



Brad Ellsworth's interesting week

Timing, succession positioned him for a Senate nomination

By **BRIAN A. HOWEY** and **MARK SCHOEFF JR.**

INDIANAPOLIS - With the aroma of hot metal in the air and the workers at Thomas & Skinner Inc. retreating back to their work stations, U.S. Rep. Brad Ellsworth met the press.

"So, you had an interesting week?"

Ellsworth removed the clear plastic goggles from his plant tour and recounted the previous days when he went from a reelection campaign in the 8th CD to the prized plum of the Hoosier Democratic universe: the probable Democratic U.S. Senate nominee.

"Sen. Bayh shocked us all," Ellsworth recalled. "I was in the middle of my 18-county listening tour. The thing I had to worry about was what my constituents were saying and what their mood was. Obviously the phone calls started coming in - 'Are you interested?' - from many



U.S. Rep. Brad Ellsworth watching magnet making at Thomas & Skinner in Indianapolis on Monday. (HPI Photo by Brian A. Howey)

sources."

The Ellsworth Congressional office quickly put out a statement acknowledging Bayh's retirement at 2:18 p.m. Feb. 15 just as Bayh was speaking to the press in Indianapolis. Some thought the response was so good that he

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Big brain, White House

By **BRIAN A. HOWEY**

FRANKLIN, Ind. - It's been fun watching the national press cover Our Governor. Our Man Mitch.

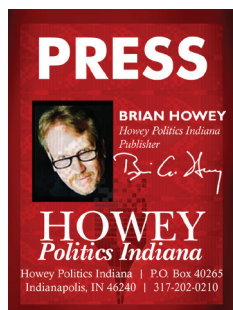
They make observations that many of us locals take for granted. Or if we made them, Jane Jankowski would bar us at the door. For instance, in the recent Politico article "Mitch the Knife," long-time GOP operative and Crown Point native Mary Matalin noted that our governor has a "giant brain."

This was meant as a compliment. She also said that Daniels has "unparalleled policy depth combined with



"I don't know how this plays politically, but I know it's right. And so I ask Congress to finish its work and I look forward to signing this reform into law."

- PRESIDENT OBAMA





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razor sharp political skills." When I heard this description, I kept thinking back to the day when our governor called Speaker B. Patrick Bauer a "car bomber" (still one of my favorite moments during this governorship). And Matalin said our governor has "steely courage."

Hoosier GOP operative

Anne Hathaway asks, "Do we want a president that's pretty, or do we want one who can get the job done?" I would never call our governor "pretty." In fact, I've pretty much avoided talking about any physical attributes of our governor, or Speaker Bauer (save for an HPI headline on tax caps that read: To pay or not to pay) or Jackie Walorski or Charlie Brown or Scott Pelath.

As for getting the job done, well, there's just so much more for this reformer to do in his remaining two legislative sessions. He's been a good, steady governor. Greatness still awaits the final two years.

The Washington Post's George Will has already consigned our governor to the title of "President Daniels" in 2013. Will has a mixed track record. He was right on target when he consigned Michigan Congressman David Stockman as President Reagan's White House budget director back in 1979-80, but I think he missed out on a couple of others (Dan Lungren was supposed to be a future California governor while missing the obvious Governor).

Former Florida Gov. Jeb Bush calls Daniels "one of the best policy-oriented governors in the U.S." I might amend that and say the entire planet or universe if a giant brained photo of Daniels was beamed out across the heavens and somehow, somewhere a twin governor from the plant Mazorpa was picked up on the

Hubble.

Politico quoted one of the GOP's "most influential officials" (who could this be? Sen. Scott Brown? Sen. McCain? Arnold?) as saying, "He's a budget deficit hawk, but he's also the interesting reformer." Most reformers are interesting. Former Gov. Sarah Palin comes to mind. I can't name a "boring" reformer.

"He's a very plain-spoken poli-



cymaker who, often to his own detriment, will not mince words and I think people are thirsty for that," said our own John Hammond III in the Politico article. Agreed. The governor doesn't mince words. We also learned that Hammond and Bob Grand are available to put a presidential campaign together if history beckons.

Ross Douthat, the New York Times columnist, wrote this past week that, "If Romney looks like central casting's idea of a chief executive, Daniels resembles the character actor who plays the director of the Office of Management and Budget." If I were to cast someone to play President Daniels in a movie, it would be Ron Howard.

Douthat says something that no Indiana reporter would ever write: If Daniels were to become president, "he'd be the baldest president since Dwight D. Eisenhower." First, our governor is not bald. And I don't believe we've ever had a bald governor. I



believe it best to just move on here. And wouldn't Matalin know more about bald men with giant brains?

Our governor told Douthat, "I've never seen a president of the United States when I look in the mirror." Of course he doesn't, he sees an aging Opie Taylor. This reminds me of a story about Daniels going to Evansville and meeting Vanderburgh Sheriff Brad Ellsworth in 2004 or 2005 and Ellsworth tells him, "I'm the Andy Taylor around here" and Daniels responds "Nice meeting you, Andy."

Douthat makes another observation, writing that our governor hasn't just been a "Dr. No on policy." Now the original "Dr. Julius No" was played by Joseph Wiseman. Coincidence? And who might play the Sean Connery character to the Wiseman character? Eric Holcomb? No, make that Ben Ledo.

When Douthat asked Daniels about the recent CPAC convention that was not attended by either Dr. Julius No or Joseph Wiseman or any giant-brained governors, our governor responded, "I think a lot of Republicans are over-reading all of this. They're a little ahead of themselves, a little too giddy." The Republicans, he said, need answers to the "what" question, and I don't think Glenn Beck's talk on the terrible progressives plays into Danielesque themes.

The Mitch for President phenomenon has more cred now than, say, the Mellencamp for Senate thing flitting about the Internet. Since our governor's reelection, he and his staff always did the "aw shucks" thing, saying they were honored to be mentioned. A couple of months ago, I asked an extremely informed and reliable Daniels' source,

Ellsworth, from page 1

had prior knowledge.

"I heard about the news during my annual Open Door Listening Tour this morning, and I appreciate the support of those Hoosiers who have already encouraged me to run for Senator Bayh's seat," Ellsworth said in the statement. "The next step will be taking a few days to talk to my wife and to folks in Indiana about where I can best serve our state."

Ellsworth said he finally returned to his Evansville home Wednesday evening and started talking with his wife, Beth. "I came to the conclusion Thursday night, I felt like I could do this," he explained, "I felt like I should do this. But did I want to do this?"

"Like most decisions I make in my life, I say when the calm comes over me."

As the Ellsworths deliberated, U.S. Rep. Baron Hill returned from Afghanistan where he described the "shock" he had also felt with Bayh's bombshell on Monday. He found out about Bayh's retirement as he was flying over Afghanistan on a military plane at midnight local time.

"There's still nothing to this Blade for president thing, right?" The response: "Well ..."

So all the talk is fueled by a legitimate power source as well as a giant brain wrapped in a wreath of fine hair.

Here's my take on this: Our governor does whatever it takes to get a Republican Indiana House elected this November. Then, if that comes to pass, January through April 2010 we watch the most extraordinary long session in modern Indiana General Assembly history. It will be like Unigov joins Major Moves joins A Plus joins Kernan-Shepard joins Education Revolution 2.0.

If those stars align, and we see the national GOP on track for a Sarah Palin or a Ron Paul nomination, I think our governor antes up. He'd use the reform session to sling him into the national orbit. Our governor has the intellectual capacity to build the kind of campaign that the Obama-Axelrod-Plouffe team did in 2006.

I've said this a number of times, but Daniels has the ability to play on par with Obama. There are so many similarities to the way they govern, the way they campaign, write their own speeches, TV ads, etc. It would be an extraordinary show.

