



The Miller/Wenhold Political Report

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In Focus

As lobbyists we are blamed for all the problems you see in Washington. It's an easy sell with the corruption and stalemate we've seen over the past few years. Simply put, we are an easy target for everyone, but the reality is we are a necessary part of the process. I know some would like to ban our existence. Part of me wishes that would happen for a year just so we could see the system collapse.



I hear it everyday how the system would be better without lobbyists. I ask how? Who would be here making sure your issues are addressed? Who would be here talking about your issues? Who would be here making sure funding gets to your cause? Are citizens prepared to quit their jobs and leave their families for extended periods of time to travel to Washington to advocate for their issues? I doubt it.

We don't get positive or honest reporting about our profession unless we write it ourselves, so this is why we wanted to reprint Mr. Krauthammer's article as it tells the real story of lobbying.

The entire article can be found at www.washingtonpost.com

In Defense of Lobbying

By Charles Krauthammer

Friday, February 29, 2008; A19

Everyone knows the First Amendment protects freedom of religion, speech, press and assembly. How many remember that, in addition, the First Amendment protects a fifth freedom -- to lobby?

Of course it doesn't use the word lobby. It calls it the right "to petition the Government for a redress of grievances." Lobbyists are people hired to do that for you, so that you can actually stay home with the kids and remain gainfully employed rather than spend your life in the corridors of Washington.

To hear the candidates in this presidential campaign, you'd think lobbying is just one notch below waterboarding, a black art practiced by the great malefactors of wealth to keep the middle class in a vise and loose upon the nation every manner of scourge: oil dependency, greenhouse gases, unpayable mortgages and those tiny entrees you get at French restaurants.

Lobbying is constitutionally protected, but that doesn't mean we have to like it all. Let's agree to frown upon bad lobbying, such as getting a tax break for a particular industry. Let's agree to welcome good lobbying -- the actual redress of a legitimate grievance -- such as protecting your home from being turned to dust to make way for some urban development project.



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There is a defense of even bad lobbying. It goes like this: You wouldn't need to be seeking advantage if the federal government had not appropriated for itself in the 20th century all kinds of powers, regulations, intrusions and manipulations (often through the tax code) that had never been presumed in the 19th century and certainly were never imagined by the Founders. What appears to be rent-seeking is thus redress of a larger grievance -- insufferable government meddling in what had traditionally been considered an area of free enterprise.



Good lobbying, on the other hand, requires no such larger contextual explanation. It is a cherished First Amendment right -- necessary, like the others, to protect a free people against overbearing and potentially tyrannical government.

What would be an example of petitioning the government for a redress of a legitimate grievance? Let's say you're a media company wishing to acquire a television station in [Pittsburgh](#). Because of the huge federal regulatory structure, you require the approval of a government agency. In this case it's called the [Federal Communications Commission](#).

Now, one of the roles of Congress is to make sure that said bureaucrats are interpreting and enforcing Congress's laws with fairness and dispatch. All members of Congress, no matter how populist, no matter how much they rail against "special interests," zealously protect this right of oversight. Therefore, one of the jobs of the chairman of the Senate Commerce Committee is to ensure that the bureaucrats of the FCC are doing their job.

What would constitute not doing their job? A textbook example would be the FCC sitting two full years on a pending application to acquire a Pittsburgh TV station. There could hardly be a better case of a legitimate "petition for a redress" than that of the aforementioned private entity asking the chairman of the appropriate oversight committee to ask the tardy bureaucrats for a ruling. So the chairman does that, writing to the FCC demanding a ruling -- any ruling -- while explicitly stating that he is asking for no particular outcome.

This, of course, is precisely what [John McCain](#) did on behalf of Paxson Communications in writing two letters to the FCC in which he asked for a vote on the pending television-station acquisition. These two letters are the only remotely hard pieces of evidence in a 3,000-word front-page [New York Times](#) article casting doubt on John McCain's ethics.

Which is why what was intended to be an exposé, turned into a farce, compounded by the fact that the other breathless revelation turned out to be thrice-removed rumors of an alleged affair nine years ago.



