beginning with the chief of staff, have offered their resignations to the President after failing so utterly at their Job Number One. This would be normal behavior by any responsible professional when something goes so badly wrong and it would be a sad day indeed if the President's top staff don't understand this.

There is nothing that any president needs more than a team of competent people around him who can keep him and his key initiatives on track. President Obama is in his fifth year in office, and he isn't getting the level of performance from his staff you'd need to be an effective principal of a middle school. At this point, that failure doesn't just reflect badly on the staff; it reflects on the man who selected them. More and more people in the United States and beyond are asking

the obvious and painful question: Why can't the President of the United States find and keep a minimally competent staff?

Forget the merits and demerits of Obamacare. The White House now faces crises of confidence and competence and President Obama will not be able to solve one unless he addresses both. While much of the MSM is still doing its usual collusive best to avoid peering too deeply into the entrails of a liberal disaster (something already changing and likely to change more as liberal opinion continues to detach itself from a disappointing administration), some messes are too big to ignore. As more people reflect on the President's extraordinary press conference, the public sense that the President and his team just aren't up to the job will inevitably grow. It was a jaw dropping moment of naked self revelation, and the more one reflects on it the more striking it becomes. The President of the United States didn't know that his major domestic priority wasn't ready for prime time—and he thinks that sharing this news with us will somehow make it better. It is moments of this kind that give epithets like “Carteresque” their sting.

President Obama must now deal with two problems: he must defend and implement an unpopular law and he must answer questions at home and abroad about his competence. To get this done would be difficult under any circumstances and it will be impossible without a genuinely brilliant White House staff. It will be interesting to see whether President Obama thinks that the people whose serial incompetence got him into this mess are the people who can get him out.

National Review

[The President Is Losing His Plan](#)

by Yuval Levin

The most important thing about the policy move announced by President Obama on Thursday is not its practical significance—which is frankly very hard to predict—but rather what it tells us about the mindset of the president and his top lieutenants. In that respect, I think the past few days have marked a significant change, and signaled a new and unprecedented level of panic and chaos.

The immediate purpose of the step the administration announced was, ironically, pretty much the same one that moved the president to falsely claim for three years that anyone who liked his insurance plan would be able to keep it: to calm down congressional Democrats and keep them unified. The president moved to permit insurers to renew plans that do not comply with Obamacare's requirements because it looked like legislative proposals to do that were going to win the votes of large numbers of Democrats in both houses, and so effectively fracture the gritted-teeth Democratic unity that has been the only thing sustaining the cause of Obamacare in our politics since before the law was enacted.

If many dozens of House Democrats broke with the leadership and the president to vote for the Upton bill (which would allow insurers to keep selling any 2013 plans they wanted to all comers next year), they might well never come back to the Obamacare fold, and the inevitable fights to come would be all the more painful for the president. If the Senate Democrats championing the Landrieu bill (which would impose a guaranteed-renewability requirement on all 2013 plans, overriding Obamacare's qualified-coverage mandates) got their way, they would expose deep divisions in the Democratic caucus that Harry Reid has worked for years to hide (mostly by

avoiding difficult votes) and put the president in the position of seeming to be reprimanded by his own party. If both bills passed, the result of a conference committee between them could well be unbearable for the president in both political and policy terms. Obama evidently decided he should do whatever it took to avoid those immediate undesirable consequences, regardless of the longer-term cost. This was the same sort of thinking that led him to repeatedly promise people they could keep any plan they liked in order to keep the extremely precarious Obamacare coalition of Democrats together in 2010 and after. The idea is to get past the immediate political problem and worry about the bigger problems you create later.

The move also shared some means in common with previous instances of such expediency—like the delay of the employer mandate in July, for instance, which was a huge and early sign of implementation problems. The administration yesterday basically said that, although all the rules that have required the cancellations of millions of insurance policies technically remain in effect, the government will refrain from enforcing them against insurers who allow current customers to keep their existing plans for another year. Presumably (although I don't think they have made this clear), they will also not enforce the individual-mandate penalty against people who stay in such plans. They aren't working with Congress to change the law—in fact the whole point is to avoid that. And they aren't changing the regulations they themselves have promulgated to enforce it. They're just telling insurers and consumers that it's ok to violate the law next year. And they're asking state insurance commissioners to do the same.

