



A Hoosier Chief Justice; Bayh declines to confirm

'Nothing personal' says presidential aspirant

By MARK SCHOEFF, JR. in Washington, D.C.

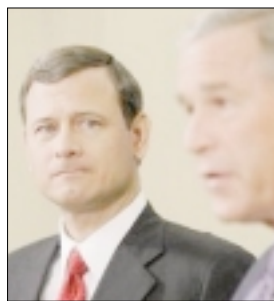
When U.S. Sen. Evan Bayh voted no on John Roberts Jr., he declined to confirm the Hoosier jurist as chief justice of the U.S. Supreme Court without actually opposing him -- a position, whether achieved through conviction or calculation, that neatly answers most of the political challenges facing Bayh on this issue.

As a likely candidate for the Democratic presidential nomination, Bayh could hardly afford to come out in favor of Roberts, a D.C. Circuit Court of Appeals judge who grew up in Long Beach, Ind. He would have set himself apart from most other potential candidates who are opposing Roberts, including New York Sen. Hillary Rodham Clinton and Delaware Sen. Joseph Biden. Influential liberal groups would be sure to remember Bayh's vote during the 2008 primary season.

Roberts was confirmed this morning as the 17th chief justice, the third-youngest in history at age 50, by a 78-22 vote. Sen. Russell Feingold of Wisconsin, another possible Democratic presidential candidate, and Sen. Patrick Leahy (Vt.), the ranking member of the Senate Judiciary Committee, voted for Roberts. Hoosier Sen. Richard Lugar has been effusive in his support of Roberts.

But in giving Roberts a thumbs down, Bayh also is going on record against a fellow Hoosier who is praised for his legal ability, intellect and amicable personality even by his opponents. Although he has received the predictable opprobrium from the Indiana Republican Party for his stance on Roberts, Bayh's approach to the nomination attempts to split the difference as much as possible. Perhaps he won't offend most Hoosiers because he's not opposing Roberts, he's just voting against him.

"Regrettably...I cannot vote to confirm, not because I oppose John Roberts but because we simply do not know enough about his views on critical issues to make a considered judgement," Bayh said in a statement last week. "And that is the standard that must be met for a lifetime appointment to our nation's highest court. When I introduced Judge Roberts at his confirmation hearing, I said that I looked forward to a full and clarifying discussion of his views. Regrettably, that did not happen."



Chief Justice Roberts with President Bush



“Any golfer will tell you that if Chris is playing scratch golf, then he’s working on his game constantly. If he wants to join the PGA, then quit Congress.”

— Democrat Joe

Donnelly, on U.S. Rep. Chris Chocola, cited by *Golf Digest* as tops in Congress

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Brian A. Howey, Publisher
Mark Schoeff Jr., Washington Writer
Jack E. Howey, Editor

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Call 317-254-0535.

The Howey Political Report
PO Box 40265
Indianapolis, IN 46240-0265.

www.howeypolitics.com
BrianHowey@howeypolitics.com

Indianapolis Office: 317-506-0883.
Indianapolis Fax: 317-254-0535.
Washington, DC Office: 202-256-5822.
Business Office: 317-254-0535.

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HPR Poll shows support for Con-Con	p. 3
Daniels freight train on roads, schools	p. 4
Howey: Pence battles for GOP's soul	p. 6
Columnists: Novak, Barnes	p. 7
Horse Race: Craycraft retires	p. 8
Ticker: Souder slams Bush on meth	p. 10



Other Democrats State Reasons for Opposition

Most Democrats criticized the confirmation process for failing to reveal enough about Roberts. Clinton's rhetoric was similar to Bayh's. "I do not believe that the judge has presented his views with enough clarity and specificity for me in good conscience to cast a vote on his behalf," she said in a statement.

But she went on to add more pointed assessments than Bayh offered, saying she feared Roberts would vote with Justices Clarence Thomas and Antonin Scalia in a conservative bloc that would "overturn key rulings like *Roe v. Wade*." She added: "My desire to maintain the already fragile Supreme Court majority for civil rights, voting rights and women's rights outweighs the respect I have for Judge Roberts' intellect, character and legal skills."

Bayh did mention one specific issue: Roberts' statements on equal rights and discrimination against women when he was a White House lawyer in the Reagan administration.

"For example, he argued that a high school student who was sexually harassed by a teacher had no remedy under Title IX; the Supreme Court disagreed with him in a unanimous decision," Bayh said. But he didn't elaborate or extrapolate. Bayh's father, former Sen. Birch Bayh, wrote Title IX of the Civil Rights Act, which prohibits sex discrimination at institutions that receive federal money.

But Biden, a member of the Senate Judiciary Committee who also criticized Roberts for not being more forthcoming, did state a specific reason why he would vote against his nomination.

