



The GOP's statewide office heartburn

The Salesforce fiasco on Bennett campaign is latest of problems down ticket

By **BRIAN A. HOWEY**

INDIANAPOLIS – The spectacle of portions of the Indiana Republican Party Salesforce donor list ending up on state computers and thus available for public view has been unlike anything ever seen in Indiana politics. And it brings a harsh light to the troubling conduct of GOP candidates and officeholders running for the five constitutional statewide offices beyond the gubernatorial ticket in recent elections.

The message from the GOP hierarchy is that the leaching of Salesforce is not a big deal. Republican spokesman Pete Seat said, "Calling it a 'security breach' is taking a few too many liberties with the reported story. And, furthermore, the idea that these lists represent some sort of treasure trove of information has been grossly overstated. I've not personally seen the lists Tom (LoBianco) reported on, but just



because something is labeled 'Indiana Republican Party Red Meat List' does that mean it is? I can easily label a file on my computer 'Colonel Sanders' Secret Recipe' but that doesn't mean it is."

Republican Party officials tell HPI that Salesforce is much more than the fundraising component that found its way into the public eye this week. Executive Director Kyle Robertson told HPI this morning that it is more of

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Epic chicken in Washington

By **BRIAN A. HOWEY**

INDIANAPOLIS – In any given year a Hoosier farmer bets that he'll have a good crop. U.S. Rep. Marlin Stutzman is betting on a good yield of highly controversial legislation that could impact millions of people.

He is leading the effort to split the nutrition side of the farm bill from subsidies and the key vote is expected to occur later today. And by Friday, there will be efforts in the House to defund Obamacare. This is not business as usual.

On the farm/nutrition legislation, Stutzman, R-Howe, told HPI on



"This is a moment of opportunity and excitement, both here in Japan and back home in Indiana."

- Gov. Mike Pence, in meeting with Toyota CEO Akio Toyoda



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Wednesday, "I feel real good at where we're at. I think we'll pass it. The whip count is looking good, though not everyone is entirely on board."

Stutzman spent this past spring and early summer trying to split the farm bill into two pieces, finally succeeding in June. But in doing so, he has earned the animus of the Indiana Farm Bureau and the National Farmers Union, where spokesman Roger Johnson saying, "Separating nutrition programs from the farm bill was a mistake from the very beginning."

Indiana Farm Bureau President Don Villwock told HPI, "Rep. Stutzman did American agriculture a service by publicizing the extent to which the so-called 'farm bill' is really a public nutrition bill; but that objective has now been reached and he should recognize the practical political necessity of combining farm and nutrition programs in a single bill and move on."

Stutzman acknowledged the opposition from the Farm Bureau, but said, "I keep reminding them that things are changing. This is going to affect passing if you keep these two things together because that coalition is not as strong as it used to be. It's not just Republicans and Democrats. The rural voters and rural members are there for the most part, but that doesn't mean the suburban voters are there and the urban members all left after we made an effort to curb eligibility of beneficiaries for the food stamp portion. The old coalition is breaking apart. I keep making the case to leadership and the conference that this is the only way we're going to get this done. To separate them and focus on the policy. That's why we're having the success we're having."

Stutzman, who lost his House leadership whip position because he bucked the caucus on rules, said he believes the movement will be successful because the way the House legislation is written, that nutrition and farm subsidy aspects will expire at dif-

ferent times. "They can pass together this time, but they will expire at different times," Stutzman said. "I think that separation helps in the long term."

Asked if true "success" would be passing legislation that can move through the Senate and find its way to President Obama's desk, Stutzman said, "Yeah, absolutely. That has to be the goal here. We're sitting here with two bills where nothing is being done. We don't know what the Senate is going to do."

Stutzman spokesman James Wegmann told HPI earlier on Wednesday, "Any time the House acts, it acts from a position of strength."

But Lizzi Shappell, spokeswoman for U.S. Sen. Joe Donnelly, D-Granger, told HPI on Wednesday, "Only a bipartisan, comprehensive farm bill has a chance of passing the U.S. Senate and being signed into law. The House approach is neither bipartisan nor comprehensive, and therefore does not get us any closer to an agreement. An overwhelming number of ag groups, including the Indiana Farm Bureau, have endorsed the Senate's approach."

Shappell pointed to a letter to Speaker John Boehner from the American Farm Bureau Federation, which helped garner a group of more than 532 organizations and urged House leadership to bring the farm bill back to the House floor for a vote as soon as possible. The groups also urged against splitting the nutrition title from the legislation.

"This important legislation supports our nation's farmers, ranchers, forest owners, food security, natural resources and wildlife habitats, rural communities, and the 16 million Americans whose jobs directly depend on the agriculture industry," said the letter. "Farm bills represent a delicate balance between America's farm, nutrition, conservation, and other priorities, and accordingly require strong bipartisan support," continued the letter. "It is vital for the House to try



once again to bring together a broad coalition of lawmakers from both sides of the aisle to provide certainty for farmers, rural America, the environment and our economy in general and pass a five-year farm bill upon returning in July."

On the Obamacare defunding front, both Stutzman and U.S. Rep. Luke Messer also believe they have a chance for "success."

"Obamacare has been unpopular with the American people from its beginnings," Messer said in an email to HPI. "Despite the President's bravado, support for Obamacare is now withering within his own party. This proposal actually keeps the government open and delays Obamacare too. This would protect the American people from the consequences of a very bad law and give the President time to improve the law if he can. Remember, the President has already delayed major portions of Obamacare because the law isn't working. Our bill simply requires him to delay the rest of it."

Messer added, "When faced with this choice, I believe the President, and his allies in the Senate, will do the right thing, delay his pet project and keep America moving forward."

But President Obama said Wednesday, "I'm prepared to look at priorities the Republicans think we should be promoting and priorities Republicans think we shouldn't be promoting. What I will not do is create a habit, a pat-

tern, whereby the full faith and credit of the United States ends up being a bargaining chip to set policy."

He added that the attempt to undermine Obamacare is at odds with history. "We have not seen this in the past," Obama said. "That a budget is contingent on us eliminating a program that was voted on, passed by both chambers of Congress, ruled constitutional by the Supreme Court, is two weeks from being implemented, and helps 30 million get health-care coverage."