The callous disregard for the very idea of law inherent in this manner of governing is matched by the overt cynicism of the move itself: After having created the circumstances in which millions of people lose their health coverage, the administration imagines this latest move can allow Democrats to say that the president and his health reform are not at fault but insurers and state insurance commissioners are because, after all, although they have had to prepare to follow the law for three years they now have thirty days to prepare to ignore it. The president was incredibly explicit about this in his press conference on Thursday, saying “the key point is, is that it allows us to be able to say to the folks who've received these notices, look, you know, I, the president of the United States, and the insurance model of the Affordable Care Act is not going to be getting in the way of you shopping in the individual market that you used to have.” I guess they've got reason to think people will believe anything they say, but it's still hard to imagine that argument working.

Even though the White House has done this sort of thing before, however, I think this particular exercise in imprudent expedience will carry particularly high costs, and those costs will not be all that far in the future. To address his very near-term political problem, the president has thrown the nation's health insurers under the bus, even though he desperately needs their cooperation and support to mitigate the immense problems that the implementation of Obamacare now confronts. The response of the insurers, in the form of a statement put out by their industry group Thursday afternoon, was harsher than anything they have had to say about Obamacare since its inception, and it seems pretty clear that their basic disposition toward the administration and the law will now be changing for the worse. The insurers have no one to blame but themselves—they made a deal with Obamacare's champions early on, knowing it was a gamble. But of course, they won't be blaming themselves, and by turning them into scapegoats at this point the White House puts its effort to salvage something of Obamacare's launch in even greater peril.

Perhaps even more importantly, today's move could put the exchange system itself in significantly greater peril too. It is very hard to know how many people will actually be keeping

their 2013 plans as a result of this new policy, and of course it is also still possible that Congress will pass legislation. But by allowing insurers to keep current customers in pre-Obamacare plans outside the exchanges, and by letting the insurers choose which plans to keep, the administration makes it more likely that the exchanges will not be able to achieve the volume and the risk-balance necessary for them to function. The White House understands that, of course, and the decision to take this step suggests that they think the risk is worth it not just because the immediate political danger is so great but also because the chances of the exchanges actually functioning anyway seem lower and lower all the time.

That, to my mind, is what Thursday's announcement really signals, and why I think it's so significant. Prior instances of reckless presidential expediency in the debate over Obamacare have involved efforts to get past some immediate obstacle and just get the system into place, in the hope that once it was working the criticisms would fade away. This latest instance, however, involves roughly the opposite impulse: to sacrifice the prospects of the new system itself in the service of avoiding immediate political pain and embarrassment and without some larger goal in view.

It suggests that the administration is giving up on the long game of doing what it takes to get the system into place and then trusting that the public will come around and is adopting instead the mentality of a political war of attrition, fought news cycle by news cycle, in which the goal is to survive and gain some momentary advantage rather than to achieve a large and well-defined objective. It suggests, in other words, that the administration is coming to the view that Obamacare as they have envisioned it is not really going to happen, that they don't know quite what *is* going to happen (and no one else does either), and that they need above all to keep their coalition together and keep the public from abandoning them so they can regroup when the dust clears.

The president, in his Thursday press conference, did not treat November 30 as a key date. He did not suggest that there was just one large obstacle to overcome and then things would be fine. He did not say the product was good but the website is bad. He said things like this:

But even if we get the hardware and software working exactly the way it's supposed to with relatively minor glitches, what we're also discovering is that insurance is complicated to buy. And another mistake that we made, I think, was underestimating the difficulties of people purchasing insurance online and shopping for a lot of options with a lot of costs and lot of different benefits and plans and somehow expecting that that would be very smooth, and then they've also got to try to apply for tax credits on the website.

These are the words of a man who has had to internalize a lot of grim briefings lately, and to come to terms with some painful realities. And the decision the president announced is the decision of a man who has to just think about politics day by day now, rather than in terms of large goals and visions.

It may turn out, of course, that the situation of Obamacare and its champions is not in fact this dire, that the exchange system will find some balance relatively soon and function in a way that bears some resemblance to how it was designed to work, and that the politics of health care in 2014 will be more mixed and complicated than the fiasco the Democrats now face. But the last few days have suggested that Democrats, including the president, are beginning to lose faith in that possibility.

Power Line

Justice Thomas speaks

by Scott Johnson

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Above The Law

Justice Clarence Thomas Speaks — And Oh What A Speech!

by David Lat



Justice Clarence Thomas in conversation with Judge Diane Sykes.

Over the past few years, some amazing speakers have appeared at the Thursday evening dinner of the Federalist Society's [National Lawyers Convention](#). Last year, Justice Samuel A. Alito offered a [very funny look back](#) at his time at Yale Law School. In 2010, Justice Antonin Scalia engaged in a [spirited and wide-ranging conversation](#) with legal journalist Jan Crawford.