"Though I and other committee members gave Judge Roberts ample opportunity, in my view he did not provide to the American people any assurances that he embraces fully the Constitution's enduring values when it comes to fundamental constitutional rights," Biden said in a statement. "But because Judge Roberts did not answer my questions or, I would argue, any of your questions fully, and he does not appear to share the same expansive view of fundamental rights of previous nominees I've supported, I'm unwilling to take the constitutional risk at this moment in the court's history."

Sen. Ted Kennedy also found enough in the thousands of Roberts documents that were released to offer specifics on why he would vote against the nominee. "The values and perspectives displayed over and over again in his record cast doubt on his view of voting rights, women's rights,

civil rights, and disability rights," Kennedy said in a statement.

Bayh Sought Fulsome Paper Trail

In an interview on Tuesday with Indiana reporters following a Capitol Hill speech to a group of business leaders from North Carolina, Bayh reiterated that his vote today on Roberts' nomination would not be a vote against Roberts.

"It really is an expression that the process has not told us nearly enough to make an informed decision about a lifetime appointment to lead our nation's highest court," he said. "I simply didn't feel that in good conscience I could reach an informed decision based on the information we have."

The paper trail from Roberts' two years on the appeals court, his experience as a Reagan administration lawyer and his work at a law firm was too thin, Bayh said. He argued that the White House did Roberts a disservice by not releasing documents from his time as deputy solicitor general during the administration of George H.W. Bush.

"Those documents would probably offer the most insight into his thinking and yet these are the very documents that the administration refused to release," Bayh said. "When you're talking about a lifetime appointment to be chief justice, the attorney-client privilege has to be secondary to what are the views of a future chief justice of the United States."

When talking about Roberts, Bayh stresses that his decision is business, not personal. "When it comes to a lifetime appointment to our nation's highest court, a court from which there is no appeal, an appointment that if mistaken the next election cannot correct, I apply a very high standard," he said. With the Roberts confirmation now in the history books, Washington is bracing for a potentially intense political battle over the next Supreme Court opening, the seat that will be vacated by retiring Justice Sandra Day O'Connor.

Will their paths cross again?

With the Senate voting 78-22 this morning to officially confirm Chief Justice Roberts, the notion that Roberts and Bayh crossing paths again with the senator assuming the helm of the executive branch is an interesting one to ponder.

But Indiana's modern U.S. senators -- Birch Bayh, Vance Hartke, Dick Lugar and Dan Quayle -- were never able to pull more than single digits in polls or presidential primaries. And that's where Sen. Evan Bayh finds himself in the earliest 2008 showdown polls. Roberts is to take his oath of office this afternoon. Sen. Bayh is a long, long way from raising his hand with Roberts on the steps of the U.S. Capitol. ❖



U.S. Sen. Evan Bayh



Poll in Marion County shows support for Con-Con Township efficiency gets high marks

By JEFF LEWIS
Teleresearch Corp.

INDIANAPOLIS - HPR commissioned a poll in Marion County by Teleresearch Corp. to measure public opinion on government efficiency and restructuring.

Respondents were asked to rate the three levels of local government -- city, county, and township -- on their respective perceptions of efficiency of each unit of government. Township government received the highest efficiency ratings with 72% of the respondents answering favorably regarding efficiency; 17% answered "very efficient" and 55% answered "somewhat efficient." The lowest rating was the city of Indianapolis with an aggregate efficiency rating of 54% with 9% answering "very efficient" and 45% said "somewhat efficient." Marion County government received an aggregate efficiency rating of 64% with 7% saying "very efficient" and 57% answering "somewhat efficient."

Absorb Township Services

Although 38% of the respondents said county government could absorb township governmental services, 35% answered "not sure." For the county government to absorb township government services, it would require a massive public education program.

Knowledge of Elected Officials

Slightly more of the respondents knew the name of at least one elected township official compared to their knowledge of the name of their current representative on the city-county council by 53% to 51%. However there are far more elected township officials in Marion County than members of the city-county council. The elected official that drew the highest name recognition was their current state representative at 61%

Non-policy County Offices

By a wide margin -- 51% to 32% -- respondents still want to elect the offices of coroner, surveyor, auditor, and recorder.

Consolidation of Public Safety Departments

On the question of merging township fire departments with the Indianapolis fire department, respondents are divided right down the middle at 44% for consolidation with 44% opposed and 12% undecided. On the consolidation of the Marion County Sheriff's department with IPD the margin is not close as 53% are opposed to 41% who favor with only 6% not sure. Mayor Peterson's efforts to make the case for consolidation have not proven effective with the voters of Marion County.

Statewide Non-policy Offices

By an overwhelming margin, there is minuscule support for eliminating the statewide non-policy elective offices of secretary of state, auditor, treasurer, and superintendent of public instruction as 71% oppose their elimination from the ballot.

Constitutional Convention

Although support for a constitutional convention has greater support than opposition by 44% to 34%, a significant number of respondents -- 22% -- answered "not sure."