I think the better bet is that a Jeb Bush, Mitt Romney or Newt Gingrich emerges as a frontrunner and our governor is on the top rung of every veep list out there. That's a three-month campaign as opposed to a two-year slog that would certainly violate the Cheri Daniels term limits. ❖

"A soldier came up to me with his BlackBerry and said, 'Congressman, I think you may be interested in this.' I was totally stunned."

So as the Ellsworths were reaching the conclusion to run, Hill was just wrapping his jet-lagged mind around it as the noon Feb. 19 filing deadline quickly approached. What followed was one of the most interesting fits of political logistics in modern Hoosier politics.

Ellsworth approached State Rep. Trent Van Haaf-ten to file for his congressional seat as he was coming to his own conclusions, and this happened less than an hour before the filing deadline. State Sen. Bog Dieg filed for the Van Haaften seat, and Patty Avery, wife of retiring State Rep. Dennis Avery, lined up for the Dieg District 49 Senate seat along with Evansville Council President B.J. Watts, who later withdrew.

With that accomplished on Friday, Ellsworth began plotting a statewide campaign, then withdrew from the 8th CD on Monday, Feb. 22. And this became the critical component: succession. Hill had no such logistics lined up to defend his 9th CD seat. Certainly, there were many Democrats both on the Democratic Central Committee and



around the state who were intrigued with a second Hill Senate candidacy. He had run a credible campaign in 1990 against U.S. Sen. Dan Coats as a state representative, walking from the Ohio River until a final dive (literally) into Lake Michigan. Hill was out-raised \$3 million to \$1 million, but lost 54-46 percent. Many Democrats like Hill's feisty demeanor, his oratorical skills and his history of winning close challenges.



But there weren't many in the 9th who could run and hold the district. State Rep. Steve Stemler was one, but there was nothing approaching the logistics that Ellsworth and Van Haften and company had worked out.

This created the temporary spectacle of 2 1/2 months of a contested Senate nomination, with Indiana Democratic Chairman Dan Parker unsure of exactly when the nomination would be official. By Thursday, Feb. 25, it still seemed to be game on for Hill.

"I've not made a decision yet," Hill said. "I'm hoping I'll arrive at some kind of conclusion by the weekend. I'm encouraged by the support I'm getting. That keeps me going. I can honestly say I'm not leaning one way or the other."

The next day, however, Parker told Howey Politics that Ellsworth was consolidating his nomination. Hammond Mayor Thomas McDermott was telling the Region press that his Senate candidacy was "symbolic" and Parker predicted there would be an endorsement within a week. Hill's concerns leading into the end of last week were not so much with a Senate run, but more on how high a priority the 9th CD would be with former Republican Congressman Mike Sodrel looming for a fifth rematch. The aftermath of the Bayh retirement was that now the Senate race along with the 8th and 9th were all in the "tossup" zone.

Ellsworth said that he and Beth had "kept in constant contact with Congressman Hill and I vowed to continue, even if we both sought the seat. And Mayor McDermott, we knew each other before; we were friends before. Certainly we both might be seeking the seat. The three of us decided we were going to remain friends, remain colleagues and work this out. That part has worked itself out. On Friday morning, Beth and I decided we could, we should and we both wanted to. I wanted to finish my

listening tour."

By late Friday morning - Feb. 19 - Ellsworth signaled he was in.

Eight days later - late Saturday morning - the "political" wing of the Democratic Party cleared the field. Hill said in a statement, "I believe my friend and colleague, Congressman Brad Ellsworth, is

the right man to fulfill the task of ensuring a Democrat is elected to succeed Senator Bayh." McDermott told Howey Politics Indiana just minutes later that he had just sent an "e-mail to Chairman Parker, my attorney and my wife" stating he would not run. "Congressman Ellsworth will be the nominee," McDermott said. The mayor said it was "unfortunate" that only 32 Democrats on the state Central Committee would be charged with making the nomination, but quickly said, "That's not Brad's fault."

It was the Democratic version of "McIntosh luck" (when David McIntosh ended up with the 2nd CD nomination in 1994 after Ann DeVore forgot to file, and was then swept into office by the GOP tsunami). In Indiana Democratic pecking order in normal times, U.S. Rep. Pete Visclosky might have been first (though he was still under a House Ethics Committee probe), then Hill, who was in Afghanistan for the week when he normally would have been in a position to orchestrate a candidacy and succession. U.S. Rep. Joe Donnelly never expressed much interest. There stood Ellsworth, voted the "most beautiful" man in Washington, a politician who hasn't had an opponent come within 30,000 votes of him, ready to ascend to the coveted Senate seat of Birch and Evan Bayh.

What about Mellencamp?

So now he stood in a gritty magnet factory in the urban core of Indianapolis, talking to a different set of the press corps, who asked if he had a "clear path."

"No," Ellsworth smiled. "I hear John Mellencamp is still there. Mr. Mellencamp's name was very popular in this."

The Anderson Herald-Bulletin reported that 6,885 fans of its Facebook page as of Monday evening, were urging the "Our Country" singer to serve his country, but as of Monday Mellencamp had not responded to the call to serve. CNN was poking around for an angle. It wasn't a totally left



field thought. Mellencamp's wife, Elaine, had served on the Democratic National Committee. The rock star had performed at both Obama and Clinton rallies in 2008, though he didn't take sides. There was no definitive statement from Mellencamp's publicist, but Parker told HPI of details of a call Mellencamp had placed to Sen. Bayh on Feb. 16 as the senator was talking to a Politico reporter.

"Mellencamp told Bayh he was amused by all the speculation," Parker said, discounting any Little Pink House populism. Bloomington restaurateur John Bailey, who owns the Malibu Grill across from the Monroe County Courthouse, was amused at the prospect of "Sen. John Mellencamp" in the staid upper chamber. "He would be totally stifled," Bailey said. "He wouldn't have any fun there."

"What I hear about the process is that it goes until the primary," Ellsworth said. "Anybody could get into this. But I'm very encouraged. I know it's not the most ideal situation, but we'll work hard for those 30 votes and we'll work hard for their constituents."

Candidate Ellsworth emerges upstate

Last Monday, we saw "candidate" Ellsworth emerge from the 8th CD, noting that instead of seeking to serve 600,000 Hoosiers, it will now be six million.

He took questions from the Thomas & Skinner workers, who were worried about jobs, Washington gridlock and crime.

"I was a sheriff for 25 years," Ellsworth told them. "Now I've got a new vision, which is to go to DC and try and straighten that place out. So if anybody has a suggestion, I'll ask you in a couple of minutes."

He described the "most fun part of the job" was seeing what Hoosiers made. Thomas & Skinner is a 175-person plant owned by the employees. That's why it didn't follow firms like Magnaquench (a prop in the 2008 Hillary Clinton vs. Barack Obama presidential primary) to China. The plant makes magnetic parts for the Predator drones now seeking and destroying al Qaeda and the Taliban in Afghanistan and Pakistan.

"I came here today because I wanted to find out," Ellsworth said as dozens of employees - many wearing gritty Colts hats - looked on. "So I came to see what makes it tick. What do you want me to lose sleep over? I also sit



on the Armed Services Committee, so what you do here is extremely important to me. What you're doing for the war fighters, our young men and women, especially the unmanned weaponry systems, are going to be extremely important. We can compete; we just have to create the atmosphere of making things here in the United States. What you're doing here goes straight to our national defense."

Despite the shrill opposition to President Obama's health reforms - and these workers pressed him on an upcoming vote - Ellsworth appeared to hold his ground. He voted for the reforms last December after helping to hammer out a compromise on abortion. With U.S. Rep. Bart Stupak threatening a

rebellion that would include 12 House Democrats if the Senate plan goes up for a vote in the House on ABC's Good Morning American today, the Ellsworth campaign did not return comment this morning. Ellsworth had joined Stupak in crafting that language in the House bill.