Senate Majority Leader Harry M. Reid (D-Nev.) has said he plans to strip the health-care provisions from the government funding bill and send it back to Boehner with just days left before the Sept. 30 deadline, leaving the speaker the difficult choice of approving a stopgap bill with Democratic votes or shutting down the government (Washington Post). "Bipartisanship is a thing of the past. Now all we do is gotcha legislation," Reid said.

But Stutzman suggested that the public will blame the Senate for bringing the government to a standstill if the Continuing Resolution doesn't pass.

"The President is on the opposite side of the health care law. We saw that in the Wall Street Journal polling on Obamacare. People are getting very frustrated with this leadership," Stutzman said. "If we stick with the American people, we'll win on these issues." ❖

Statewides, from page 1

digital data base that works much the same way of Richard Nixon's index cards. The data base comes in layers, with information on donors such as wife's name, kids and where they go to school, where they stand on specific issues. "It's more of a knowledge data base," one source told HPI. Much of that sensitive information did not make it on to Department of Education servers.

But one Republican congressional district official from northeast Indiana was apoplectic about the downloading of the lists on state computers and their subsequent revelation.

"My donors are going to be so frickin' PO'd," he said. "There were personalized emails and cell phone numbers that are now out there. The point here is that people expect their privacy. When these people give money, they expect privacy from the committee. It will cost us so much money. I'm surprised there is not more outrage. It's not about defending Tony (Bennett) any more."



Supt. Tony Bennett often said he was an educator, not a politician. But his campaign personnel had to be political pros and they weren't.

A more general consensus of the GOP reaction would be "embarrassment" that a state level campaign would be so stupid as to download the program on a public computer. Within hours of its public surfacing, Indiana Republicans have tightened security, several informed and reliable sources have told HPI.

While Republicans now have possessed the governor's office for three terms, and have super majorities in the House and Senate, there are troubling fissures when it comes to the statewide party.

In the past four years:

■ Supt. Tony Bennett became the first Republican to lose one of the constitutional statewide offices since 1998 when Democrat Jeff Modisett won the attorney general race. Bennett was upset by Democrat Glenda Ritz, largely on a backlash to his farreaching education reforms and a social media campaign mounted against him. It was during his reelection campaign that the Salesforce lists were downloaded onto State of Indiana servers, which could bring an investigation into ghost employment and campaign misconduct.

■ Secretary of State Charlie White



was elected under a cloud of suspicion over campaign finance and residency violations in 2010, was indicted and convicted of six felonies involving voter fraud and theft when he was a Fishers councilman, and forced from office. Hamilton County Superior Court Judge Steven Nation said White “violated the trust of the people.” White’s legal troubles resulted in the candidate and officeholder lashing out at Republicans, from Gov. Mitch Daniels and Sen. Lugar, on residency and campaign finance issues.

■ Indiana Treasurer Richard Mourdock upset Sen. Lugar in the 2012 Republican primary, riding a wave of anti-incumbency and discontent within the GOP, saying the senator was no longer accessible to party politics, including Lincoln Day dinners. By defeating Lugar, the Indiana Republican Party no longer had its most prolific vote-getter (more than 7 million votes in federal races since 1974). In the hours immediately after his primary win, Mourdock made a series of remarks that Democrat Joe Donnelly and his aligned super PACs used in campaign ads. This was followed by Mourdock’s refusal to make joint appearances with the other nominees, except for two Indiana Debate Commission events, the last in which he made his controversial “God intends” rape remark that not only imploded his campaign, but came within a few days of dragging Mike Pence’s gubernatorial campaign down with him. Pence won with just 49% of the vote, and a 2.3% plurality over Democrat John Gregg, who had been seen as a significant underdog. Many independent analysts and both Republican and Democratic consultants have told HPI that had the governor’s race lasted several more days, Pence would have been defeated. Mourdock’s controversies also splattered into the Bennett loss to Ritz, as Republican women abandoned both him and Pence in droves.

■ The days when tickets led by a Lugar, Bowen, Orr or Daniels pulling the GOP statewide with 250,000 to 400,000 vote pluralities are waning despite Indiana’s red state reputation. In 2008, while Gov. Daniels’ reelection was on its way to a 481,422 plurality over Democrat Jill Long Thompson, Supt. Tony Bennett barely defeated little-known Democrat Richard Wood by 51,000 votes and Zoeller nipped Democrat Linda Pence by just 38,863 votes. In that race, the Barack Obama presidential campaign which carried Indiana, and that of Daniels reelection, produced historic ticket splitting. Zoeller defeated Democrat Deb Fleming by 401,830 votes during his reelection race in



Attorney General Zoeller has been a steady presence on the ticket and in office, but even his 2008 race against Democrat Linda Pence found him with only a 38,000 vote plurality, far below Gov. Daniels’ 481,422 plurality.

2012.

■ In 2006 during a backlash against President Bush and the Iraq War, Mourdock defeated Michael Griffin by 61,921 votes, Auditor (and now Republican Chairman) Tim Berry defeated Democrat Judy Anderson by 36,064 votes and Secretary of State Todd Rokita defeated Joe Pearson by 89,455 votes. In 2004, Attorney General Steve Carter defeated Democrat Joe Hogsett by 436,140 votes – or more than 200,000 votes that Mitch Daniels had in his plurality over Gov. Joe Kernan.

Indiana Republicans are entering a new era when it comes to the constitutional offices. There will be no Mourdocks, Berrys or Zoellers on the ballot. And no Danielses, Lugars or Coatses atop the ticket. Instead, it will be a team with two gubernatorial appointed nominees – Auditor Dwayne Sawyer

and Secretary of State Connie Lawson – joined by a new treasurer nominee from a field with virtually no statewide name recognition, including Marion Mayor Wayne Seybold, former Senate and congressional candidate Don Bates Jr., and Mourdock protege Judy Mitchell. Sawyer, GOP sources tell HPI, will likely face a floor challenge in next June’s convention.

Not only will this ticket be untested when it comes to fame, it will be tested when it comes to finance, though Seybold has the backing of GOP financiers Bob Grand and Dan Dumezich.

In the April HPI Poll, 55% of likely voters did not know who Lawson was and 75% were unfamiliar with Seybold. Sawyer starts with minuscule name ID.

The critical development with regard to 2014 will be the marriage constitutional amendment, which will draw in a great deal of state and national money and much greater Democratic participation, and obscure the statewide races. Of particular concern for Republicans is that second sentence in HJR6 which prohibits any kind of civil unions. It is something that is being scrutinized by legislative caucuses in the coming days.