Summary

The sample's high percentage of Democrats -- 43% -- is reflective of the high level of interest in the dispute between two of the county's top Democrats, Mayor Peterson and Sheriff Anderson. Republican participation in the sample reflects the view that they do not have "a dog" in the struggle between the mayor and the sheriff.

Poll Results Detailed

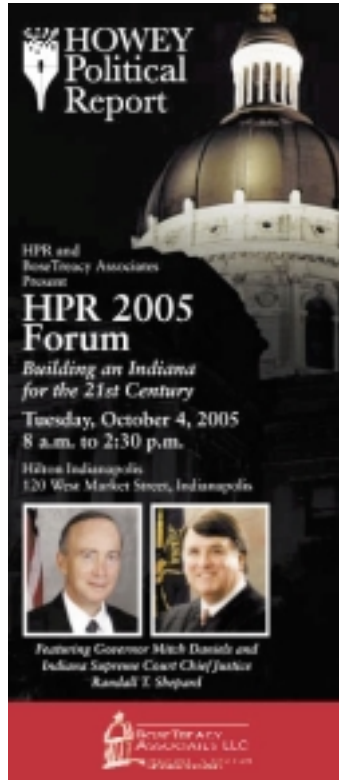
The survey was conducted on Sept. 27 and included 603 responses. It had a margin of error of +/-4%

1. Respondent Political Party Affiliation

Democrat	43%
Republican	24%
Independent	33%

2. Indianapolis Government Efficiency

Very Efficient	09%
Somewhat Efficient	45%
Not Very Efficient	36%
Not At All Efficient	10%



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3. Marion County Government Efficiency

Very Efficient	07%
Somewhat Efficient	57%
Not Very Efficient	29%
Not At All Efficient	07%

4. Township Government Efficiency

Very Efficient	17%
Somewhat Efficient	55%
Not Very Efficient	16%
Not At All Efficient	12%

5. Ability for County Government to Absorb Township Services

Yes	38%
No	27%
Not Sure	35%

6. Ability to Name Their Township Officials

Yes	53%
No	47%

7. Ability to Name Their City-County Council Member

Yes	51%
No	49%

8. Respondents Ability to Name Their State Representative

Yes	61%
No	39%

9. Continue Electing Non-Policy County Offices

Yes	51%
No	32%
Not Sure	17%

10. Consolidation of Township Fire Departments and IFD


Yes	44%
No	44%
Not Sure	12%

11. Consolidation of Marion County Sheriff and IPD

Yes	41%
No	53%
Not Sure	6%

12. Allow Governor to Appoint Non-Policy Executive Branch Cabinet Positions such as Secretary of State, Auditor, Treasurer, and Superintendent of Public Instruction

Yes	22%
No	71%
Not Sure	7%



Tuesday, October 4, 2005
Hilton Indianapolis
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Breakfast - 7:15 a.m. - 8:00 a.m.
Forum - 8:00 a.m. - 2:30 p.m.

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13. Call Constitutional Convention to rewrite Indiana's 1851 State Constitution

Yes	44%
No	34%
Not Sure	22% ❖



Daniels' freight train jumps to highways, roundtable

By BRIAN A. HOWEY

INDIANAPOLIS - With the Indiana General Assembly's sine die last April, key figures in the Daniels administration hinted that the pace of the new governor's "freight train of change" would pick up considerable speed.

It was about five months in coming, but this past week Gov. Mitch Daniels distinctly picked up the pace. He and INDOT Commissioner Tom Sharp unveiled their "Major Moves" transportation agenda. The governor traveled up to Northwest Indiana to help kick off the Regional Development Authority with access to \$10 billion in funding. He announced the leasing process would begin for the Indiana East-West Toll Road. On Wednesday, he chaired his first Education Roundtable, in which he pledged to devote "more to practice than to policy" (*Indianapolis Star*). "You can look forward to seeing people who are achievers helping Hoosier kids achieve their potential. We'll be finding the good and praising it in Indiana education."

While education is certainly a crucial building block, it was the roads and highways outside the schools on which Daniels spent much of the week emphasizing their importance. The normally glib and ad-libbing governor actually wrote his speech on paper when announcing Major Moves.

"We cannot achieve a top-tier economy without a top-tier transportation system," Daniels said in his office, which was packed with reporters, legislators and transportation industry officials. "To make sure that no Hoosier community is left behind, and that Indiana maximizes its opportunity to become the nation's logistics and distribution capital, we must make major moves and bring into being a system of roads, bridges, rail lines, ports and airports second to none."

During the 2004 campaign, Gov. Joe Kernan blasted Daniels for seeking tolls. On Monday, Gov. Daniels was proposing toll roads and leasing highways. "The more creative and aggressive we are, the more we can build and the

sooner we can begin reaping the benefits in jobs and dollars that our major moves will trigger. Very little of this will happen on a business as usual basis. Without new approaches that will stretch dollars and access new funding sources, only a fraction of these projects will happen within the next decade."