"There's talk that we've got 80 percent agreement and we can find some common areas to support," Ellsworth said as employees of Thomas & Skinner and the press gathered around him. "If that's incrementally, then let's do it; we can fix this working together. If partisan politics get in the way, we still have a problem. And if 10 years down the road we're looking back and saying, 'Why didn't they do something when people with insurance couldn't afford it because their premiums went through the roof,' it's going to be a sad day."

HPI asked Ellsworth if the reform legislation should be broken up and passed in pieces. "That's fine with me," Ellsworth responded, "If that's what it takes to move some of these things forward and show Republicans and Democrats can work together and show compromise,"

There were echoes of Evan Bayh in the answer, but also the resoluteness of the former sheriff, who now finds himself on a new stage. The Daily Kos Research 2000 poll released Monday showed Ellsworth trailing Dan Coats 37-36 percent, and his 2006 Republican nemesis John Hostetler 40-34 percent.

For the first time since the early 1990s, Indiana finds itself in a "tossup" U.S. Senate race, by both HPI and the Rothenberg Political Report. ❖



Coats, Hostettler mix it up over Iraq intelligence

By **BRIAN A. HOWEY**

INDIANAPOLIS - The first flash point in the Republican U.S. Senate race came not over lobbying or Tea Parties. It came over the Iraq War.

The five Republican contenders met and debated in New Castle last Saturday, and most of the coverage was in the "Hey, how ya doing? Here's who I am" category with State Sen. Marlin Stutzman, Don Bates Jr., and Richard Behney along for the ride. And then came Iraq.

The sparks flew between former Congressman John Hostettler and former Senator Dan Coats. The Indianapolis Star reported: Hostettler stressed the lack of intelligence to justify that weapons of mass destruction existed under Sadaam Hussein and reminded those in the room he voted against the Iraq war, but backed efforts in Afghanistan because of the direct link to the Taliban and Al-Qaeda.

Coats responded by saying, "I started as ambassador (to Germany) two days after 9/11 ... John, you and I need to have a good debate about Iraq and about weapons of mass destruction, because I fundamentally disagree with you in terms of why we went in there."

Coats told Hostettler, "I started every day in Germany with a collection of intelligence from the U.S., German, French, British and even countries that didn't support us. That was the evidence that was before us."

Hostettler countered that it wasn't and cited Bush's statement that if he could have one "do-over" of his presidency, it's that he would have "changed the intelligence" he had about Iraq.

It echoed a Dec. 9, 2008, column Hostettler wrote for the Huffington Post titled "Truly Regretful." Hostettler noted President George W. Bush's farewell interview with ABC's Charlie Gibson, who asked if he had any "do-overs." Bush responded, "The biggest regret of all the presidency has to have been the intelligence failure in Iraq. I wish the intelligence had been different, I guess."

Hostettler, who wrote the book "Nothing for the Nation" on the subject, observed, "The president, in an unguarded response to this question concerning his most prominent blunder and posed in the waning days of his last term, reverted to what seemed to him to be the obvious.

The obvious response had nothing to do with the economy. It had to do with intelligence. It had to do with the 'intelligence failure in Iraq' regarding 'weapons of mass destruction.' I could not agree more."

We all know this story: Months after the toppling of Saddam's statue the U.S. discovered on the eve of the war that there were no mobile labs brewing WMD that Secretary of State Colin Powell pointed out in photos before the United Nations.

Hostettler described himself in the Huffington Post article as a "contrarian," writing, "Agreeing with George W. Bush on major policy initiatives was not my strong suit. As a conservative Republican member of the House of Representatives, I opposed his proposal to downsize the military during a time of war, his initiative to expand federal intrusion into the states' public education mission, and his desire to grow the number of entitlement programs. From

these issues to those of federalizing marriage law in the Constitution and wiretapping of citizens without the use of warrants, the President and I essentially agreed to disagree. However, none of these disagreements compare with the most controversial parting-of-ways that I had with the leader of my party."

As for being one of six Republicans to oppose the October 2002 Iraq War Resolution, Hostettler explained, "Given the overwhelming support for the authorization in the Republican-controlled House and the Democrat-controlled Senate, my opposition drew little concern. At home, however, contempt for my difference with the

commander in chief's approach to the 'global war on terror' was significant. Therefore, you may think this latter day agreement between the outgoing President and me could be a sign of a belated reconciliation. But it happens that not long after this agreement, I must continue my role as the contrarian."

Hostettler explained, "While I concur with President Bush that his failure to properly assess the intelligence available to his administration was regretful, I do not wish the intelligence had been different. After my colleagues in the House and I were briefed on multiple occasions by numerous experts from the various intelligence agencies, I concluded that the evidence did not support the claim that an ongoing program of weapons of mass destruction was being directed by Saddam Hussein."

So, in essence Hostettler has re-established the Iraq issue in this Senate race. With Coats goading him on, both he and Coats are offering their views on the intelli-



Former Sen. Dan Coats during the vetting process of Supreme Court Justice Sam Alito. (Life Photo)



gence, and coming to different conclusions. In a speech on the House floor before the 2002 vote, Hostettler described the intelligence as "tenuous at best."

In the 2008 column, he explained, "The simple fact of the matter is the tenuous nature of the intelligence led me to the correct conclusion. The work of the intelligence community made my job relatively easy. Unable to deliver substantial evidence to the contrary, they effectively informed me that a full-scale military conflict with Iraq was unnecessary. The intelligence did not fail me. This was one time when my contrarian nature gave way to a much more profound precept. If we are not sure that a foreign nation poses an imminent threat to our way of life, we must not send our fellow citizens' sons and daughters into harm's way for what might be."

When Coats had his introductory press interviews during this Senate campaign a month ago, HPI asked him whether he supported the Iraq invasion. "Yes I did," said Coats, who came very close to being Bush's secretary of defense before Vice President Cheney shifted his support to Donald Rumsfeld. Coats added, "Based on the intelligence we had."

Was he critical of Phase 4 in Iraq, after the initial invasion had ended? "Yes I was. I was a strong advocate of the Powell Doctrine, long before all of this came up. I articulated this on the Armed Services Committee. Just going back to the selection, I was more aligned with Colin Powell. The whole Powell Doctrine is that you do not go into war if there's any other option. When you go in, you go in with full force. And you have an exit plan already agreed on and fleshed out. What we did was we spring-boarded off Afghanistan and we thought the same thing would be applied to Iraq. There was that additional euphoria when they pulled down that statue (of Saddam) and we did not have an exit plan in place, and so we went through four tragic years."

The timing of the Coats-Hostettler exchange is interesting because before their May 4 Republican primary, there will be parliamentary elections in Iraq this Sunday. And while President Obama has talked optimistically about pulling out all of the U.S. combat troops by the end of this summer, the Iraq War could be a renewed flashpoint in 2010, when many expected that might be the case in 2008.

Thomas E. Ricks, the former Washington Post military reporter who wrote "Fiasco" and "The Gamble," explained in a New York Times op-ed piece on Feb. 21 that the defining moments for the American experience in Iraq are just around the bend.

"Whether or not the elections bring the long-awaited political breakthrough that genuinely ends the fighting there, 2010 is likely to be a turning-point year in the

war, akin to the summer of 2003 (when the United States realized that it faced an insurgency) and 2006 (when that insurgency morphed into a small but vicious civil war and American policy came to a dead end)," Ricks wrote. "For good or ill, this is likely the year we will begin to see the broad outlines of post-occupation Iraq. The early signs are not good, with the latest being the decision over the weekend of the leading Sunni party, the National Dialogue Front, to withdraw from the elections."

Ricks continued: "The political situation is far less certain, and I think less stable, than most Americans believe. A retired Marine colonel I know, Gary Anderson, just returned from Iraq and predicts a civil war or military coup by September. Another friend, the journalist Nir Rosen, avers that Iraq is on a long-term peaceful course. Both men know Iraq well, having spent years working there. I have not seen such a wide discrepancy in expert views since late 2005."