The Salesforce embarrassment

By Monday afternoon, more than 60 people had sought the lists from the Department of Education public access lawyer. Indiana Republicans quickly went into damage control mode, with spokesman Pete Seat telling Howey Politics, “Calling it a ‘security breach’ is taking a few too many liberties with the reported story. And furthermore,



the idea that these lists represent some sort of treasure trove of information has been grossly overstated."

The Associated Press and reporter Tom LoBianco broke the story over the weekend about how Bennett's staff loaded files from Salesforce, and dubbed them "Indiana Republican Party's Red Meat List" and "Mitch's Red Meat List" in reference to former Gov. Mitch Daniels' campaign donor list. For the second time in less than a year, Salesforce has ended up in the headlines and, this time, potentially in dozens of offices far away from the server security of the GOP. Since it was downloaded onto the DOE website, it is now accessible via FOIA and APRA requests.

According to one former state chairman who spoke to Howey Politics Indiana on background, the key sensitivity to Salesforce would be the "prospecting notations" on the list. "I can go to the web and find the top donors in the state in 15 minutes," the former chair said. "But if it includes notations on whether Donor A hangs out at the Columbia Club and drinks cognac with so and so, that could be very damaging."

The AP reported that on the "Big Hitter List," included was valuable inside knowledge about how to reach out to some of the state's biggest donors. Bennett's former fundraising director, Julie Southworth, left notes about how much Bennett should ask for and how much the donor gave in 2008. One note explains how to contact Dean White, the northwest Indiana hotel tycoon who has given more than \$4.6 million to Republicans in the last 15 years. Another note on southwest Indiana fundraiser Steve Chancellor points out he gave \$1,000 to Bennett in 2008, but that Bennett should "ASK for more!"

In an email to the Associated Press, Bennett Chief of Staff Heather Neal reacted by saying, "Indiana law makes allowances for these minor occurrences, but we regret the error."

During his 2012 U.S. Senate campaign, Richard Mourdock was sanctioned by the Indiana Republican Party for misuse of the data base during his intense primary challenge to Lugar. Jennifer Ping of the Indiana Republicans said in April 2012 that Mourdock campaign manager Jim Holden likely violated a user agreement with the state party when he shared a logon to the database with an outside vendor. The party immediately caught the violation and locked the Mourdock campaign out of the database, said Ping, who chaired the party's technology and commu-

nication committee.

"We have a Salesforce login again. Can one of you guys log in immediately and start pillaging email addresses like a Viking raider attacking a monastery full of unarmed monks?" Holden wrote in the email sent to members of The Prosper Group, an Indianapolis consultant advising the Mourdock campaign.

Now the database will be accessed by reporters, campaign consultants and even Democrats. Former Indiana Republican Chairman Jim Kittle Jr. equated the misuse of Salesforce to one company trying to steal another company's client list, and played on the graphic language in Holden's email. "That's rape, robbery and pillaging," Kittle said. "I'm glad he at least said monks and not nuns."

Gary Welsh, who runs the pro-Republican Advance Indiana blog, observed, "No Republican can credibly defend the actions of Bennett and his top staffers in being so foolish as to use state computers to store sensitive campaign-related information. Republican leaders who are trying to blame Bennett's successor, Glenda Ritz, for his transgression because she shared the information with a reporter are missing the mark. What Bennett and his staff committed is a theft of government resources for his personal campaign activities, and it's a ghost employment violation for anyone on his staff who spent any time working on their campaign-related activities while performing their regular state job duties."

The bottom line

The controversies surrounding statewide GOP candidates and the recent trend of underperformance, politically questionable tactics and malfeasance, the marriage amendment and its impact on Gov. Pence, and an erosion of coattails are all troubling precursors for Hoosier Republicans. So, too, are the stubborn 8.4% jobless rate and recent per capita income reports, the latest coming Wednesday when the U.S. Census Bureau reported that Indiana income trailed the U.S. by 9%.

And then there is the specter of the Dan Akroyd character in "Ghostbusters," whose thoughts were transformed into a truly daunting character, the Stay-Puft Marshmallowman (i.e. former governor and senator Evan Bayh and his \$10 million war chest). ❖





Husband of Elkhart County GOP chair eyes Walorski challenge

By **BRIAN A. HOWEY**

ELKHART - Curt Nisley, the husband of recently elected Elkhart County Republican Chairwoman Mary Nisley, appears to be preparing a challenge to U.S. Rep. Jackie Walorski. What isn't clear is whether Nisley will run in the Republican primary or as a Libertarian. Either way, it is an awkward development for the new chairwoman from Goshen who was elected last March.



Local Tea Party groups have been confronting Walorski in tandem with FreedomWorks and demonstrated in front of

her office in Mishawaka in August, calling for her to host a town hall meeting.

FreedomWorks President Matt Kibbe commented, "Most members of Congress have stopped engaging constituents and defending their policy initiatives. That's the real outrage here – the inside the beltway resistance to a participatory process where people have a voice."

Indiana Libertarian Chairman Dan Drexler agreed, saying, "This type of outreach and grassroots demands of our elected officials is critical right now. Particularly in Indiana's CD2, Rep. Walorski has largely avoided public meetings. Give her a parade and she seems to be first in line, but try to put her in front of voters for real Q&A and you get an empty chair. We really want to hear where the congresswoman stands on funding Obamacare, how she is going to vote on the internet sales tax and how she can defend her farm bill and national security votes."

On Wednesday, Walorski announced she would back the defunding effort of Obamacare. "I urge my colleagues to stand behind this plan to pass a smart spending measure and defund Obamacare, sending a clear message that the House of Representatives is listening to the American people," Walorski said on Wednesday.

More firepower for Indiana Freedom

The Freedom Indiana campaign lobbying team has engaged the following firms to help legislators understand that passing HJR-6 would be the wrong move for our state and its economy: Barnes & Thornburg, Bose Public Affairs, Faegre Baker Daniels, IceMiller and KWK Management Group. "We're hopeful that the Statehouse outreach in con-

junction with our growing grassroots campaign (more than 12,000 strong on Facebook alone!) will convince lawmakers that amending the Indiana Constitution should never be done to restrict the rights of certain Hoosiers," said spokeswoman Jennifer Wagner.