There will be a political showdown. House Minority Leader B. Patrick Bauer, who opposed the now-doomed New Carlisle coal gassification plant Daniels tried to get passed

through the St. Joseph County Council, gave Daniels an "A for creativity, a C- for practicality." State Rep. Win Moses Jr. called it "old wine in a new bottle at a higher price" (*Fort Wayne Journal Gazette*). Indiana Democratic Chairman Dan Parker assailed the potential leasing of the toll road by conjuring fears of foreigners. "If Mitch Daniels thinks that foreign investors from Spain and Australia are going to have the best interests of Hoosier motorists at heart, he's going to be in for a big surprise," Parker said.

Even freshman Republican State Rep. Bill Davis fretted that "we are leaving rural areas behind" (*Muncie Star Press*). But Ben Ramsey of the Indiana Building Trades Council and an ally of Democratic governors,

told HPR that Major Moves is "a good start. I'm sure there is plenty of good in here."

Back on the education front, while the governor promised praise, he appeared to scold educators during his speech before the Indiana Association of Cities and Towns at Fort Wayne, saying, "The totally provincial thinking in Indiana where what's good for someone else is bad for me has got to go. I'm losing patience with people ... who jack up taxes 10 or 15 percent at the same time they're whining about a lack of state money" (*Fort Wayne Journal Gazette*). "I'm not talking about you," saying the biggest driver of property tax increases is school corporations.

Daniels used the IACT speech to praise Democratic Mayors Graham Richard of Fort Wayne and Bart Peterson of Indianapolis -- a potential 2008 rival -- for their government consolidation exploration.

"Do we need all the government we have now?" Daniels asked. "No, we don't." ❖



INDOT Commissioner Tom Sharp (left) and Gov. Mitch Daniels announce their "Major Moves" initiative on Monday. (HPR Photo by Brian A. Howey)



Pence struggles for GOP soul

By BRIAN A. HOWEY

INDIANAPOLIS -- When Mike Pence was a Hoosier radio show host and HPR was just launching back in 1994, he was a "conservative, but in a good mood about it." His party stood for low taxes, term limits, balanced budgets, curtailment entitlements, and wars that would be fought with enough resources that they couldn't be lost.

While Americans see the most prolific storms -- Hurricanes Katrina and Rita -- mauling the south coast, it is Rep. Mike Pence who finds himself in the eye of the storm, waiting it out in then-House Majority Leader Tom DeLay's woodshed.



Dana Milbank of the *Washington Post* captured what she described as a Pence with a "hunted" look on his face, heading down Capitol Hill to address the Young American's Foundation on Monday. Pence was to have given a speech on "why the conservative leadership in Congress has abandoned its allegiance to the principles of smaller government."

But Milbank reported: instead, a chastened congressman delivered unstinting praise for his superiors. "I believe in the leadership of this Congress," Pence told his surprised audience. "I believe in the men and women who lead the House of Representatives and the Senate. I see them as men and women of integrity and principle, who work every day to bring the ideals of our Founders into the well of the people's house." To the further surprise of his YAF hosts, Pence left the room without the promised Q&A.

"Unfortunately, the congressman will be unable to answer questions today," a befuddled young host ad-libbed. "But we are going to have a door prize."

A day before he had been upbraided in a closed door meeting with House Speaker Dennis Hastert and DeLay. A day later Majority Leader DeLay was indicted.

The American Conservative Union had a different take on the speech. It noted that Pence told the YAF, "The conservative movement is at a crossroads in America. As the Republican Party did 40 years ago, today is another time for choosing whether we are committed to the ideals of limited government, fiscal discipline and traditional moral values or whether we will continue to sacrifice those principles on the altar of preserving our governing majority."



Rep. Pence

For that, the ACU passed a resolution expressing its "grave concern that the Republican Party has abandoned its traditional belief that the individual has supremacy over the state. Big government, in the hands of any party, threatens the rights and privacy of that individual. In the hands of the GOP, the federal government has grown bigger and faster in the last five years than during any previous five year period since The New Deal, and the GOP's current leadership has forgotten the populist legacy of Ronald Reagan."

The ACU resolution applauded "the efforts of Congressman Mike Pence, and other true conservatives, to curb the dangerous growth of government spending and regulation. As strongly as we support Congressman Pence, we just as vehemently oppose Speaker Hastert and other defenders of the status quo and urge them to remember that the GOP only became the majority governing party when it rejected Nelson Rockefeller's liberal wing of the Republican Party and instead embraced the courageous conservative leadership of Ronald Reagan."

On Wednesday, Pence took to the House floor not quite as chastened as earlier in the week and explained, "Katrina breaks my heart. When I consider the tragic aftermath of this extraordinary storm, I can't help but think of that verse in the Bible that speaks of how the rains came down, the winds blew and beat against the house, the flood waters rose and the house fell with a great crash."