Ricks comes to a startling conclusion: "I think leaders in both countries may come to recognize that the best way to deter a return to civil war is to find a way to keep 30,000 to 50,000 United States service members in Iraq for many years to come. As a longtime critic of the American invasion of Iraq, I am not happy about advocating a continued military presence there. Yet, to echo counterinsurgency expert David Kilcullen, just because you invade a country stupidly doesn't mean you should leave it stupidly."

In today's New York Times, the lead story reports: The deadly suicide bombings in Iraq on Wednesday highlight the central quandary facing President Obama as he tries to fulfill his campaign pledge to end the war there: Will parliamentary elections, scheduled for Sunday, throw the country back into the sectarian strife that flared in 2004 and delay the planned American withdrawal? Senior Obama administration officials maintained in interviews this week that Mr. Obama's plan to withdraw all American combat troops by Sept. 1 would remain on track regardless of who cobbles together a governing coalition after the election. "Politics has broken out in Iraq," Vice President Biden said.

How ironic that the first crossed swords for the GOP Senate nomination comes over the Iraq War, a chapter that many Republicans would just as soon forget. And here we find the black sheep congressman Hostettler dueling with the former ambassador to Germany, over the interpretation of intelligence that led to this brutal war, as well as the rise of the Democrats in 2006 and 2008.

The intriguing thing is that between March 7 and May 4, this road may come to some fascinating twists and forks and the perceived front-running Coats may find himself in a political minefield. ❖



John Hostettler and Brad Ellsworth during a 2006 debate.



Democrats can hold Senate seat with Ellsworth

By **CHRIS SAUTTER**

WASHINGTON - Rank and file Hoosier Democrats have reason to be upset with the process that produced Congressman Brad Ellsworth as their party's presumptive nominee. The Indiana Democratic Party is choosing their candidate for an open U.S. Senate seat—an opportunity that has come along only twice in modern times, in 1958 and 1998--by a vote of 32 Central Committee members rather than by open primary.



Chris Sautter
Column

But Democrats have way more reason to be happy with the outcome of the process. Democrats are nominating in Ellsworth a candidate who stands a very good chance of holding the seat from which Senator Evan Bayh is retiring after 12 years. And, unlike Republicans, Democrats are avoiding a primary battle like the one that kept them divided throughout the 2008 gubernatorial contest.

There is no way of knowing what might have happened had Bayh announced his retirement in time for potential candidates to obtain the necessary signatures to secure a place on the primary ballot. But in all probability it would have produced a similar result on the Democratic side—either Ellsworth or Congressman Baron Hill would have been the nominee. It seems unlikely that both would have given up their House seats to run in a competitive primary, although there would have been other candidates on the Democratic ballot.

There is greater likelihood that a stronger candidate like Congressman Mike Pence or even Mitch Daniels would have entered the race on the Republican side had Bayh's announcement come earlier. Instead, the top candidates in the Republicans field include a former U.S. Senator whose popular standing has dipped so low he is being outpolled by a former Congressman who was easily defeated just four years ago by Ellsworth.

This does not mean Ellsworth is the favorite in the Senate race — far from it. Indiana is a Republican-leaning state and 2010 is shaping up to be a Republican year. But the race starts out essentially a toss-up and that's better than anyone might have predicted two weeks ago when Bayh pulled out. The Democratic Senatorial Campaign Committee has indicated Indiana is a top priority for them, which means Ellsworth will have sufficient funding to compete. And, Ellsworth has a united Democratic party, something that is not a certainty for the eventual Republican nominee. Democrats couldn't have asked for a better kick-off to a tough contest.

Meanwhile, the first candidate debate—held last weekend - demonstrates the dilemma Hoosier Republicans face in the primary. Their chances of winning next November would be enhanced if they were to nominate a fresh face, someone untainted by Washington. Yet their top two contenders - Dan Coats and John Hostettler - are congressional retreats. Coats and Hostettler were able to dominate debate press coverage and even clashed over President Bush's handling of the War in Iraq. Unless they begin to draw sharp contrast with Coats and Hostettler, none of three new faces in the race are likely to gain traction in the Republican primary.

Multi-candidate primaries can be unpredictable. But Republicans in Washington went out on a limb for Coats, and they are now likely to make sure he has however much money they think is necessary for him to win. Coats may need everything Washington can offer. Because of the rocky rollout of Coats, Hostettler is now stronger than first believed. And, he is much more likely to garner votes from Tea Party sympathizers than Coats. But there are probably too many candidates dividing up the anti-Coats vote to overcome Coats' name and money advantages.

If Coats does win the primary, the fall match-up will provide both a striking visual and message contrast. Coats appears to have aged more than the 12 years he has been gone from Indiana and his looks are a constant reminder he is from a time past. Meanwhile, Ellsworth with his telegenic looks comes across much more the candidate of the future. Further, Ellsworth's background as sheriff and his reputation as a hardworking congressman will inure to his benefit when compared to Coats' years as a Washington lobbyist. Any chance Republicans had to paint Ellsworth as the product of a flawed nomination process is lost with Coats, handpicked and financed by Washington insiders.

Republicans are banking on health care to win campaigns like Indiana's U.S. Senate election, and House races like Indiana's 8th district race. If health care reform passes, Republicans will be in the position of having to call for its repeal. But many perhaps most of the reform package's individual components are popular with the public. Will Republican candidates call for the repeal of those popular provisions? Passage of health care reform puts the debate over health care in a very different posture, one much more difficult for Republicans to prosecute.

Speaking of the 8th CD race, one has to be impressed with the 8th CD organizations that seamlessly replaced Ellsworth with a quality candidate in State Rep. Trent Van Haaften, who is a former prosecutor, highly respected and well known in his base. As is the case with the Senate race, 8th CD Republicans, who thought they were up against the heavily favored Ellsworth, would likely have recruited a stronger candidate had they known better. Democrats should be feeling good about their chances of holding the 8th CD seat. ❖



Republicans vow to bring redistricting reforms back in 2011

By **BRYAN AULT**

INDIANAPOLIS - Indiana House Democrats chose to forego redistricting reform, giving Senate Bills 80 and 136 committee hearings, then ignored them altogether last week.



Senate Bill 80 would have kept cultural and traditional communities together. It also would have made an attempt to end gerrymandering by respecting county lines.

"Quite honestly, we have sold consolidation as avoiding gerrymandering, but the truth is, you can gerrymander a district by consolidating," said House Elections Committee Chairman Kreg Battles, D-Vincennes.

Senate Bill 136 would have established a two-year, independent study commission to re-draw maps. The five-member committee would consist of one representative for each of the four caucuses. The Chief Justice of the Indiana Supreme Court would appoint the final fifth person, the chairman of the commission.

"It doesn't necessarily take politics out of it entirely from who the appointees are, but it certainly would be balanced," House Minority Leader Brian Bosma, R-Indianapolis, told HPI. "The maps that were drawn in 2001 by the Democrats were drawn to give the Democrats a very strong political advantage, and they like that. They want the opportunity to do that again."

Bosma made reference to the 2002 and 2004 elections as where the absence of reform hurt Indiana Republicans. Bosma said, "In 2002, Republicans running for the House had roughly 220,000 more votes per state representative, but only 49 percent of the representatives because the way the maps were drawn. In 2004, when Republicans took the majority, we won three seats by a total of 338 votes, but actually won 343,000 more votes.

"The maps drawn in 2001 in the House pre-determined a decade of leadership in the Indiana House. Despite winning the elections, Republicans governed for only two years."

Battles said the issue with the study committee is balance. The tie-breaking vote on the commission would come from the Indiana chief justice. Because Randall T. Shepard is the chief Justice, Republicans would hold power over the committee.