Last night's event will be tough to top. Justice Clarence Thomas, speaking with Judge Diane Sykes of the Seventh Circuit, delivered remarks that were "equal parts hysterical, poignant and inspiring," as Texas Supreme Court Justice Don Willett noted on [Twitter](#).

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Judge Sykes — stylishly attired in a bright magenta jacket, shiny black pants, and an impressive amount of bling for a federal judge — did a superb job interviewing Justice Thomas. She did not make the mistake made by [some SCOTUS interviewers](#) of being too interventionist; instead, she gently and unobtrusively guided the conversation with thoughtful questions, keeping the spotlight on Justice Thomas. Her interviewing skill won praise from the attendees I spoke with after the event, as well as from the [Los Angeles Times](#).

(I was not surprised at all by Judge Sykes's fabulousity as an interviewer. First, she holds a journalism degree from Northwestern and worked as a reporter for the Milwaukee Journal before going to law school. Second, having interviewed her for a [Fed Soc event at U. Chicago](#), I know firsthand how delightful a conversationalist she is.)

When Justice Thomas took the stage, he looked almost unhappy, or least experiencing some [Supreme Discomfort](#) (affiliate link). He actually commented to Judge Sykes about how weird it felt to have so many eyes on him, a surprising sentiment from someone who went through televised confirmation hearings and who has addressed many sizable audiences over the years.

But any awkwardness lasted only briefly. Judge Sykes quickly put Justice Thomas at ease, and after a few minutes of discussing his remarkable life story, he had the audience under his spell. As Kashmir Hill and I wrote in the [Washington Post](#) a few years ago, when we urged Justice Thomas to [run for president](#), he is "charismatic and compelling" in person, and "his people skills are wasted in the stuffy, stilted, stylized interactions between lawyers and Supreme Court justices."

People who have read Justice Thomas's extraordinary memoir, [My Grandfather's Son](#) (affiliate link), are familiar with his journey from being a [supporter of the Black Panthers](#) to a rock-ribbed conservative. If you're not familiar with it, this exchange from last night pretty much captures it:

Judge Sykes: You were something of a campus radical.

Justice Thomas: Yeah, but I wasn't a dope head. The sixties were different.

They sure were. Cf. Justice Alito's [Fed Soc speech from last year](#) ("who put the acid in the wine").

Justice Thomas is sometimes described by liberal commentators — including one of my colleagues, [Elie Mystal](#) — as bitter and angry. But as he explained in a particularly heartfelt part of the conversation, that couldn't be farther from the truth. He vividly recalled the emotional morning of April 16, 1970, when he returned to Holy Cross College after attending a riot in Harvard Square. Deeply troubled by how full he was of hate, he prayed to God and promised that if God could help him through this darkness, he would never hate again.

God came through for him — and Justice Thomas was forever changed. So he rejects any portraits of him as angry, hateful, or obsessed with settling old scores:

That is the opposite of the way I was raised, the opposite of the deal I made with God on April 16.

Critics might respond to this by citing Justice Thomas's [famous antipathy](#) towards his alma mater, Yale Law School, partly attributable to how some members of the YLS community opposed his nomination to the Supreme Court. But as reflected in his [visit to YLS](#), which went very well, consider that water under the bridge; last night he had [warm words](#) for Yale, saying that the school was like a family to him and that going to YLS "was very beneficial to me."

Some of Justice Thomas's former anger for Yale related to his difficulty in finding a post-graduation job. As he put it [in his memoir](#), "Many [employers] asked pointed questions unsobly suggesting that they doubted I was as smart as my grades indicated. Now I knew what a law degree from Yale was worth when it bore the taint of racial preference."

But last night, Justice Thomas was actually able to joke about his challenging job hunt (so take heart, unemployed or underemployed law school graduates; maybe someday you too will look back and laugh). As he told Judge Sykes, speaking about his first job out of law school, working for then-Missouri Attorney General John Danforth:

The biggest problem I had with him was he was a Republican. But I got over it when I had only one job offer.

In fact, he more than "got over it." Justice Thomas praised the future U.S. senator and ambassador to the U.N. for his honesty, his ethics, and his compassion, and cited Danforth — along with many others, including Senator Strom Thurmond, Senator Orrin Hatch, and Judge Laurence Silberman — as good people who looked after and supported him during the early days of his legal career. He also thanked Justice Scalia for being such a good friend and colleague on the Court, especially when Justice Thomas was new at One First Street.