Pence continued, "Congress is now involved in a critical debate about relief and rebuilding and how we will pay for what could be hundreds of billions of dollars in recovery and reconstruction of the Gulf Coast. Last week House conservatives offered their own plan, a series of budget cuts simply known as Operation Offset. It contained many good ideas and it seems to have engendered an important debate here in Washington, D.C. and all around the country. It seems that Members of Congress know and the American people know that raising taxes or raising the national debt is no way for this national government to respond to the extraordinary costs of Katrina. We must ensure that a catastrophe of nature does not become a catastrophe of debt for our children and grandchildren, through introducing tough budget cuts like Operation Offset."

The rain lashes at the House, which does, indeed, stand to fall. A hide is tanned in the woodshed and a Novak column (see page 7).

Pence, it seems, is learning that it is harder to govern, on principle, than to attack the high-spending, corrupt liberals on the campaign trail. ❖



Fred Barnes, *Weekly Standard* - Small government conservatives have revolted against President Bush and the Republican leadership of the Senate and the House. Their goal, with hurricane recovery costs soaring, is what it's always been: to hold down spending and restrain the growth of government. It is an impossible dream, or close to impossible. The small government brigade is a distinct minority in Congress. Their strength is outside Congress. They reflect the anxiety of the Republican Party's base, conservatives and moderates both, over the uncontrolled spending and massive expansion of government following hurricane Katrina. "The base is killing us," a Republican senator says. There's another source of strength for small government conservatives. One congressional Republican says an old adage of Newt Gingrich is applicable: Never assume that anybody is organized or there's a grand plan that's in effect. The president is concentrated on emergency relief and recovery in Louisiana, Mississippi, and Texas. Congress is in disarray. But small government conservatives do have a plan, actually two plans, for paying for a portion of the hurricane costs by offsetting spending cuts. In the House, the conservative Republican Study Committee proposed "budget options" that would cut spending by as much as \$102 billion in one year. The RSC scheme would delay the start of the Medicare prescription drug benefit, scheduled for Jan. 1, for at least one year. Led by Republican representative Mike Pence of Indiana, RSC leaders met last week with Josh Bolten, the White House budget director, and with House Republican leaders, who rejected their plan as politically unrealistic, which it is. A series of expensive measures championed by Bush and passed by Congress--the farm, highway, and energy bills, for instance--has caused the anger of small government conservatives to simmer. In the House, 25 Republicans voted against the Medicare drug benefit in 2003, nearly prompting its defeat and alienating the White House and party leaders in Congress. Nonetheless, most of the 25 remain proud of their "no" vote. Sununu voted against the Medicare, energy, highway, and farm bills. Yet he's been skillful in maintaining his ties to the White House and Senate leaders. The RSC's Pence hasn't been. Indeed, he is loathed by Bush aides and House Republican leaders. They blame him for going to the press with proposed spending cuts before coming to them, cuts they insist can't get more than a few dozen votes. They claim he has set the bar so high for cuts that anything short of \$100 billion, which Congress might actually approve, will appear puny. Perhaps, but the real effect of the RSC's hype of spending restraint is that serious cuts (or "offsets") are now far more likely. ❖



Robert Novak, *Chicago Sun-Times* - Rep. Mike Pence, a 46-year-old former radio talk show host from eastern Indiana serving his third term in Congress, is currently chairman of the conservative Republican Study Committee (RSC). He has tried hard to cooperate with the regular House Republican leadership rather than confront it. So, he could not have been happy last Tuesday when he found himself in a closed-door autodafe, with GOP leaders as the inquisitors and Pence as the heretic. Pence and the RSC's heresy was to propose that massive federal outlays resulting from Hurricane Katrina be offset by reduced spending elsewhere. Specifically, they requested offsets to cut highway projects earmarked by individual House members, and a delay in implementing President Bush's new Medicare prescription drug subsidy. The negative reaction by the leadership was reflected when Pence, offered a seat at a later meeting, explained that he would be more comfortable standing because House Speaker Dennis Hastert had just tanned his hide. Neither President Bush nor congressional leaders will tolerate tampering with the drug subsidy, the president's least popular initiative among conservatives. While the White House would be happy to see some highway pork eliminated, the House leaders absolutely refused. At stake here is a basic disagreement over the philosophy of government within the Republican Party as it nears the end of its 11th year controlling the House of Representatives. Hastert believes it is not just the privilege but the duty of a House member to deliver federal projects to his constituents. Many younger conservatives could not disagree more, but most -- like Pence -- are loyal Republicans who are loath to criticize their leaders. Pence was one of only 25 Republicans to vote against the drug subsidy in 2003. Flake believes big government is addictive. "The leadership hooks the new members when they come into Congress," Flake told me, "and they stay hooked." Pence was far more discreet in Tuesday's session with his party's leadership, but that did not save him a going over, led by two powerful committee chairmen: Rep. Don Young (Transportation Committee) and Rep. Bill Thomas (Ways and Means Committee). The harshest treatment of Pence, however, was administered by House Majority Leader Tom DeLay, who does not like his rank-and-file members depicting a free-spending Republican Party. There was more of the same from the leadership at Wednesday's closed-door House Republican Conference. Pence was not asked to speak on behalf of the RSC, and he did not volunteer. But later Wednesday, RSC members in a press conference unveiled Operation Offset, an attempt to cut earmarks and reduce the drug subsidy bill. Pence offered to delay his \$26 million highway earmark for Muncie and Anderson in eastern Indiana. ❖