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It must be said of McCain that he has invited such astonishingly thin charges against him because he has made a career of ostentatiously questioning the motives and ethics of those who have resisted his campaign finance reform and other measures that he imagines will render Congress influence-free.



Ostentatious self-righteousness may be a sin, but it is not a scandal. Nor is it a crime or a form of corruption. The Times's story is a classic example of sloppy gotcha journalism. But it is also an example of how the demagoguery about lobbying has so penetrated the popular consciousness that the mere mention of it next to a prominent senator is thought to be enough to sustain an otherwise vaporous hit piece.

Free advice to the K Street crowd: Consider a name change. Wynum, Dylum and Bindum: Redress Petitioners.

On The Hill

FISA:

The continued debate about the Foreign Intelligence Security Act wages on in Congress. Some members in the House have recently petitioned for a secret, closed-door session in order to increase the number of Members of Congress who will be briefed on the classified aspects of the bill. The debate is now other than that suggestion, with some Members saying that the more Members who know the details, the better. Others are stating that it is impractical and that the current Members in the know are sufficient.

Higher Education Reauthorization:

The House of Representatives passed its version of the Higher Education Reauthorization bill, H.R. 4137, the College Opportunity and Affordability Act. The Senate had acted on and passed its own bill in July 2007. Congress will now create a conference committee to come together and build a bill which will eventually be sent to President Bush for his signature or veto. The conference committee should be named shortly.

Baseball and Steroids:

In response to the report issues by former Senator George Mitchell on the use of steroids in Major League Baseball, Congress held hearings to decide truthfulness and fact. Called to testify were such baseball luminaries as Roger Clemens, Chuck Knoblauch, and Andy Pettitte. In addition, former Clemens trainer McNamee also testified on the usage. The Senate has introduced a bill limiting the use of human growth hormones (HGH); however, at least one senator has placed an anonymous hold on the bill. That hold will remain secret for up to six session days before it becomes public. The HGH bill is supported by the heads of the NFL and MLB.



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Congressional Republicans Walk Out:

In the never-ending saga of the White House vs. Congressional Democratic debate over Congress' power to demand testimony from Executive Branch officials, House Republicans staged a walkout in the middle of the day on Thursday, February 14th. Upset over the House vote on contempt charges for former White House counsel Harriett Miers and White House Chief of Staff Josh Bolten, the House GOP left, instead stating that the House should be focused on the upcoming FISA debate.



On The Trail

House of Representatives

Utah-02

Josh Romney, son of ex-presidential candidate Mitt Romney, is considering a run for the House against Democrat Rep. Jim Matheson in Utah's second congressional district. If he runs, the younger Romney will draw on the experiences he gained while working on his father's unsuccessful presidential bid.

Maryland-04

Attorney Donna Edwards defeated eight-term Rep. Albert Wynn in the Democratic primary on February 12th. Edwards narrowly lost to Wynn in 2006 and, according to some pundits, rode a wave of Obama voters to victory. Obama's message of change was one that Edwards tried and seemingly capitalized upon.

New Jersey-05

Incumbent Republican Congressman Scott Garrett will most likely face psychologist Dennis Shulman in November for the right to represent the people of the 5th District of New Jersey. Shulman, who is blind and not only a psychologist but also a rabbi, has secured the endorsement of former NATO Supreme Allied Commander and one-time presidential candidate Gen. Wesley Clark.

Georgia-05

Longtime activist and Congressman John Lewis is facing a primary challenge in his Atlanta-based 5th congressional district. Thirty year old minister Markel Hutchins will be facing off against Lewis in the hopes of representing the district. According to Hutchins, he is challenging the Democratic icon because of Lewis' support for Hillary Rodham Clinton in her presidential bid. Barack Obama won the district about close to a 3-1 margin. Hutchins is a proclaimed Obama supporter and believes that Obama's version of change is necessary for America. However, in recent days, Rep. Lewis has switched his endorsement from Mrs. Clinton to Mr. Obama. Time will tell if that spells the end to Hutchins' congressional bid.