How did Justice Thomas make it all the way to the U.S. Supreme Court? He reduced his distinguished pre-robescence career — which included stints as an in-house lawyer, a staffer on Capitol Hill, the chair of the EEOC, and a judge on the Most Holy D.C. Circuit — to the following:

I quit my job impetuously, packed up a U-Haul, and moved to Washington. One thing led to another and I wound up on the Court. It was totally Forrest Gump.

Last night's audience roared with laughter at this — and appreciated Justice Thomas's refreshing humility. It's unusual to find a distinguished lawyer or jurist who is this self-effacing; most prefer to spin tales of how they got to their current high stations thanks to their own brilliance and hard work.

Judge Sykes asked Justice Thomas how the Court has changed over the 22 years he has served on the Court, alluding to various SCOTUS developments of the past two decades, such as the rise of a specialized Supreme Court bar. But as Robert Barnes put it in the [Washington Post](#), CT “didn't seem particularly interested in Sykes's questions about the workings of the modern court.” That's a fair characterization, in light of Justice Thomas's concise summary of life as a justice:

There are a lot of briefs, and people doing a lot of talking. I mean, it's law.

With that attitude, it's no wonder that Justice Thomas has been [silent all these years](#) (at least in terms of asking questions of counsel during oral argument).

But don't mistake his lack of participation in oral argument for boredom or disinterest. He talked about how a clerk just brought him a draft opinion in a pending case, apologizing for how boring the issue is — by the way, if you have a boring case under submission at SCOTUS, Justice Thomas might be writing your opinion — and he disagreed with that clerk. He explained to Judge Sykes how much he enjoys his work at the Court:

Even the most boring cases are fascinating to me....

I love the cloistered life; I was in the seminary. I love my law clerks. I have this wonderful work to do.

No, I'm not exaggerating the Oprah-esque outpouring of love. As Robert Barnes put it, in an article entitled [Clarence Thomas: The Supreme Court's most happy fella](#), “the 65-year-old Thomas was full of ‘love’: for his colleagues, for his law clerks, for his life.”

But not, it should be noted, for stare decisis. Justice Thomas — who must have a Word macro that says, “this case does not raise / the parties have not argued [issue X], but in an appropriate case, this Court should revisit [issue X] — had the following exchange with his interlocutor:

Judge Sykes: Stare decisis doesn't hold much weight with you?

Justice Thomas: Oh it does. But not enough to keep me from going to the Constitution.

Cue the standing ovation. To quote Justice Willett again, [#Nerdvana](#).

Justice Thomas is patient enough to wait for history to catch up with him, comparing some of his jurisprudence to “a fine wine — it just needs aging.” He noted that it took the first Justice Harlan, author of the great dissent in [Plessy v. Ferguson](#), sixty years to be vindicated.

The high-stakes cases, which cluster toward the end of the Term, can produce tension and frayed nerves. Judge Sykes asked Justice Thomas about this, and whether he's eager to

escape the building by summer. CT diplomatically responded that he doesn't really have such problems, which led Justice Scalia to call out from the audience:

I get out of there as soon as I can!

During the summer recess, Justice Scalia enjoys visiting Europe, as do some of his other colleagues (such as the [Malta-loving Chief Justice Roberts](#)). But not Justice Thomas:

I will not be characterized as a Europhile. I love the United States.

And would you like a side of [freedom fries](#) with that, Your Honor?

As for Justice Thomas's french-fry fetchers — aka his law clerks — how does he go about choosing them?

Pretty arbitrarily.

After the laughter subsided, Justice Thomas talked about how he relies upon people he trusts to send him law clerks he can trust. He then gave shout-outs to a number of feeder judges, several of whom were in the room: Laurence Silberman (D.C. Cir.), Stephen Williams (D.C. Cir.), David Sentelle (D.C. Cir.), Edith Jones (5th Cir.), and Diarmuid O'Scannlain (9th Cir.; my wonderful former boss, with whom I sat last night).

That's an impressive list of judges. But don't mistake Justice Thomas, who [hates the term "TTT,"](#) for an elitist. He balances out his reliance upon top-shelf judges with an emphasis on lower-ranked schools, as he explained to Judge Sykes:

I don't care what school they come from. I hire quite a few from the non-Ivies. I try to take from the South. I can hire from LSU or from Yale. I prefer kids from modest backgrounds. I like kids who are not jerks.