Bayh hits the campaign trail

TRENDLINE: U.S. Sen. Evan Bayh hit the presidential campaign trail again this week -- at least figuratively (Schoeff, *HPR*). He spoke on Tuesday at a North Carolina Chamber of Commerce event on Capitol Hill, which drew 125 people. In 20 minutes of remarks and Q&A, Bayh touted his education and fiscal record as governor, outlined challenges the United States faces competing in a global economy, warned of the dangers of U.S. budget and trade deficits and addressed national security and terrorism.

His presentation featured anodyne platitudes ("We need leaders who will bring us together, who will forge consensus in finding common ground...") and analyses of political economy as he described why the value of the dollar may drop ("[The] Chinese are absorbing so absorbing so much of our debt [that] eventually it's a matter of risk diversification and portfolio theory...they're going to look elsewhere--to the euro, the yen--when they want to start purchasing paper.")

But for one member of the audience, Bayh's intangibles, rather than his policy stances, are what makes him an attractive presidential candidate.

"I liked the calmness of Evan Bayh," said David Johnson of Smithfield, North Carolina, who says he's conservative and usually votes Republican. "He had a very good demeanor and confidence. I liked his conservative nature for a Democrat. He did not have that partisan feel."



Indiana 2006 Congressional

Congressional District 2: Republican: U.S. Rep. Chris Chocola. Democrat: Ed Cohen, Joe Donnelly.

Geography: South Bend, Michigan City, Mishawaka, Elkhart, Kokomo, Plymouth, Logansport; LaPorte, St. Joseph, Starke, Marshall, Pulaski, Fulton, Cass, Carroll and parts of Howard, Porter, Elkhart and White counties. **Media Market:** South Bend-Elkhart, Indianapolis, Lafayette, Chicago. **People:** Urban/rural 73/27%; median income\$40,381; Poverty 9.5%; Race 84% white, 8% black; 5 Hispanic; Blue/white collar: 34/50%. **2000 Presidential:** Bush 53%, Gore 44%; Cook Partisan Voting Index: R+5; **2002 Result:** Chocola 95,081 (50%), Long Thompson 86,253 (46%); **2004 Result:** Chocola 140,496 (54%) Donnelly (D) 115,513 (45%) **2006 Forecast:**

Donnelly isn't pulling any punches this time around in his quest to unseat Republican incumbent Chris Chocola for the 2nd District congressional seat (*LaPorte Herald-Argus*). In his campaign kickoff speech at the South Bend Democratic Headquarters, Donnelly ripped the two-term congressman for "working harder on his golf game at the country club than he is on the real needs of his constituents." Chocola was featured in the October edition of Golf Digest as being the best golfer in Congress. It's a title that Donnelly, 49, of Mishawaka, plans to use to his political advantage in his second run at Congress. He lost to Chocola, 54 to 45 percent, in the November 2004 election. Donnelly did, however, get more votes than Chocola in LaPorte County. "Any golfer will tell you that if Chris is playing scratch golf, then he's working on his game constantly. If he wants to join the PGA, then quit Congress," he said. "I won't be a good golfer in Congress. I'm a triple-digit golfer on a good day. But I assure you I will be in my office every day (if elected)." **Status:** *Leans Chocola*

2006 State Races

Senate District 23: Republican: State Sen. Joe Harrison, State Rep. Tim Brown, Hendricks County Councilman Dick Thompson. Democrat: Open. **1998 Results:** Harrison (R) 21,175 Shelby (D) 11,436. **2002 Results:** Harrison 23,811. **2006 Forecast:** As we reported last week, former Sen. Dick Thompson has entered this race. He is another local official who is challenging an incumbent legislator in a Republican primary. We believe, and local sources confirm, that Harrison's age makes him vulnerable. Yes, he could win, but he is going to face an arduous primary challenge no matter what. His best scenario is that there is more than one credible challenger. **Status:** *TOSSUP*.