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United States Senate

ALASKA

Senator Ted Stevens, who first came to Washington almost 40 years ago, quite possibly may be facing his toughest battle yet. Democratic Anchorage Mayor Mark Begich has announced that he is creating an exploratory committee, the first step in his quest to unseat the 84-year old lawmaker. Federal authorities are investigating whether a corporation that did remodeling work on the Senator's home act improperly with state contracts. Also targeted in the probe are the Senator's son (a former state senator) and current Alaska U.S. Rep. Don Young.



MINNESOTA

Comedian Al Franken continues his quest to be the Democratic nominee for Senate. His primary challenge is Mike Ciresi, a millionaire attorney, who has contributed a considerable amount of money to his own campaign. Franken has picked up the support of the SEIU Minnesota State Council which will most likely assist his campaign organization and Get Out The Vote (GOTV) efforts.

NEBRASKA

In the seat being vacated by retiring Senator Chuck Hagel, rancher and history professor Scott Kleeb has announced his candidacy, setting up a primary battle between him and business Tony Raimondo. Kleeb ran against GOP Rep. Adrian Smith in 2006 and lost by only ten percentage points. That congressional district is fairly solidly conservative. Whichever candidate is successful in the primary will face former Gov. and former Sec. of Agriculture Mike Johanns.

On The Ground

Super Tuesday:

February 5th was Super Tuesday for the presidential primaries during the 2008 election season. Twenty-six states went to the polls that Tuesday to cast ballots for their chosen Democratic and Republican candidate. From Massachusetts to California, voters were fairly unified on the Republican front, but seemed to be divided on the Democratic. Hillary Clinton was able to win the majority of delegates overall and win the individual states of Massachusetts, California, New Jersey, New York, Arkansas, Tennessee, Arizona, New Mexico, and Oklahoma. Barack Obama won the majority of states by succeeding in Connecticut, Alabama, Alaska, Colorado, Delaware, Georgia, Idaho, Illinois, Kansas, Minnesota, Missouri, North Dakota, and Utah.

On the GOP front, McCain succeeded in winning Arizona, California, Connecticut, Delaware, Illinois, Missouri, New Jersey, New York, and Oklahoma.



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Mike Huckabee won West Virginia, Tennessee, Georgia, Arkansas, and Alabama. Finally, Mitt Romney won the vote in Utah, Alaska, Colorado, Massachusetts, Minnesota, Montana, and North Dakota. At this time, John McCain is the presumptive Republican nominee in the race; however, Texas Congressman Ron Paul and former Arkansas Governor Mike Huckabee remain in the race.



Potomac Primary:

On February 12th, Washington, DC, Virginia, and Maryland held their primaries in what has been dubbed the Potomac Primary. On the Democratic side, Obama swept the three contests while McCain had the hat trick on the Republican front. The closest election was between Huckabee and McCain in the Virginia where the Arizona senator won with 50% of the vote to the former Arkansas governor's 41%.

Obama beat Clinton handily in all three races by a margin of 75% to 24%, 60% to 37%, and 64% to 35% in DC, Maryland, and Virginia respectively.

Possible Vice Presidential Candidates:

Hillary Rodham Clinton:

Sen. Barack Obama (IL)
Sen. Evan Bayh (IN)
Gen. Wesley Clark
Gov. Phil Bredesen (TN)
Gov. Bill Richardson (NM)
Gov. Brian Schweitzer (MT)
Former Gov. Tom Vilsack (IA)

Barack Obama:

Sen. Hillary Rodham Clinton (NY)
Gov. Kathleen Sebelius (KS)
Gov. Bill Richardson (NM)
Former Sen. John Edwards
Gov. Janet Napolitano (AZ)
Gov. Phil Bredesen (TN)
Gov. Brian Schweitzer (MT)

John McCain:

Gov. Charlie Crist (FL)
Former Gov. Mike Huckabee (AR)
Former Gov. Mitt Romney (MA)
Sec. of State Condoleezza Rice
Former Gov. Jeb Bush
Sen. Sam Brownback (KS)
Gov. Haley Barbour (MS)