"It has to show balance," Battles said. "I'm not impugning anyone's character at all, but when you have the tie-breaking number, that tie-breaking number brings baggage. That doesn't make them evil. That doesn't make them bad. That doesn't impugn their integrity, but at that point, there was always that extra party who could put his finger on the scales, tip it and it could be Republican or Democrat alike.

"We're probably never going to get away from Democrats and Republicans. That's how life is, and that's not necessarily bad. They have to come to some kind of bipartisan agreement without that extra party tipping the scale. We never found a perfect way to solve that, but to me, that's a way to get at it."

House Speaker B. Patrick Bauer, D-South Bend, sent both bills to the Rules Committee. State Sen. Sue Landske, D-Cedar Lake, the co-author of 136, says redistricting reform will be kept alive before and during the 2011 legislative session.

"We're still going to do it," Landske said. "I've gotten a lot of comments from people who really want to know more about the process in Indiana. We're going to continue this summer to educate constituents, hopefully around the state, and educate not only ourselves, but the general public."

Bosma also said that he will look at methods from other states. "I'm open to other compositions," he said. "This one seemed to be the most balanced, but there may be another composition that the panel, or study commission, might find to be better and more reflective of Hoosiers."

Bosma, who co-authored a similar measure in 2006, said he hopes to restore confidence in Hoosiers that elected officials can act responsibly through redistricting reform.

"It's not just a one-time deal for me," he said. "I've been committed to this for more than a decade. It's my hope and my goal to, in the 2011 redistricting process, to really allow Hoosier voices to be heard, and to accurately reflect their voice in the composition of the General Assembly. The simplest and most fundamental form of democracy is that representatives of government represent the people, and the current maps don't." ❖



House Elections Committee Chairman Kreg Battles says there will always be a tipping point between the parties. (HPI Photo by Steve Dickerson)



Focus on Tony Long in Ellspermann case

By **BRIAN A. HOWEY**

INDIANAPOLIS - Indiana Democrats appear to be trying to pick off one of the Republican House challengers recruited by HRCC and Gov. Mitch Daniels.

Republican Susan Ellspermann, who is challenging House Majority Leader Russ Stilwell in HD74, apparently had voted in the 2008 Democratic primary during the Hillary Clinton-Barack Obama campaign. But she checked a box on her candidate filing that indicated otherwise.



According to the Hoosier Advocate blog, a challenge to

Ellspermann's candidacy was brought by Charles R. Wyatt, a long-time Democrat donor and a "union associate of Russ Stilwell."

The blog writes: "Now fresh evidence indicates involvement by at least one party boss is enough to warrant serious ethical questions. Anthony Long, 8th District chairman of the Indiana Democratic Party and vice-chair of the Indiana Election Commission, is an entrenched Democratic Party operative in the very same district where Sue is running for office. When Sue goes before the Election Commission on Friday to plead her case, it is Anthony Long who will sit as both judge and jury."

Hoosier Advocate notes that Ellspermann's primary opponent is Angela Sowers, who the blog describes as having "no history voting in primaries" and whose family members are legal clients of Long, "the same Democratic Party operative who will now be hearing Sue's case before the Election Commission. Democrats recruited Sowers to run (she filed on the last day of the deadline) with the full intention of contesting Sue's Declaration of Candidacy (Form 46439). Moreover Charles

Wyatt, the man who officially challenged Sue's candidacy, is a union associate of Sue's eventual Democratic opponent, Russ Stilwell."

Long and Mike Gentry of HRCC did not return HPI's phone calls seeking comments.

4th CD: Hershman colleagues slam Rokita

Secretary of State Todd Rokita's attempt to amend ethics legislation in the Senate last week found Republicans rallying around State Sen. Brandt Hershman. According to Ken Kusmer of the Associated Press, the Senate voted 50-0 in a highly unusual roll call vote to reject a bid by Rokita's office to rewrite a banking bill to remove language that bars a state officeholder from using the fund to buy advertising that identifies the official. Some lawmakers perceive Rokita has used funds the SOS office controls to build his name recognition. Treasurer Richard Mourdock has also appeared in recent TV ads on college investment, paid for by his office.

Rokita is seeking the Republican nomination in the 4th District congressional race against 12 other candidates, including state Sens. Brandt Hershman of Lafayette and

Mike Young of Indianapolis. Hershman and Young joined the parade of senators from both parties to speak against the amendment that author Sen. Richard Bray, R-Martinsville, said was sought by a lobbyist for Rokita's office. "We should not use the public's dime to let people advertise on TV, whether running for public office or not," Young said. Lt. Gov. Becky Skillman, the Senate president, granted a request for the roll call vote, which ended 50-0 against the amendment — and Rokita. Even Bray voted against his own amendment. "The motion to amend is defeated in a big way," Skillman deadpanned.

But the admonishment of Rokita didn't end there. State Sen. Beverly Gard released an op-ed piece to state newspapers, saying, "After months of lecturing lawmakers and citizens about transparent, open, above-board government, Indiana Secretary of State Todd Rokita got caught pulling another fast one. It seems the self-appointed Mr.



Susan Ellspermann will try to stay on the ballot when she appears before the State Election Board on Friday. (HPI Photo)



Clean didn't appreciate a provision in this year's sweeping ethics reform package and decided to find a way to exclude himself from a prohibition against using state dollars to promote himself in print and on radio and TV. "

And there is a trend here. Senate Republicans are not only teaming up against Rokita (on behalf of Hershman and to some extent Mike Young), but 23 of them endorsed State Sen. Marlin Stutzman in the U.S. Senate race.

Hershman announced his intent to open a congressional district office in Hendricks, Tippecanoe, and Lawrence counties if elected to serve as the congressman for the 4th District of Indiana. "When elected, I want to ensure that the people of the 4th district are given every opportunity to voice their concerns to my staff and me without driving long distances," said Hershman. "This is why I am pledging to open a congressional district office in these counties."

Rokita had a fundraiser last week that raised \$100,000.

5th CD: Burton releases a Rembrandt

It was beautiful. It was poignant. And it was old. U.S. Rep. Dan Burton released a Public Opinion Strategies Poll last Sunday from Jan. 20-21. The five-week-old poll showed Burton led in the head-to-head with 43 percent, compared to 9 percent for Luke Messer, 8 percent for both Brose McVey and Dr. John McGoff and 4 percent for State Rep. Mike Murphy.

McVey suggested that Burton probably held on to the poll until all of the challengers had filed for the race. McVey called Burton's 43 percent "weak."

Murphy picked up the endorsements this past week of Peru Mayor Jim Walker and Miami County Sheriff Ken Roland. "After considering every candidate in this race, I have endorsed Mike Murphy because he is a man of integrity who does what he says he's going to do. Mike has served Hoosiers effectively in the Statehouse and he is the most qualified candidate in the race to represent us. I will support him any way I can," Roland said.

Murphy was insistent that the 5th CD race won't just come down to money. He spent 13 hours at the annual Miami County 4-H Fair pancake breakfast, and greeted 3,000 people. "That population is so geographically diverse," Murphy said. "You can't buy one-on-one access to them like we did at that breakfast."

Murphy also was encouraged by Texas Gov. Rick Perry's thrashing of U.S. Sen. Kay Bailey Hutchison in Tuesday's GOP primary. "People are tired of 30-year congressmen who ride the gravy train and don't produce a single job," Murphy said. "The same sentiment was tapped into by Gov. Perry. I see something similar happening in Florida."

Dr. John McGoff weighed in on the health care

debate that has been reignited. "On Tuesday, the Senate passed a \$10 billion, 30-day stopgap measure to maintain unemployment benefits for the long-term jobless, provide funding for highway programs and delay a 21% pay cut to physicians for services to all Medicare patients," McGoff said. "Over the weekend Medicare contractors had been instructed to hold all claims for services to patients with Medicare for 10 days, while the Senate worked on passing Tuesday's 'extender' bill. This would have accounted for almost \$13 billion in delayed payments to providers." McGoff noted that since 2002, "this has become an annual travesty which our government forces doctors to endure and in the near future could create a severe shortage of medical providers to whom Medicare patients can turn for their care."