GOP poll puts Pence approval at 60%

Gov. Mike Pence has an approval rating of 60% in a new poll by Kellyanne Conway of the Polling Company, released this morning by the Indiana Republican Party. "Notably, Gov. Pence's resistance to the federal government's push to massively expand Medicaid is not damaging to him among older Hoosiers," the polling memo states. "A 60% majority of 55+ year old men as well as a 53% majority of 55+ year old women give Gov. Pence their approval." And 59% support the Healthy Indiana Plan.

In contrast, Ohio Gov. John Kasich's approve/disapprove stands at 54/32%, Michigan Gov. Rick Snyder is at 44/38%, Kentucky Gov. Steve Beshear is at 48/31% and Illinois Gov. Pat Quinn is at 18/51%. All have opted to expand traditional Medicaid.

It showed that 56% oppose Obamacare and 34% support it and only 16% believe they will be better off with Obamacare. It showed that President Obama's fav/unfav is 41/55%. The poll shows that 51% see the state heading in the right track and 36% on the wrong track. It shows only 23% see the U.S. on the right track.

The poll showed that 59% support the A to F public school grading system, while 23% support doing away with the program. On the question of who should be most responsible for establishing education policy, 34% said the State Board of Education, 21% said the superintendent of public instruction, and 8% said the governor.

"This poll confirms what I have been hearing on the ground, all around the state, that Indiana Republicans represent the right track and Hoosiers recognize we are keeping our promise to fight for more jobs, less debt, lower taxes and better schools each and every day," said Republican Chairman Tim Berry.

Sen. Wyss won't seek reelection

For decades, the Allen County delegation to the Indiana was one of the most stable, but that is profoundly changing now that State Sen. Tom Wyss has decided to join State Rep. Phyllis Pond in retirement.

After serving 28 years in the Indiana Senate, Wyss (R-Fort Wayne) announced last week he will not seek reelection to Senate District 15 in 2014. It means a continued realignment for the Allen County legislative delegation after Rep. Pond announced she would step down this fall after serving more than 30 years. Allen County Sheriff Ken Fries had been considering a challenge to Wyss as had Allen



County Councilman Darren Vogt and former city councilwoman and mayoral candidate Liz Brown.

Bates, Mitchell eye treasurers race

Former Senate and congressional candidate Don Bates Jr., is signalling his intention of entering the Republican convention fight for treasurer. He is expected to make an official announcement in the next week or so. He will join a field that includes Marion Mayor Wayne Seybold

and Kelly Mitchell, director of the obscure Trust INdiana program in the state treasurer's office. She apparently will have the endorsement of Treasurer Richard Mourdock. Meanwhile, Seybold has picked up four endorsements: Tip-ton County Chairman Brett Curnutt; Frankfort Mayor Chris McBarnes; LaPorte Mayor Blair Milo; and Hendricks County Chairman Mike O'Brien. It brings to 54 the number of state, county and local endorsements. ♦

Senate Democrats to push early childhood program

By MAUREEN HAYDEN
CNHI News Bureau

INDIANAPOLIS — Should Indiana children wait until they are 7 years old before they step into a classroom?



That's a question that state Senate Minority Leader Tim Lanane thinks is worthy of a vigorous debate in the next legislative session.

Lanane, of Anderson, called a press conference Sept. 12 to announce a plan, backed by Indiana Senate Democrats, to create a universal early childhood education program in Indiana and lower the state's mandatory school age to 5 from 7.

But he didn't capture as much attention as he'd hoped, for a couple of reasons: One, because the day's news was dominated by another Associated Press story alleging wrongdoing by former state schools chief Tony Bennett. Two, because the Senate Democrats' call for the state to invest millions of dollars into educating some of its youngest citizens is an idea that's been floated, and failed, before.

Lanane, though, is an optimist. Soft-spoken, thoughtful, and low-key, he's somewhat of a heretic in this current brutal age of partisan politics. When asked about the timing of his announcement, he explained: "We find these ideas take a while."

The right age for children to start school and the role the state should play in funding early childhood education seems worthy of the "good, old-fashioned legislative debate" for which Lanane has called. It's a debate going on right now in England, only turned upside down: Some education reformers there want to push up the mandatory age that children start school, from where it currently is, at age 5, up to age 7. Their argument: Early schooling is causing "profound damage" to children because it robs

them of their time to play and be creative by forcing them into too much rigor and regimen too soon.

The argument on this side of the ocean has long been a different view. Early childhood education advocates here say early schooling can have a profoundly good impact on children's later success in school and go a long way to closing the achievement gap between rich and poor.

Lanane is particularly interested in closing that achievement gap, which shows up time and time again for schoolchildren in Indiana, one of 11 states that doesn't put public funds into pre-kindergarten programs.

Earlier this month, the state Department of Education released the results of the IREAD-3 test, which measures the reading proficiency of third graders. Ninety-four percent of white students passed the test. Only 81 percent of black students did. Only 74 percent of children who don't speak English as their native language passed IREAD-3, and that was only after students who failed the test the first time received intensive remediation. That kind of gap echoes on every standardized test administered to Hoosier schoolchildren.

Of course, for the conversation on early childhood education to go forward, it will require the blessing of the Republicans, who hold a super majority in both the House and Senate. Lanane may have a prayer: It was House Republicans who tried, but failed, to get \$14 million put into the state budget to pay for a two-year pilot project to provide a high-quality, pre-kindergarten program for children from low-income families.

Money is the big stumbling block. Lanane estimates it may cost up to \$200 million a year for local schools to offer pre-kindergarten to the estimated 180,000 children who'd be eligible. That's a fraction of the \$7 billion that now goes to Indiana's K-12 schools.

Here's another piece of the conversation that may be coming on this issue: President Obama wants to spend about \$75 billion to expand pre-kindergarten education nationwide, with much of the money coming from a federal tax increase of 94 cents a pack on cigarettes. States could tap into that national account if they agreed to contribute a portion of the cost for expanding early childhood education in their schools. ♦



Legislators take another look at license suspensions

By MAUREEN HAYDEN
CNHI Statehouse Bureau

INDIANAPOLIS -- The legislative study committee that proposed the massive rewrite of Indiana's felony code will soon take on another tough issue: The automatic penalty that causes thousands of Hoosiers to lose their driving privileges for committing transgressions ranging from unpaid parking tickets to drunk driving. Some members of the committee are advocating that fewer crimes carry the automatic penalty of a suspended driver's license, to allow judges to have more discretion over how the punishment is doled out.