Senate District 26: Republican: Andrew Phipps. Democrat: Lewis Colter. **1998 Results:** Craycraft (D) 16,824, Wenger (R) 13,414. **2002 Democratic Primary Results:** Craycraft 9,653. Dixon 2,288. **2002 General Results:** Craycraft (D) 16,939, Phipps (R) 16,330. **2006 Forecast:** After seven terms and 27 years at the Indiana Statehouse, veteran state Sen. Allie Craycraft said it was time to stay home (*Muncie Star Press*). "I have thought about it more this year than any other time," said the Selma Democrat, who announced Monday he would not seek re-election in 2006. "I just wanted to spend time with my family." Craycraft, 73, who narrowly won re-election in 2002, was accompanied by his wife, Juanita, and two of their seven children, Steve Craycraft and Cindy Harty, as he ended political speculation by announcing he would retire at the end of his current term. The suddenly wide-open race for the Indiana



Senate seat representing District 26 won't impact the 33-17 political majority Republicans now hold in the Senate (*Muncie Star Press*). But one more seat held by Republicans could allow a two-thirds majority, meaning Democrats would not be needed for a quorum. "One more seat is a dangerous point," said Sen. Craycraft. "To have good representation, you need two parties." Local Democrats were not ready on Monday to name a possible candidate to succeed Craycraft. Retired teacher Andrew Phipps, who came within 602 votes of beating Craycraft in 2002, intends to seek the Republican nomination. "I was told this was going to be the number-one challenged race in the state," said Phipps, 63, who also hosts gospel music programs on area television and radio stations. He was confident of Republican Party support to again win the GOP nomination. He already has been raising money and renewed a campaign organization for 2006. Luke Messer, executive director of the Indiana Republican Party, said District 26 was being looked at as a targeted race before Craycraft's announcement. Now the state party will work even harder to gain the seat. While Phipps has to be considered a front-runner in the primary, Messer said an open seat always broadens the list of candidates. No other Republican candidates have surfaced so far, according to Kaye Whitehead, Delaware County Republican Central Committee chairman. Craycraft's son, Steve, a county police investigator who has run for sheriff, said Monday he was not a candidate for his father's seat. Lewis Coulter, a local restaurant and bar owner, recently talked to Craycraft about seeking the seat if Craycraft retired. Coulter, a Democrat who has run unsuccessful campaigns for county commissioner and mayor, said Monday he had not decided whether he would enter the senate race. **Status:** TOSSUP.

House District 20: Republican: State Rep. Mary Kay Budak, LaPorte School Trustee Tom Dermody. Democrat: Open. **2002 Results:** Budak 12,551, Gillon (L) 2,540. **2004 Results:** Budak 12,944, Spevak (D) 10,013, Schadowsky (L) 1,038. **2006 Forecast:** Rep. Budak, R-LaPorte, asked RDA Chairman John Clark at its inaugural meeting to sell her on the idea of LaPorte County joining the RDA "without getting swallowed up by Lake County" (*Times of Northwest Indiana*). Clark said the economic benefits of the RDA will extend "beyond the borders of Lake County." He said if the RDA is successful, he hopes eventually to include the entire northern tier of counties within it. **Primary Status:** Tossup

House District 48: Republican: State Rep. Timothy Neese, Elkhart County Council President John Letherman. Democrat: Open. **2002 Results:** Neese (R) 10,251, Carter (D) 5,248. **2004 Results:** Neese (R) 18,241. **2006 Forecast:** Neese, R-Elkhart, expressed cautious optimism about Gov. Daniels' Major Moves plan, which could lease the Indiana Toll

Road (*Elkhart Truth*). "I think it is important for us to allow it to develop and to find out all of the details before fully supporting the plan," he said in a prepared statement. "Desperate economic times call for innovative and bold plans." **Status:** *Leans R.*

House District 21: Republican: State Rep. Jackie Walorski. Democrat: Open. **2002 Results:** Mangus 10,722. **2004 Results:** Walorski 13,753, Kaser (D) 7,737. **2006 Forecast:** Rep. Walorski, R-Lakeville, said she needs some convincing about parts of the plan, particularly the possible lease of the toll road. But she said she wants to give Daniels the option of exploring the idea to see what interest it attracts from potential investors (McFarley, *Elkhart Truth*). "I probably have more questions than anyone about leasing," she said after the news conference. "I'm proceeding with caution." **Status:** *Leans R*

House District 33: Republican: State Rep. Bill Davis. Democrat: Ron Liggett. **2002 Results:** Liggett (D) 9,143, Thornburg (R) 6,895. **2004 Results:** Davis 13,330, Liggett 10,924. **2006 Forecast:** Rep. Davis raised concerns Tuesday that rural communities lost out to larger urban areas and the state's plan to complete the I-69 corridor through southern Indiana (*Muncie Star Press*). In the Greenfield highway district, much of the work is targeting I-465 in Marion County and other connecting interstates. "We are leaving the rural areas behind," he said. "I still expect to see a number of changes in this program." Davis said he liked the idea of toll roads but opposed raising gasoline taxes. **Status:** *Tossup.*