Messer is expected to raise big bucks at a March 23 fundraiser at the home of former Indiana Republican Chairman Jim Kittle Jr.

HD31: Oliver's death leaves Senate ballot vacancy

The death of labor activist Lettie Oliver will create a vacancy in SD31, where she had filed as a Democrat. Oliver, 58, was the president of the Central Indiana Labor Council and the associate director of AFSME Indiana Council 62 union for government workers in Indiana and Kentucky. The seat is held by State Sen. James Merritt Jr.



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Primary colors: Why Indiana will be once again interesting

By **DAVE KITCHELL**

LOGANSPORT - In 2008, it should have been a sign for Republicans when there was a question about Republicans carrying the state in a presidential election.

As it turned out, Indiana was a bellwether for the Obama popularity, though it didn't really have the impact of one because the race was so close and the election wasn't in doubt by the time Indiana finally went in the Obama column.



This year, Indiana could again be a bellwether state for three reasons. In no particular order, they are the 4th District congressional race, the 5th District congressional race and the open seat race for retiring Sen. Evan Bayh's seat.

It's entirely possible that all three races could produce some unusual results, and here's why:

Dan Burton. Of all the incumbent Republican House members of Congress from Indiana, he is easily the least secure, yet he has been there the longest. Polling shows him in a tight race, yet what the Republicans have failed to learn from previous GOP primaries in his district is that there is no strength in numbers. There is only weakness. The field is so splintered that Burton emerges. If one of Burton's challengers coalesces enough support this time and does it in a way that's more public than in past elections, Burton will be gone. He is not campaigning aggressively, and no one editorializes against him more than the Indianapolis Star. Burton is close to retirement, but appears to be one of the members who won't retire unless somebody retires him, as in votes him out of office. If Burton somehow survives another term and wants to run again, don't be surprised if a Republican majority in the Indiana Senate moves to put him in the same district with incumbent Rep. Mike Pence of the 6th.

The 4th. Steve Buyer is bowing out, and there are 11 – count 'em 11 – candidates in the race to succeed him. Republicans may want to note the comments from No. 1 in this column, but it's safe to say the race boils down to incumbent Secretary of State Todd Rokita and State Sen.

Brandt Hershman. Hershman is one of the forerunners simply because he worked for Buyer since he first ran for the House in 1992, yet the greatest hurdle he may face is not from Rokita. Hershman's first wife, a Roman Catholic, came forward with the revelation that she and her former husband aborted a child. That came in the 11th hour of a race against Democrat Kathy Altman for the 7th District seat Hershman now holds. Hershman held off Altman in a close race, but in a Republican primary when voters tend to be more conservative, that part of his history could be haunting. Rokita on the other hand has something Hershman does not have. He's proven he can win in every county in the district, and he's media savvy in the largest media market in the district, Indianapolis. Hershman has spent plenty of time in Indianapolis, but does not have the name recognition with voters that Rokita does as a statewide officeholder. Look for Rokita with a plurality in a race that is very winnable for both candidates. Buyer's support may mean something, but it didn't mean much when his sister, Karen, ran for state representative in his former district. She lost. His support also did carry the day with Chris Chocola, who represented the 2nd District for two terms before losing in 2006.

The Senate successor. This could be a low-key race, but don't count on it. If former Sen. Dan Coats is the nominee, he will have to rally momentum he clearly does not have at this point. Coats association with Dan Quayle is not a positive at this point for either him or the party, and as a lobbyist, he represents a peculiar choice. Former Rep. John Hostettler, who came in with the Republican Revolution of 1994, looks to be a likely choice because he's below the radar, the place where he runs well and surprises opponents. Hostettler has been in Congress more recently and is younger. As for the Democrats, winning southern Indiana will be key. That makes Baron Hill a really interesting choice because he hails from Seymour (this column was written before Hill bowed out). The party nominee ought to be able to carry Indianapolis, the Region and some urban areas, but don't count on southern Indiana unless the national party is willing to dump plenty of television money in the Louisville, Cincinnati and Indianapolis markets. In the case of Brad Ellsworth, being a Blue Dog and a Congressman with a brief resume cannot be a bad thing. He may be the most telegenic candidate in the country next to Sen. Scott Brown, R-Mass. This race doesn't exactly have star power written all over it, but it does look more like a Senate race in the rest of the country than those Hoosiers have watched in the past. ❖



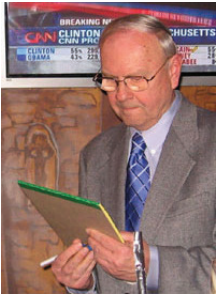
Pondering Bayh's stunning decision

By JACK COLWELL

SOUTH BEND - Let's ponder questions still asked about Evan Bayh's stunning decision to bail out of the Senate race.

Q. Would Bayh have won if he ran?

A. Yes. Though some thought he bailed out because he feared losing, I doubt that. He had the lead, the money, long-time popularity, proven vote-getting ability, a moderate image pleasing to many Hoosier Republicans and independents and a likely Republican opponent, former Sen. Dan Coats, with an image battered unmercifully upon announcement of candidacy.



Q. Does Bayh leaving mean that a Republican is likely to win the Senate seat?

A. Yes. No Democrat selected now by the party's state committee to fill the void will have Bayh's advantages. Advantage now goes to the GOP, ready to do its own unmerciful battering in defining a new Democratic contender and with money sure to cascade in for the Republican in a state still leaning Republican.

Q. So why did Bayh decide not to run?

A. As he said, he does not love Congress. In fact, he hates the partisan poison in the Senate that leaves a middle-of-the-roader seeking constructive compromise in a thankless position. Left-wing Democrats criticize him for being too much like a "heartless" Republican. Right-wing Republicans criticize him for being too much allied with "socialist" Democrats.

Q. But are cynics right in contending Bayh's real reason is to position himself to run for governor again in 2012 in order to pursue an obsession with some day being president?

A. That's a question for which we eventually will have an answer. Kind of like the way we will eventually have an answer to the question of whether Mitch Daniels really is or isn't positioning himself to run for president.

Q. Since Bayh is now a lame duck, is he sure to be

useless during his final year in the Senate?

A. No. Two lame-duck Republican senators, free now of future political concerns, joined to block the threatened filibuster of a jobs bill with tax breaks for small businesses, deciding that they would rather do something for jobs rather than continuing to do a job on the president. Bayh, ever so cautious, could get out front now on some courageous votes he might have hesitated to cast if still seeking reelection.

Q. Will Bayh come to be regarded as a quitter?

A. "Quit" is in the eye of the beholder. Some people like their legislators to quit. It's called term limits. Others think that legislators, after gaining expertise in complicated issues and intricacies of government, should continue as long as voters want them to serve. No matter the view on that, anyone who has admired Bayh's service as governor and as senator certainly has no reason to conclude that he has dishonored that service because of deciding, for whatever reason, to step away now from the Senate.

Q. Did Bayh delay his announcement until it was too late for others to get in the race?

A. Yes. Only he knows when he decided for sure. Apparently he had been thinking about the possibility of not running. My guess is that he did not decide for sure until close to the filing deadline. But in waiting until the very day before petitions for candidacy had to be certified, he

calculated that no additional candidate could get on the ballot. Some more formidable Republican possibilities, such as Congressman Mike Pence, decided earlier not to run for the Senate, figuring at the time that Bayh would be seeking re-election. And Democrats now have the mixed blessing of picking a nominee to fill the vacancy.