Among the remedies for which they're advocating: Allow judges to suspend a driver's license with conditions that include the use of technology -- such as GPS tracking and interlock ignition devices -- to monitor in real-time when a driver get behind a wheel.

Republican State Rep. Jud McMillin, a former prosecutor from Brookville who supports the change, said the legislature has imposed the automatic driver's license penalty on scores of offenses to be "tough on crime."

"We didn't have the technology advances available to us to do it in a really smart way, so we did it the only way we could, in a really tough way," McMillin said. "I have no problem with doing it the tough way but now that we're able to use these technological advances, we can combine being tough and being smart. I think that would be beneficial to everybody."

McMillin is a member of the Criminal Law and Sentencing Policy Study Committee, whose members represent prosecutors, public defenders, probation officers, judges and lawmakers. The committee is scheduled to take up the issue of the automatic driver's license suspension penalty at its Sept. 26 meeting at the Indiana Statehouse.

A slew of traffic offenses, including driving under the influence, carry the automatic penalty of a suspended license. But there are a multitude of other non-traffic crimes that carry the penalty too, such as failure to pay child support. According to Indiana law, a minor charged with the class C misdemeanor of being "recklessly" in a tavern or other place where alcohol is served "shall" have his driver's license suspended for a year. And a teenager expelled from school may have his license suspended.

Almost all the drug crimes -- even some minor ones -- carry the penalty, due to a 1993 federal law that said all states had to automatically suspend the driver's licenses of convicted drug offenders or risk losing part of their federal highway funds. Only states where the legislature and the governor agreed to go on the record against the automatic suspensions could opt out.

At the time the 1993 law passed, its supporters said it would deter crime and make offenders more accountable.

But opponents of the automatic suspensions say such laws have just made it harder for people who make mistakes to redeem themselves. About 350,000 Hoosiers have suspended driver's licenses. That's caused them to lose their auto insurance, yet some are out driving on the road anyway.

Larry Landis, executive director of Indiana Public Defender Council, said the loss of a driver's license can trigger a downward spiral: People who lose their license don't want to lose their job, so they drive on a suspended license, without insurance, and risk getting caught and hit with another tough penalty: Someone caught twice driving on a suspended license faces a class D felony. Caught three times and it's a class C felony.

"That's what we've got to stop. We've got to give people a way back," Landis said. "That's what we all want: if you're going to be on the road, we want you insured, but you can't get insurance without a license."

Landis, who also serves on the sentencing policy study committee, agreed with McMillin that there is technology that would allow a court to impose "conditional" license suspensions on people who've lost driving privileges for traffic offenses.

Several counties in Indiana are already piloting projects involving new technology that allows courts to monitor a person who's been convicted of a drunk driving charge. The offender must breathe into a portable Breathalyzer machine several times a day and transmit the results and a live photo to court office or court-appointed contractor.

David Powell, the head of Indiana Prosecuting Attorneys Council is also on the study committee but is reserving judgment. Powell said "IPAC is reviewing various legislative proposals and believes the topic needs additional discussion." ❖

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Congress and Syria

By **LEE HAMILTON**

BLOOMINGTON - It's encouraging to see the possibility of real congressional debate on the projection of U.S. power. On such difficult issues in the past, Congress has sidestepped its constitutional responsibility, deferred to the President, and then sniped from the sidelines.

As Washington swirls with proposals, counter-proposals, and political brinksmanship in response to diplomatic efforts on Syria, the situation has a lot of people scratching their heads. Couldn't President Obama and Congress have handled this differently?

I prefer to take a step back and ask a different question. Given that we are stronger as a country and our foreign policy more effective when the President and Congress forge a unified response to an international crisis, how can the two branches of government work together less chaotically to confront a dilemma like this one?



Let's put a possible congressional vote on Syria in context. Washington has long been divided over the power to use American military force, thanks

to ambiguity in the Constitution itself: It gives Congress the power to declare war, but makes the President commander in chief. The last time Congress formally used its war powers was during World War II. Ever since, as we've engaged often in military action, it has ceded authority to the President. It tried to regain lost ground with the War Powers Resolution of 1973, which passed over a presidential veto and which no President since has considered constitutional, but it has been a losing battle. Grenada, Kosovo, the Iraq and Afghanistan wars, Libya – all were launched by presidents without prior congressional authorization.

So I'm encouraged to see the possibility of a real debate on Capitol Hill on Syria, on what to do when another country uses chemical weapons, and on the projection of U.S. power. Congress should have returned much sooner from its vacation to address issues of such obvious national importance. But at least it's stepping up to the plate in a way it has preferred to avoid before now.

Let's be clear. Presidents should not get a free pass on foreign affairs, but neither should Congress get to avoid declaring itself. On such difficult issues in the past, Congress has preferred to sidestep its constitutional responsibility, defer to the President, and then snipe from the

sidelines when things go wrong. It has done so repeatedly not just on military issues, but on such matters recently as developing a national cyberwarfare strategy – which it failed at, leaving a matter of critical national security to the President – and on the NSA's surveillance of Americans' electronic communications, which members of Congress in the know never saw fit to bring up for public debate, even though it amounts to the largest expansion of government power in recent history.

This time, for better or worse, is different. The arguments both for and against a limited use of American force are reasonable, and congressional leaders are correct when they say this is a matter of conscience. I happen to believe that the United States' credibility in the world is at stake here and that restoring an international norm against the use of poison gas is important. My guess is that, should a full-fledged debate take place, members will acquit themselves well.

What I don't want to see is a chaotic process that leaves the U.S. appearing divided and indecisive, with the President forced to wonder how to "consult" with a disorganized Congress in which power is diffused. There is a better way, but it requires a regular mechanism for consultation. A few years ago, a bipartisan National War Powers Commission, of which I was a member, came up with a pragmatic framework that would create a routine process for the President and Congress to follow. It would require the President to consult with congressional leaders before any military action expected to last more than one week – and then would require Congress to declare itself, either by voting to approve action or, if that resolution fails, to allow for a vote to disapprove military involvement.