House District 69: Republican: Billy Bright. Democrat: Gerry Michl, Dave Cheatham. **2002 Results:** Lytle 9,777, Newell 7,678. **2004 Results:** Bright 12,639, Lytle 11,018. **2006 Forecast:** State election officials voted to fine state Rep. Bright for failing to report \$3,000 in contributions during the waning days of last year's campaign. Bright, a North Vernon Republican, defeated long-time Democratic lawmaker Markt Lytle of Madison, helping Republicans take control of the Indiana House last year (Weidenbener, *Louisville Courier-Journal*). The bipartisan Indiana Election Board could have fined him more than \$3,000 for his four violations. But instead it settled on roughly a tenth of that amount. Members decided he had made a freshman mistake and essentially let him off the hook. "We were just late," Bright told the committee. "We don't have an excuse." Near the end of last year's campaign, Bright failed to report three contributions of \$1,000 within 48 hours, as required by law. The donations came from the Terre Haute-based group All Children Matter; the Volunteer Political Action Committee, based in Tennessee; and Noah Sodrel of New Albany. "It won't happen again," Bright told the board. "We'll be sure of that." **Status:** *Leans D.*





Messer slams Bayh vote on Roberts

INDIANAPOLIS - State Rep.

Luke Messer, Executive Director of the Indiana Republican Party issued the following statement following the successful confirmation

of Hoosier native John Roberts as the 17th Chief Justice of the United State Supreme Court: "I would like to extend a hand of congratulations to John Roberts on his successful confirmation as Chief Justice of the U.S. Supreme Court. He will make our country proud by carrying on the Rehnquist tradition. I, along with Hoosiers across Indiana, am proud to call him a fellow Hoosier. Those voting against John Roberts, including John Kerry, Hillary Rodham Clinton, Ted Kennedy, Barbara Boxer, and Indiana's Junior Senator Evan Bayh, are clearly not in line with Hoosier Values."



Souder calls for Bush officials to resign

WASHINGTON - House members on both sides of the political aisle are frustrated and angry with the White House. But it has nothing to do with the war in Iraq or the administration's response to Hurricane Katrina (*Desert Morning News*). Rather, a caucus of 127 representatives — more than one-fourth the entire House — is demanding the Bush administration pay more than lip service to the nation's growing methamphetamine epidemic. Rep. Mark Souder, R-Ind., chairman of the Government Reform Subcommittee on Criminal Justice and Drug Policy, was livid, saying administration officials did not answer their questions and were

"pathetic" in their defense of "what they call a national strategy." And if they continue in that defense, "it's time for top people to resign," he said.

Auditors accuse Carraway of misuse of funds

INDIANAPOLIS - State auditors have accused former State Police Superintendent Melvin Carraway and his cousin Cody Johnson of inappropriately using \$141,234 for a private police memorial. A 72-page audit report released Wednesday details numerous financial and accountability problems within the department under Carraway's watch -- from misuse of state-issued credit cards to paying a consultant \$362,490 more than a contract called for (*Indianapolis Star*). Auditors with the State Board of Accounts also suggested that Carraway and Johnson, who have retired from the State Police, might have manipulated their retirement forms after the November gubernatorial election to get more benefits. Since both worked in the administration of Democratic Gov. Joe Kernan, the election of Republican Gov. Mitch Daniels all but ensured they would lose their jobs. Lawyers for Carraway and Johnson denied all of the accusations in a response included with the audit. They said there's no evidence they manipulated their retirements. As for the rest of the allegations, lawyers said the State Police leaders' actions weren't illegal and they didn't know anything wrong was going on.

Hammond Council votes to keep health department

HAMMOND - The embattled Hammond Public Health Department will live to see another year, but Mayor Thomas McDermott Jr. vowed to try cutting it again in 2007 (*Times of Northwest Indiana*). As about 100 spectators watched, the City Council voted

6-3 to retain the department while cutting \$68,000 from its 2005 budget.

Jobless claims tumble

NEW YORK - New unemployment claims tumbled last week even though workers idled by Hurricane Katrina sought compensation. Initial claims for jobless benefits fell by 79,000 to 356,000, after seasonal adjustments, in the week that ended Sept. 24, the Labor Department said Thursday (*Wall Street Journal*). But the four-week average of new claims last week climbed to 385,500 from 377,000, reflecting the impact of Katrina. The number of new jobless claims filed nationwide last week was much smaller than Wall Street had expected. The median estimate of 14 economists surveyed by Dow Jones Newswires and CNBC was for claims to fall by just 2,000 to 430,000 for the week ending Sept 24. Initial jobless claims for the prior week, ending Sept. 17, were adjusted upward to 435,000. Originally, claims for that week were reported at 432,000. New claims totaled 424,000 for the week of Sept. 10 and 327,000 for the week of Sept. 3.

3.3 percent GDP

WASHINGTON - The Department of Commerce today left its estimate of 3.3 percent GDP growth in the second quarter unchanged, in line with analysts expectations. The *Wall Street Journal* adds, "Inflation gauges for the second quarter were revised slightly higher. The government's price index for personal consumption rose 3.3%, up from the previous estimate for the quarter of 3.2% and well above the first quarter's 2.3% climb. The PCE price gauge excluding food and energy rose 1.7% in the second quarter, up from the previously estimated 1.6% but below the first quarter rate of 2.4%." ❖