(Sorry, smart alecks, Twitter already beat you to the [Ted Cruz joke](#). By the way, the high-powered and brilliant Senator Cruz was in the house, listening attentively to Justice Thomas's remarks.)

Justice Thomas gushed about his law clerks, who are like family to him, and talked about how he [takes them to Gettysburg](#) each year. Why? "I want them to understand the price that was paid for this country."

In response to a question from Judge Sykes about what President Abraham Lincoln and the words of the Gettysburg Address mean to him today, Justice Thomas had this to say:

If not for the Thirteenth Amendment, the Fourteenth Amendment, and the Fifteenth Amendment, I wouldn't be sitting here today. I wouldn't be sitting on the Supreme Court of the United States.

"This country isn't perfect," Justice Thomas said, "but it's perfectible. That's what Lincoln's words mean to me."

[Click here for Justice Thomas interview/speech from You Tube.](#)

Washington Post

16 American cities foreign governments warn their citizens about

by Reid Wilson

Planning a trip abroad? It's probably best to check out the State Department's [list of travel warnings](#) for countries with unsafe political situations. At the moment, the State Department has issued travel warnings for 34 countries, from the Central African Republic and El Salvador to Iraq and North Korea.

Well, just as State warns Americans about dangerous places to travel, so too do foreign ministries in other countries — and some countries warn their citizens to avoid heading to certain cities in the U.S. France, in particular, warns travelers to be careful in a large number of specific cities.

Here's what other countries, mostly France, say about American cities:

Boston: Avoid walking at night in Dorchester, Mattapan and Roxbury, and be wary of "[petty crime](#)" in Chinatown, the North End and Fenway.

New York: Be [wary](#) in Times Square and at the Statue of Liberty, and don't go to Harlem, the Bronx or Central Park at night.

Washington: Northeast and Southeast should be avoided, and Union Station is [dangerous at night](#). "Le quartier Anacostia n'est pas recommandable de jour comme de nuit." Translation: Don't go to Anacostia, day or night.

Baltimore: "[Considered](#) a dangerous city except downtown."

Richmond: "Do not visit the city [on foot](#)."

Pittsburgh: The French [urge their citizens](#) to avoid Mount Oliver, Hill District, Homewood-Brushton and Hazelwood.

Cleveland: [Avoid](#) Cleveland Heights, Lakewood and Euclid. That warning got Cleveland Heights Mayor Edward Kelly upset. "The French government is foolish and doesn't know what they're talking about," he told the [Cleveland Plain Dealer](#).

Detroit: "The center is [not recommended](#) after the close of business."

Chicago: [Stay away](#) from the West Side and anywhere south of 59th Street.

Houston: Be vigilant if [traveling](#) through Downtown, south and east Houston at night.

St. Louis: "Eviter le quartier nord entre l'aéroport et le centre-ville, mais la navette reliant l'aéroport est sûre." [Translation:](#) Avoid northern area between the airport and the city center, but the airport shuttle is safe (Hat tip to our friend Chris Good, of ABC News, for spotting that nugget).

Atlanta: The French are [nervous](#) about the southern part of the city, and downtown after dark.

New Orleans: Northwest of Dauphine Street, northeast of Ursulines Avenue, north of St. Charles Avenue and south of Magazine Street are [areas of concern](#).

Miami: “Canadians have been the victims of crime such as break-ins, assaults and pickpocketing in the Miami area, sometimes during daylight hours,” Canada’s foreign ministry [warns](#). France [says](#) attacks on tourists in Florida are rare now, but were frequent a few years ago.

Los Angeles: France [warns](#) tourists to take care in Hollywood, Santa Monica, Venice Beach and Long Beach, and to avoid Watts, Inglewood and Florence.

El Paso: The British Foreign Office [warns tourists](#) about violence along the border with Mexico, and the border crossing at Ciudad Juarez specifically.

Germany doesn’t warn its citizens about any specific cities, but it does [caution against](#) letting it all hang out: “Although the laws in individual states categorizing nudity as ‘indecent exposure’, are rarely asserted and punished, those laws should absolutely be followed. Nude bathing and changing clothes at the beach stirs up public agitation and can lead to unpleasantnesses.”

Nerd 'toons



**THIS IS A
VELOCIRAPTOR-FREE
WORKPLACE**



IT HAS PROUDLY BEEN

25,915,000,000

71 million years x 365 days per year

**DAYS SINCE THE LAST
INCIDENT**

**FROG
PARKING
ONLY**
←→
**ALL OTHERS
WILL BE
TOAD**