Had this structure been in place already, a high-stakes vote on Syria wouldn't seem so unusual and the consultative process would have been far less messy. My hope, once this is over, is that the idea will gain greater currency. When international crises arrive, a routine process that's allowed our political leaders to build credibility with each other would save them a lot of heartburn. ♦

Hamilton is a former Indiana congressman who heads Indiana University's Center on Congress.



In this corner at the Fed . . .

By **CRAIG DUNN**

KOKOMO – Barack Obama, if he can take time out from his bumbling and stumbling mishandling of the Syria crisis, will soon make one of the most important decisions of his occupancy of the White House. Distracted by the twin disasters of Syria and the botched implementation of the Unaffordable Care Act, the President must soon select the replacement for resigning Federal Reserve Chairman Ben Bernanke.



Most American citizens have little grasp of the enormity of this decision. In an evolution of the position that has left Andrew Jackson spinning in his grave, the position of Federal Reserve chairman has become one of immense unelected power. Congress, in an

effort to virtually guarantee failure in the job, has bestowed the twin curse of a mandate on the Federal Reserve to promote both low inflation and full employment. The Bible was pretty accurate about the inability to serve two masters and these two polar opposite mandates create the need for someone extraordinary to lead the Federal Reserve.

The person selected to lead the Fed needs to have intelligence, a firm grasp of economic history, the confidence of the financial industry, the trust of the international economic community and the ability to do the fox trot with Congress when called in for the regular dog and pony show. This job description, coupled with low pay, venomous treatment by congressmen and senators, and the scorn of a press that is generally clueless about how an economy works, keeps the list of qualified and willing candidates pretty short.

Prior to Lawrence Summers removing his name from consideration, (i.e. he lost) the pundits of the world had reduced the competition for the position down to two. Both candidates had lengthy resumes and seemed to be qualified in a traditional sense. However, there were critical differences between the styles of the two candidates that suggest that whoever ultimately succeeds will take the Federal Reserve in a direction distinctly different from the other.

The Wall Street big megabank candidate for the chairmanship was former Treasury Secretary Lawrence Summers, a White House insider who had the President's ear. Pinstriped executives jealously guarding their multiple million dollar bonuses get all warm and fuzzy at the thought of a Larry Summers at the helm of the Fed. Sum-

mers is a major proponent of deregulation and growth, not bad concepts in an age of government control and fiscal bungling. However, Summers' history of financial management was fraught with examples of out-of-control deregulation, overly optimistic economic forecasts and a distinct failure to accurately read the economic tea leaves.

He had a direct hand in the Asian economic crisis back in the 1990s and his policies contributed mightily to the great global financial crisis of 2008. It may be good for growth to lend money to people who can't or won't repay, but it sure is no way to run a bank. This was Summers' legacy from his long history of service to the United States.

Current Federal Reserve Vice Chairman Janet Yellen is now the other prime contender for chairman. She has demonstrated considerable ability as chairman of the San Francisco Federal Reserve Bank. Whereas Summers tended to be more focused on the low inflation mandate of the job, my gut instinct tells me that Yellen may be more focused on the full employment aspects. She has been excellent at her economic analysis and has been a loyal supporter of the policies of Ben Bernanke. She is a proven consensus builder where Summers possessed a personality and ego that tended to drive him to roll over opposition. Yellen would be most likely to push for additional reform of the investment banking industry and continue to address the threats posed by "too big to fail" institutions.

The Federal Reserve is an extremely important institution, but it has seen confidence in it shrink with its failure to prevent both the bubble crisis and the bubble blowout. While the Fed took strong and effective action to prevent a financial meltdown of biblical proportions, it did so in the most non-transparent manner possible. It will be important for the next chair to avoid the inevitable conflicts of interest that arise from regulating an industry from which they emerged. It's kind of like asking the lizard that crawled out of the primordial ooze to regulate the swamp.

I believe that President Obama's decision will boil down to either selecting someone that is closely tied to the White House by experience and who will be strongly supported by Wall Street for their likelihood of maintaining the status quo, or selecting a less flashy workhorse who will be more motivated to serve the man on the street and more likely to institute reforms in the banking industry.

With President Obama dreadfully short of political capital to spend following the Syrian shambles, he may be driven to appeal to his base by avoiding someone who is closely tied to Wall Street. Now that Summers has taken himself out of the picture, the way appears paved for Janet Yellen to succeed Ben Bernanke. ❖

Dunn is chairman of the Howard County Republican Party.



Visclosky's Region frustrations grow

By **RICH JAMES**

MERRILLVILLE – Halfway through his 15th term in Congress, Rep. Peter Visclosky, D-Merrillville, finally is losing patience with Northwest Indiana. It was obvious in what he had to say last week to an interim legislative committee studying the future of commuter rail in Indiana.



The committee discussed a 20-year-old plan to expand South Shore commuter rail service to Lowell or at least to Dyer. The same plan also wants commuter rail expanded to Valparaiso. After a lengthy discussion about a business plan for the commuter railroad, Visclosky seemed to be at wit's end.

"This is an urgent issue," Visclosky told seven state legislators who are part of the Joint Study Committee on Transportation and Infrastructure Assessment and Solutions. "It is not something we are going to study to death."

Visclosky's point was well-taken, but the issue already has been studied to death.

I can remember an earlier column in which I said that I'd be a rich man if I had a nickel for every commuter rail expansion study that has been done over the last two decades in this corner of the state. I think it was about a decade ago that Visclosky told area transportation officials, planners and elected officials that he could come up with half the cost of commuter rail expansion to Dyer, Lowell, Valparaiso or all of the above.

A study by the Northern Indiana Commuter Transportation District, which owns and operates the South Shore line, estimated that expansion to Dyer would cost \$464 million. Visclosky has access to the money because he sits high in seniority on the House Appropriations Committee.

Visclosky was quoted in The Times of Northwest Indiana as saying expanded commuter rail will be an engine for economic development and help Northwest Indiana retain its best and brightest young people. But Northwest Indiana faces two obstacles in moving ahead with commuter rail expansion.

Initially, local elected officials will have to

overcome the opposition of rural opponents of additional commuter rail. While that can be accomplished, the greatest problem is coming up with a local funding source to provide a match for the federal money. The local money could be a combination of local and state money. But these aren't the best of times to talk about a new tax, which ultimately would have to be the source for local money. Lake County earlier this year became the last one in the state to adopt a local option income tax.