Q. Why is it a mixed blessing for Democrats?

A. They can avoid a May primary contest. And they can pick a strong candidate. But the nominee picked by the Democratic state committee, now certain to be Congressman Brad Ellsworth, will be assailed by Republicans as the hand-picked choice of party bosses. Meanwhile, the Republican nominee, likely but by no means certain to be Coats, will triumph in a statewide primary, emerging with enhanced name recognition, with themes and an organization tested and with the news media having focused on primary contenders all bashing the Democratic choice. ❖





The gospel of gambling is heard in the state

By **MORTON J. MARCUS**

INDIANAPOLIS - Many Hoosier ministers are opposed to gambling, but Rev. Derek Dyce is an exception. Although I suspect the reverend got his ordination from an advertisement on a pack of matches, he preaches regularly at the Church of Lucky Lords and Ladies. These were his words during this week's sermon:



Morton Marcus
Column

"The Indiana General Assembly continues to discriminate against our faith; they will not allow two failed casinos in Gary to relocate in a prominent pasture where I-65 meets I-80/94. We are denied convenient, legal places to practice our rites for the holy, voluntary redistribution of money.

"Hoosiers are blessed with two avenues for advancing the

gospel of luck: the lottery and the casinos. Last year alone, Indiana's faithful -- and visiting co-religionists -- donated more than \$732 million to the Hoosier Lottery of which 62 percent, \$453 million, was redistributed to those blessed with luck. Another seven percent, \$50 million, went to nearly 4,000 good business folks, retailers who sell lottery tickets. We garnered \$179 million (25 percent) for good causes: the Build Indiana Fund and retirement funds for teachers', police officers' and firefighters' pensions. The balance was another \$50 million for salaries, wages, advertising, and other contributions to the Indiana economy.

"However, this is the small stuff. These few hundred millions hardly compare to the nearly \$30 billion bet in 13 Indiana casinos. Now, fellow taxpayers, if I understand these numbers, 91 percent of these dollars were returned as winnings to the devout men and women who frequent these palaces of hope. An additional \$876 million (three percent) went to our state and local governments for our benefit.

"Some 93 percent of those winnings came from elec-

tronic gaming devices - known to you and me as 'slots' - the people's prayer machines. Table games, where, in a few select cases, judgment may play a part, accounted for the remaining seven percent. Slots paid out 93 percent in winnings on our bets while table games paid out 81 percent of the money we put down. Doesn't that show how it is better to be lucky than to have some judgment?

"**All this is goodness**, with the greatest rewards going to the lucky, those blessed by the Deity, confirmed by their luck in gracious recognition by Providence. Luck, my friends, not hard work or achievement. Luck, dearly beloved, not service to humanity. Luck, not knowledge, skill, or any form of self-improvement. Luck, indiscriminate luck, random good fortune, the ultimate abnegation of constricting, outdated social values.

"Why then does our state legislature keep gaming, this divine source of income redistribution, from us? Why must we travel to Shelbyville, Evansville, Gary, or Lawrenceburg to make our offerings? Casinos, like the lottery, should be available in every county.

"Have you seen the modern casino? These are magnificent houses of worship where luck is glorified. They sparkle with light and laughter. They are clean and friendly castles. Food and drink are abundant (even if smoking - and thereby freedom - has been curtailed). The sounds are wondrous anticipations of celestial auditory delights.

"All this is endangered by the short-sightedness of the legislature and competition from neighboring states.

"Would it not be just and proper for us to have casinos in Sullivan, Seymour and South Bend? Why should the lucky in Clark and Cass counties be prohibited from enjoying neighborhood casinos? Isn't it time to stomp out the prejudice against heaven-granted luck and allow each to find his or her own path to the glory of wealth?

"And the people all say, 'Roll-em!'"

It was a powerful message, delivered by Rev. Dyce in fewer than 666 words. ❖

Mr. Marcus is an independent economist, speaker, and writer formerly with IU's Kelley School of Business.

The Washington Post
SATURDAY, DECEMBER 29, 2007

"The Best Indiana Political Reporter: Howey Political Report editor Brian Howey."

HOWEY
Politics Indiana



Mark Kiesling, Times of Northwest Indiana:

Once again ceasing to amaze me, the U.S. House ethics committee has concluded one of its own, our very own Rep. Pete Visclosky, did nothing wrong by steering government money toward companies who contributed heavily to his campaigns. I am sure the ethics panel is correct and that Visclosky, a Democrat from Merrillville, did absolutely nothing that would violate any of the House ethics rules. But this begs a much larger question of who is guarding the guards: Are the ethics rules written so they can be loosely interpreted to allow everything but the most egregious shenanigans? And which congressmen were responsible for writing the rules? It's kind of like an indictment, which is to me always a little more suspect than a directly filed criminal charge. In an indictment procedure, a prosecutor presents evidence of wrongdoing to a grand jury, and the "target" of the probe has no right to put up a defense, leading to the old saying among lawyers that the state or government can indict a ham sandwich if it so desires. Or not. Grand juries also are used to "clear" certain people who have been accused of crimes but whom no one in power really wants to prosecute. The prosecutor deliberately puts up a lame case, and a grand jury almost always returns without an indictment. And because the proceedings are secret, no one sees the legal sausage being made. So while I am happy for Visclosky that the House has exonerated him on the ethics violation charges, it's still of concern that the U.S. Department of Justice continues its probe of the congressman's ties with the now-defunct PMA lobbying group. Visclosky was one of PMA's biggest supporters, steering government contracts and money toward the clients of the Virginia firm. In turn, PMA was one of Visclosky's biggest contributors, far surpassing any local donations. It's my guess the Department of Justice is going to be hard-pressed to find any smoking gun linking Visclosky and PMA in some sort of nefarious scheme. And call me cynical if you must, but I don't think last month's death of veteran U.S. Rep. John Murtha, D-Pa., hurt Visclosky's chances of exoneration in any federal forum. Next to Murtha, Visclosky looked like the altar boy and seminary student he once was. ❖

Sylvia Smith, Fort Wayne Journal Gazette: The Democratic Senate candidate will be chosen by the Indiana Democratic Party's 32-member leadership, a fact that has frothed up the Republican media machine ("backroom anointment" and "unfair gamesmanship"). But does it matter to democracy? Are you, a constituent of whoever wins in November, harmed by the process? While you're pondering that, let's review the ways Sen. Evan Bayh's last-minute

announcement provided advantages – and disadvantages – for the two parties and their candidates. By waiting until 24 hours before the first step in a two-part process for getting on the ballot, Bayh ensured there would be no Senate primary battle. Contested primaries have pluses, but they drain resources, are sometimes so brutal that the winner emerges with unrecoverable damage and can fracture the alliances that are essential to winning in November. Even though Indiana law lays out how a ballot vacancy is to be

filled, and the Democratic Party is following that process, the GOP can – and has – colored it as something secretive and possibly even unethical. It's shaping up to be an anti-incumbent, anti-establishment election year, and the GOP nominee has a ready-made ad: "I was chosen by the people; Mr. Democrat was picked in a smoke-filled room by elitists who want to shove a candidate down the throats of Hoosiers." If the Republican nominee is Dan Coats, this kind of commercial would be particularly useful as a way to dilute

his own establishment-favored, Republican National Committee-supported status. While the media (mainstream and social) are focused on the "who" of the Democratic nominee, the outlets are focusing on the "what" of the GOP candidates. This helps define the Republicans in a way more voters are interested in – on economic issues, for instance. Because the Democrats can't formally choose a candidate until after the May 4 primary, it's tough for Brad Ellsworth (almost surely the choice) to be in full campaign mode. On the one hand, he has to start now or lose valuable time; on the other, he will appear arrogant and pushy if he does. ❖

Stephanie Salter, Terre Haute Tribune-Star:

While politicians and the news media focus on the fate of President Obama's version of health care reform, a fascinating (and oh-so-revealing) historical element of the proposal begs for attention: A veiled and very expensive negotiation process led to some extraordinary agreements between the White House and the pharmaceutical industry that were included in the final congressional versions of the overhaul. The saga of how those agreements were reached is expertly laid out online by investigative reporter Paul Blumenthal of the Sunlight Foundation (sunlightfoundation.com). It ought to be mandatory reading for every American over the age of 16 who wants to know how national politics really gets done, no matter which party is in charge. Blumenthal's account of the cozy affair between the Obama administration and Big Pharma already has caught the attention of government transparency geeks – and it should force the left and right fringes to abandon any notions that Obama is an enemy of capitalism. ❖





Obama renews push for health reforms

WASHINGTON - The end game at hand, President Barack Obama took command Wednesday of one final attempt by Democrats to enact bitterly contested health care legislation, calling for an "up or down vote" within weeks under rules denying Republicans the ability to kill the bill with mere talk (Associated Press).



