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Insider knowledge, outsider perspective

WATSON • from A1

His passion for justice was based not just on the outrage of seeing or experiencing wrong, but also on the intricate knowledge of how injustice developed and how best to combat it. He had a seat at the table of groups ranging from the city's fiscal control board and area economic-development agencies to major businesses, health care institutions and neighborhood associations — seats that can sometimes mute the voices of those who become too comfortable with the very people they are supposed to push.

But we never had to worry about that with Mesiah, who died Friday at 89.

A year before the 2001 boycott against the Walden Galleria and other places in Cheektowaga accused of discriminating, he and the NAACP had filed a state complaint alleging that the town's two justices discriminated against black and poor defendants. The filing wasn't based on suspicions, but on facts: He had gotten the Bar Association of Erie County's program for indigent prisoners to do a study that formed the basis of the complaint.

Some 15 years later, Mesiah was still at it, sitting in on the "implicit bias" training that a police chief instituted in that very same town and recalling how, as a part-time college sociology instructor, he would take pairs of students of various races and appearances across the bridge to Fort Erie, Ont. His aim was to see which got hassled and which didn't, based on the biases of the border agents.

In short, he never missed an opportunity to educate the community about issues that many would rather pretend

don't still exist.

Nor did he bite his tongue when doing it. When state senators created a gerrymandered district in 2012 that lopped off most of Buffalo's black community and all of Niagara Falls, he compared it to the worst tactics of Southern states concocting voter ID laws, saying that "the method is different, but the strategy is the same." Fortunately for us, he hadn't mellowed from the strong voice who a decade earlier deplored the \$50,000 entry fee into Buffalo Niagara Enterprise, the business-development group that was later renamed but maintained its exclusivity. As Mesiah noted, the pay-to-play fee meant that business leaders were "afraid to ever consider the idea that some other people might have some insights."

And he never let appointments to boards, committees and other lofty seats of power create amnesia about who he was fighting for. His last call to me early this year was about the misplaced focus on turning the Scajaquada Expressway into a scenic low-speed boulevard when transportation money could be better spent figuring out how to get Buffalonians out to suburban job sites.

That's who he was: Someone whose wealth of experience gave him an insider's knowledge, but who never lost the outsider's perspective and was always ready to speak up for those who needed a voice.

While we watch a new generation of leaders try to push aside those who came before — sometimes deservedly so — he was proof that real leadership ages well.

Anyone who thinks commitment, passion and effectiveness have to diminish with time just didn't know Frank B. Mesiah.

By DAVE LEVINTHAL
CENTER FOR PUBLIC INTEGRITY

WASHINGTON — Anniversaries are often festive. But not the current one at the Federal Election Commission.

As of April 30, the FEC's current four commissioners have been on the panel for a total of 32 years longer than they should have. Vice Chairwoman Ellen L. Weintraub's six-year term expired 11 years ago, when George W. Bush was president, the Great Recession had yet to occur and the Supreme Court's momentous decision on campaign finance, Citizens United v. FEC, was still two years hence.

Commissioners Steven T. Walther (nine years) and Matthew S. Petersen (seven) and Chairwoman Caroline C. Hunter (five) have also stayed aboard. Beyond the holdovers, there are two vacant positions.

In separate interviews, each of the four holdover commissioners — who may continue to serve until President Trump and the Senate replace them — confirmed that they have no immediate plans to step down.

They all know that the FEC, amid a year of critical midterm elections, is teetering on the brink of a de facto shutdown: If one member retires, resigns or otherwise isn't present, the agency that regulates and enforces campaign finance laws loses its four-commissioner quorum and can't conduct high-level business. "If the commission loses a quorum ... it obviously affects the public," Hunter said.

Not that the FEC's commissioners work together seamlessly when the agency is fully operational. A report this month by the Library of Congress' Congressional Research Service notes that "achieving at least four agreeing votes is sometimes difficult, even with six mem-

bers present. Vacancies make the task harder by reducing opportunities for a coalition of at least four votes."

Several former FEC commissioners agreed that the FEC, in general, benefits from experienced agency leaders who understand the nation's election laws and their application and are versed in managing a federal agency of roughly 330 employees.

But "at some point in the future, the commission could benefit from new perspectives, new energy and a new rhythm," said Republican Lee E. Goodman, who served on

the FEC from 2013 until February. Early last decade, Congress limited FEC commissioners to one six-year term. Now, "the term limits have become meaningless," said Karl J. Sandstrom, a former Democratic commissioner.

President Barack Obama never floated replacements for Hunter, Walther or Petersen. Federal law only mandates that the commission include no more than three members from any one political party.

Trump has failed to nominate anyone to the panel save for Texas attorney James E. "Trey" Trainor III, for whom

the Senate hasn't even scheduled a confirmation hearing.

Walther, an independent who often leans left, says that having two vacancies during an election year is "on his mind," particularly since it means that commissioners must vote unanimously in order to take action on most matters before them — any FEC action requires four votes.

"But we serve at the pleasure of the president," Walther said, "and we're here for now."

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