It would be a tough sell to get the county council and commissioners to increase that tax for the South Shore expansion. And it is doubtful that the state would allow this corner of the state to benefit from an expanded sales tax. That pretty much leaves a food and beverage tax or a wheel tax as a local funding source.

To demonstrate just how difficult it is to expand South Shore growth, a good bit of time at the study committee meeting was spent discussing whether the makeup of the NICTD board should be changed. And there was considerable disagreement on the potential composition of a new board. Does that mean there might be another study in the works? ❖

Rich James has been writing about state and local government and politics for more than 30 years. He is a columnist for The Times of Northwest Indiana.



U.S. Rep. Pete Visclosky sees an older, poorer constituency that needs public transportation.



Be careful what you wish for in the Middle East

BY JACK COLWELL

SOUTH BEND – Be careful what you wish for. Especially when it involves democracy in far off lands. You just might get it. Really get it.

Egypt is an example. So is Gaza.

We got a whole lot more than we expected in attempting nation building in Iraq, after wishing only to take away weapons of mass destruction that weren't even there. And we better be careful what we wish for in Syria.

Now, this doesn't mean the United States should support every dictator who brings stability through brutality and forget about encouraging concepts of democracy that provide more freedom for the repressed peoples abroad. Certainly not.



But we should realize that our brand of democracy is not welcomed by those peoples everywhere. They may not be ready for or even want elections of the type we wish upon them.

They may look at the type of freedom we enjoy and conclude that they wouldn't enjoy our style at all.

Elections in Egypt were thought to be a good thing after the toppling of the brutal regime of President Hosni Mubarak. Down with the dictator. Good. But what replaced him?

Well, an election was held. Perhaps voting came too soon in a nation that had not experienced democratic elections. But we welcomed quick transition from military rule to an elected government.

The Muslim Brotherhood won. It was the only group resembling an organized political party.

Mohamed Morsi became president. He quickly moved to implement dictatorial powers of his own and establish an Islamic rule from which, with his new constitution and intolerant clamp-downs, he wanted no turning back, no more democracy nonsense.

The army, in a widely popular move against an unpopular and incompetent president, ousted Morsi. It was a military coup. And we wish there could instead be a more inclusive civilian government.

But should we wish for another quick vote amid chaos?

Then there's our wish for democracy in Gaza.

President George W. Bush pushed for free and fair

elections for a Palestinian parliament with full legislative authority. Palestinian President Mahmoud Abbas, being counted on to negotiate with Israel, reportedly sought to delay the elections because his long-ruling Fatah party was splintered and damaged by past corruption and not ready yet for our type of election. He relented. The result in January of 2006 was a big victory for Hamas, dedicated to driving Israel into the sea.

How has that worked out?

Remember what we wished for in Iraq?

We wanted to take all those weapons of mass destruction away from Saddam Hussein. They weren't there. We wanted to replace a brutal dictator. And we did, though not wishing for the brutality of sectarian fighting that went on and on, with our troops caught in the middle. We wanted a strong, democratic Iraq to bring stability to the region. Instead there is a weakened, still chaotic Iraq, leaving Iran as the real winner in the region.

Now comes Syria.

President Obama is right in saying we cannot just ignore use of poisonous gas in the escalation of Bashar Assad's slaughter of his own people.

But what should we do?

Do we wish to go in militarily to destroy Assad to end his terror? Or would we then get rebel forces of Al Qaeda and other Islamic extremist groups taking control and entangling us in another long, bloody nation building effort and failure of the type in Iraq?

Do we wish to refrain from involvement, other than preaching that Assad is bad, and watch him prevail with massive Russian support? Or would we then be telling Iran and North Korea as well as Assad that we don't have any red line really about weapons of mass destruction?

Do we wish something in between? We should. But what?

Count more on Vladimir Putin than Barack Obama? Count on the United Nations, despite veto power of Security Council permanent members? Count on Assad to change his ways. Count on folks in Syria getting together on love of democracy to hold our type of elections?

Whatever we wish for, be careful. We just might get it. Really get it. Again. ❖

Colwell has covered politics over five decades for the South Bend Tribune.



Doug Ross, NWI Times: Whether you agree with Obamacare or not, it's hard to argue with the notion that going to the emergency room for routine medical care is not a sensible policy. Believe it or not, however, Indiana Gov. Mike Pence suggested that option instead of free federal dollars for Medicaid expansion. Hoosier Democrats wanted Pence to expand Medicaid to reduce the number of uninsured people. The federal government would pay for the first several years of coverage. After that, the state would have to pick up its normal share of the cost. Hoosier Republicans prefer the Healthy Indiana Plan created under then-Gov. Mitch Daniels. That program stresses individual responsibility, with a high deductible, to keep costs down. Republicans won this fight, at least for now, with Pence announcing Tuesday the Centers for Medicare and Medicaid Services approved his request to continue the high-deductible Healthy Indiana Plan through at least 2014. But about one-third of the 37,000 low-income Hoosiers on the plan will be forced out. Effective Jan. 1, HIP participants cannot exceed the federal poverty level. So about 11,000 current participants who earn between 100 and 200 percent of the federal poverty level will soon be told their coverage will expire at the end of the year. They will be advised to buy private health insurance through the federally managed health insurance exchange that debuts Oct. 1. Other low-income Hoosiers will take their place, up to 45,000 total participants. Indiana has about 880,000 uninsured residents. Pence said about 500,000 of them will buy federally subsidized health insurance on the new health insurance exchange next year. So what about the 330,000 Hoosiers who will remain uninsured? Pence suggested they rely on hospital emergency rooms, charity care and local free clinics. An emergency room provides some of the most costly care around. That's the very problem that launched the lengthy debate on health care reform.