Appearing before a White House audience of invited guests, many of them wearing white medical coats, Obama firmly rejected calls from Republicans to draft new legislation from scratch. "I don't see how another year of negotiations would help. Moreover, the insurance companies aren't starting over," the president said, referring to a recent round of announced premium increases affecting millions who purchase individual coverage. While Obama said he wanted action within a few weeks, Senate Majority Leader Harry Reid, D-Nev., seemed to hint a final outcome could take far longer. "We remain committed to this effort and we'll use every option available to deliver meaningful reform this year," he said. The outcome will affect nearly every American, mandating major changes in the ways they receive and pay for health care or leaving in place current systems that leave tens of millions with no coverage and many others dissatisfied with what they do get. With Republicans united in opposition, there is no certainty about the final result in Congress - or even that Democrats will go along with changes Obama urged on Wednesday in what he described as a bipartisan gesture. With polls showing voters unhappy and Democrats worried about this fall's elections, Obama also sought to cast the coming



showdown in terms larger than health care, which is an enormously ambitious undertaking in its own right. "At stake right now is not just our ability to solve this problem, but our ability to solve any problem," he said. The Senate GOP leader, Mitch McConnell of Kentucky, said a decision by Democrats to invoke rules that bar filibusters would be "met with outrage" by the public. "This is really not an argument between Democrats and Republicans. It's an argument between Democrats and the American people," he said.

Bauer pushes GOP to 'concur' on job fund

WASHINGTON - Lawmakers played legislative chicken Wednesday, with Democrats and Republicans waiting to see who will compromise on issues such as unemployment insurance and job creation by today's self-imposed deadline (Ruthhart, Indianapolis Star). Senate President Pro Tempore David Long, R-Fort Wayne, said the Senate is willing to stay longer -- until the March 14 cut-off date set in law -- if that's what it takes to craft a deal. "The Senate's not going to leave town

without doing our business," Long vowed. But House Speaker B. Patrick Bauer, D-South Bend, who set today as the early deadline to finish the 2010 legislative session, questioned whether a few days would accomplish what two months of talk has not. "If we haven't done this in two months, what hope is there we could do this beyond tomorrow?" Bauer said. "It's better to go home. It's better to say we did our best, and God bless you." He had one word of advice for the Senate: "Concur." House Democrats say they are sympathetic to the plight of businesses -- but want assistance for workers as well (Louisville Courier-Journal). Rep. David Neizgodski, D-South Bend, said Wednesday that he's holding out for expanded eligibility for unemployment benefits and a crackdown on companies that avoid paying into the fund by labeling some employees as contractors.

Daniels appoints Larkin as health commissioner

INDIANAPOLIS - Gov. Mitch Daniels announced Wednesday he has appointed Dr. Gregory N. Larkin, a for-



mer Greencastle family physician who went on to a distinguished 22-year career at Eli Lilly and Company, as the state's new health commissioner. He will replace Dr. Judy Monroe, who is leaving her position March 8 to become deputy director of the Centers for Disease Control and Prevention (CDC) and director of the CDC's newly formed Office of State, Tribal, Local and Territorial Support. The governor has asked Dr. Larkin to continue the state's progress in immunizing children, reporting and reducing medical errors, and changing the health culture of Indiana. Dr. Larkin has served as the chief medical officer for the Indiana Health Information Exchange, which promotes health information technology for the advancement of quality patient and community care, since retiring from Lilly in 2007. He is a recognized expert on health information and technology and will extend Indiana's recognized leadership in that area.

New Goldsmith book on privatization

INDIANAPOLIS - When then-Indianapolis Mayor Stephen Goldsmith held office, he wrote the book on privatizing essential city services to save millions of dollars (WTHR-TV). Now a professor at Harvard University, Goldsmith has written his fourth book on government efficiency. The Power of Social Intervention is something of a survival guide for cities struggling to provide the social services residents need to get educations, homes and jobs. "Most cities in America including Indianapolis have spent a lot of money, not the city itself but United Way and philanthropists and federal agencies, without too many results. So we are trying to find people who make a difference, providing opportunity to folks who are left behind," he said. Goldsmith's book focuses on the success stories of 100 so-called social entrepreneurs in cities across the

country, accomplishing what governments alone could not.

Brown seeks new bill for smoking ban

INDIANAPOLIS - State Rep. Charlie Brown, D-Gary, plans to add exemptions and change the effective date of his proposed statewide smoking ban in order to get it through the reluctant Indiana Senate (Carden, Times of Northwest Indiana). The Democratic-controlled Indiana House last month approved a smoking ban that would prohibit smoking in all indoor locations except gaming facilities. A legislative committee on Tuesday ruled the smoking ban was not germane to Senate Bill 175 and had to come out. The bill makes changes to state health reporting requirements. In a House-Senate conference committee meeting this morning Brown proposed adding the smoking ban to House Bill 1132. That measure includes several health and health care-related proposals. Brown said he is also willing to include other smoking ban exemptions previously recommended by state representatives, including private clubs such as Veterans of Foreign War halls, smoke shops and family-owned businesses with minimal public contact.

Pence seeks Constitutional amendment on debt

WASHINGTON - U.S. Rep. Mike Pence issued the following statement today after joining Representative Jeb Hensarling (R-TX) in introducing a Spending Limit Amendment to the U.S. Constitution: "With our nation facing a fiscal crisis, it is time to fundamentally change the way Washington spends the taxpayers' money. Unless we change course, the public debt will consume the entire economy in less than fifteen years. Runaway spending and record debt will make future generations of Americans less free, less prosperous and less secure. "We have a moral obligation to put

our nation's fiscal house in order. That is why I am proud to introduce the Spending Limit Amendment with Representatives Jeb Hensarling and John Campbell. The Spending Limit Amendment will give the American people a unique opportunity to define the size and scope of the federal government for future generations. I urge the American people, and every Member of Congress, to support the Spending Limit Amendment to the Constitution of the United States."

Hill backs balanced budget amendment

WASHINGTON - U.S. Rep. Baron Hill is an original cosponsor of legislation introduced just yesterday by Congressman Bobby Bright of Alabama that calls for a Constitutional amendment to balance the federal budget. A balanced budget amendment is a key component of the Blue Dog Coalition's recently-introduced Blueprint for Fiscal Reform. "Balancing the budget is something Hoosier families do every day, but unfortunately the federal government doesn't play by the same rules," Hill said. "If Congress cannot police itself on this issue, perhaps an amendment will force us to do so. Balanced budgets have been achieved in the past, and I see no reason why we cannot strive to attain them in the near future."

Hoosier Marine's death being investigated

WASHINGTON - The U.S. military is investigating whether private security guards hired to guard Marines serving in Afghanistan may have killed an Indiana Marine last month. Pentagon spokesman Geoff Morrell confirmed Wednesday that an investigation is under way into the Feb. 19 death of 24-year-old Lance Cpl. Joshua Birchfield of Westville. . WLS-TV in Chicago reported Wednesday that Birchfield's fellow Marines say the guards were Afghans.