Tim Ethridge, Evansville Courier & Press: While the headline issue of the next Indiana Legislative session will be a divisive one, a proposed constitutional amendment to ban gay marriage, House Speaker Brian Bosma prefers to talk about building bridges, both literally and figuratively. Bridges, through matching grants, that will help prepare disadvantaged pre-schoolers for success once they begin the K-12 process in kindergarten. Bridges, through further road construction, to link northern Indiana with southwestern Indiana via I-69, and then to link all of Indiana with southern neighbors down through Kentucky and beyond. Bridges, through tax reform, that encourage business growth while making sure not to penalize farm families and smaller employees with punitive taxes — and to not hang

towns and government out to dry when it comes to funding their services. And bridges, through technical schools, community colleges and statewide universities, to solve a skills gap that leaves good-paying jobs unfilled and undertrained workers unemployed. Those are big tasks, and ones that won't truly be measurable for years. But Bosma, a Republican from Indianapolis, says that despite a two-year budget cycle and two-year election cycle (for state representatives), it will be important that the Republican-controlled Senate and House, along with Republican Gov. Mike Pence, take a long-term view. "It may be decades down the road before we fully see what was accomplished," he said during a visit, accompanied by State Rep. Suzanne Crouch with the Courier & Press editorial board on Tuesday. "But we need to continue what we've started and keep the process moving forward." In the last session, social issues, such as the proposed gay marriage amendment, were pushed aside in an effort to push forward on many of the same ideas that Bosma proposes — and to see how the U.S. Supreme Court would react to similar state legislation. With so much to do, so much attainable progress in a state that has bought into being business-friendly, that wouldn't be a bad idea again. Bosma is correct about building bridges. There is no need to create divisions.



Dave Bangert, Lafayette Journal & Courier: David Williams might have done Mitch Daniels the biggest favor anyone has done for the former Republican governor since he arrived as president of Purdue University nine months ago. As the university president on Monday stood in the wings of a third-floor conference room at the Stewart Center, after outlining his "next big 10" initiatives to a rather stoic response from faculty leaders on the University Senate, Williams went right at a pair of subjects that made Daniels' summer so miserable. With a few words, Williams, chairman of this year's University Senate, quickly and quietly escorted the elephant right out of the room. "I feel we need to find a way to get this undeclared ideological war that began with the decision to hire Mitch Daniels as our 12th president resolved — now," said Williams, a professor of medical illustration in the College of Veterinary Sciences. "We can't continue to be divisive like the Congress and expect Purdue to be able to move forward," Williams said. "I urge you to work with me and President Daniels this year to find middle ground." Let's be honest, it's been a rough summer for Daniels, who couldn't seem to escape the vestiges of a partisan past, as two flare-ups renewed doubts about his fit in an academic world. Is there an ideological war, declared or undeclared? Daniels replies: "No, I don't feel that at all. Maybe if there is, it comes from off-campus." ❖



Senate Republicans mum on House plan

INDIANAPOLIS - When it comes to Senate Republicans' thoughts on the House plan to pass a short-term spending bill defunding Obamacare, mum's the word (Politico). GOP Sens. Marco Rubio (Fla.), Mike Lee (Utah) and Ted Cruz (Texas) — who have loudly been calling for defunding the health care law — quickly praised House Speaker John Boehner for crafting a bill that strips funding from the much-reviled Affordable Care Act. So too did Senate Minority Mitch McConnell (R-Ky.), who "supports the House effort," said spokesman Don Stewart. But after GOP senators huddled for an afternoon strategy meeting in reaction to the House's plan, most rank-and-file members opted to stay quiet until the House actually passes its proposal. And that's still an open question — the House is expected to vote on the continuing resolution with the Obamacare language on either Thursday or Friday. "I'm going to be real cautious in not saying anything that's going to be quoted to make it look like I'm dissatisfied or happy," said Sen. Jim Inhofe (R-Okla.). "I don't know. We need to look at it," said Sen. Rand Paul (R-Ky.).



Rokita offers alternative to ACA

WASHINGTON - Republicans on Capitol Hill introduced an alternative to the President's healthcare plan Wednesday and an Indiana Congressman played a key role (Shella, WISH-TV). Todd Rokita is one of seven co-authors of the American Health Care Reform Act. He appeared in a Capitol

Hill news conference where it was rolled out. The Republican plan calls for expanded tax breaks for consumers who purchase their own health insurance. It also provides government funding for insurance pools that would cover high-risk consumers... Rokita says he pushed for elements of the bill that provide consumer protection. "It kickstarts what we hope to be a cascading or domino effect in price transparency," Rokita said. "We require that Medicare claims data be shared." The new bill is part of two-pronged approach by Republicans on Capitol Hill. They continue to call for a repeal of the President's Affordable Care Act...The GOP emphasis is to keep government out of the healthcare business while giving consumers more choices. "As Americans we have no, let me say very little, information," said Rokita, "when it comes to the ability to make good healthcare decisions."

Pence names work councils

INDIANAPOLIS - Gov. Mike Pence announced the Chairs and members of the Indiana Regional Works Councils (Howey Politics Indiana). "Our administration remains committed to making career and vocational education a priority in every high school in Indiana," said the Governor. The Indiana Regional Works Councils were created with the unanimous passage of SEA 465, which the Governor signed into law on April 15, 2013. The legislation specifies each Council will bring educators and employers together to evaluate and develop career and technical education that meets the demands of employers in each region. Each Council is responsible for preparing and submitting a comprehensive evaluation of the available career, technical and vocational education opportunities for high school students in its region to the

Governor and the Education Roundtable by November 1, 2013. The Chairs named Wednesday will be joined by representatives from a number of Indiana companies including Caterpillar, Chrysler, Cook Pharmica, Cummins, ExactTarget, Hillenbrand, Inc., Honda, NiSource, NucorSteel, and Subaru.

Evansville Council opposes hotel

EVANSVILLE - Hours after Evansville Mayor Lloyd Winnecke vowed to make a final push for the public financing needed to carry a Downtown convention hotel plan forward, a majority of the City Council's nine members came out in opposition to the plan (Evansville Courier & Press). Finance Chairman John Friend, D-5th Ward, Vice President Dan Adams, D-At-large and Stephanie Brinkerhoff-Riley, D-3rd Ward, on Wednesday joined Conor O'Daniel, D-At-large, and Al Lindsey, D-6th Ward, in saying publicly they will vote no if the matter comes before them for a vote. All three said they want Downtown renewal efforts focused on landing an Indiana University Medical School campus. Opponents also have criticized the size of public subsidy, \$37.5 million, included in Winnecke's plan. The overall hotel project, a public-private endeavor with Missouri company HCW, is to cost about \$74 million.

Coats blames EPA on plant closure

WASHINGTON - Senator Dan Coats says new Environmental Protection Agency regulations are to blame for the shutdown of an Indiana power plant that will cost more than 100 Hoosiers their jobs (Smith, Indiana Public Media).