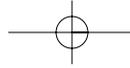


# The Other Side of Tom Daschle

Talmage Ekanger

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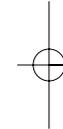
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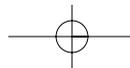
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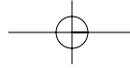
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## Foreword

by Gary L. Bauer, Chairman, Campaign for Working Families

The Senate race in South Dakota this year is second only in terms of importance to that of the presidential election. Next to deciding who sits in the Oval Office come January of 2005, the race between Tom Daschle and John Thune is just as critical in deciding the future course our great country will chart into the 21st Century.

Why is one Senate race in one of the least populated states of the union so important? Because Tom Daschle is single-handedly responsible for blocking much of the president's domestic agenda. He has so ruthlessly perverted the traditions of the Senate that "majority rule" is now a meaningless slogan. With Tom Daschle leading the liberal opposition in the Senate, everything is subject to a filibuster. From the meaning of marriage to the constitutional mandate for the Senate's "advice and consent" on presidential nominations—literally everything is subject to Daschle's whims. This is not democracy—it is tyranny of the minority.

Yet, Tom Daschle "represents" one of the most conservative states in the nation. Republicans outnumber Democrats by ten points in voter registration. In the 2000 election, 60% of South Dakotans voted for George W. Bush for president. Republicans control the state House of Representatives by a 2-to-1 margin and they dominate the state Senate by a 3-to-1 margin. But Tom Daschle was reelected to his third Senate term in 1998 with 62% of the vote. How

does the leader of Senate liberals get elected in such a conservative state?

As you might expect, it isn't easily done. It requires a delicate balancing act of power politics and deception. As you will read in the following pages, the mild-mannered Senator Daschle of South Dakota isn't the same Tom Daschle of Washington, D.C., leader of Senate Democrats. Just as it is impossible for a man to serve two masters, Tom Daschle cannot serve two constituencies. He cannot lead Senate liberals in opposition to everything George W. Bush stands for and simultaneously "represent" the 60% of South Dakotans who voted for George W. Bush!

And make no mistake about it—Daschle is not even trying. Whether it's tax cuts for working families, abortion on demand, or the definition of marriage, Tom Daschle abandoned the people of South Dakota years ago. His voting record is more representative of San Francisco than Sioux Falls!

That is why this book is so important. It cuts through Daschle's duplicitous rhetoric and documents his voting record in stunning detail. I am committed to using the resources of Campaign for Working Families to expose his *record* and to defeat Tom Daschle this November. To help us in this effort, please share this book with friends and family members and please support us financially online at [www.cwfpac.com](http://www.cwfpac.com).

## Introduction

**S**OUTH DAKOTA TENDS TO BE conservative on economic and social issues. Yet, Americans who know little about South Dakota politics often think of the state as a citadel of Democratic liberalism. After all, South Dakotans sent George McGovern to the Senate and, in more recent years, Tom Daschle. To counter that impression, here are some pertinent facts.

- South Dakota has voted for the GOP candidate for president in every election since 1968. Indeed, in 1972, it cast its electoral votes for Richard Nixon instead of its own senator, George McGovern.
- Today, South Dakota's Governor, Lt. Governor, Attorney General, Secretary of State, State Treasurer, and State Auditor are all Republicans.
- In the South Dakota House of Representatives, Republicans outnumber Democrats 49 to 21; and in the Senate, the Republican majority is even greater, at 26 to 9.

This political profile of our state doesn't fit the profile of the national Democratic Party. So why do South Dakotans keep sending Tom Daschle back to Washington to represent the views we hold back home? There are at least two possible reasons. Either we don't know who Tom Daschle really is, or we are willing to overlook the fact because, as a powerful leader in the Senate, he channels a lion's share of federal tax dollars to our home state.

It's true that some South Dakotans like Daschle because he brings home the bacon. However, many honestly don't know that he is a liberal. When he comes home to campaign, he sounds as conservative as any Republican in the State House. Speaking to Rotary and Kiwanis clubs, he talks about holding down taxes and helping the farmers. He cites his support of the military and his attempts to reform campaign finance practices, abolish Senate perks, and establish term limits. He says he believes in families and would like to see abortions all but eliminated. He claims to be concerned about education and says he wants South Dakota children to go to better and safer schools.

Such ideas play well in the state, where voters believe in conservative values. Many take Senator Daschle at his word, as we would with any other neighbor, until we had reason to believe otherwise.

In addition to the Senator's own words, South Dakotans gain a favorable impression of him from the state's newspapers and TV commentaries, many of which depict him as a moderate conservative. These publications and broadcasts filter the Washington news as it comes into the state, so the Senator's more radical views rarely rear their heads in articles and editorials.

Also, the media downplay the scandals and abuses of power in the lives of the Daschles, including their connections to an airplane crash that claimed the lives of four people. These stories would have made headlines throughout the state had they involved a prominent conservative or Republican leader in Congress. Today they are probably better known in Washington than South Dakota.

In addition, when Daschle runs for reelection, he floods the airways with a message of moderation, all the while

drawing on a war chest with an almost inexhaustible supply of liberal special interest money. During the 1998 campaign, he raised over three million dollars, while his GOP opponent scraped up less than \$500,000. With all that cash and relatively few media in which to place ads, Daschle overpowered his opposition with the sheer volume of his rhetoric.

This book is intended to compare the Daschle we hear at county fairs with the Daschle that wheels and deals and votes inside the Washington Beltway. With a straight face, the South Dakota Daschle tells constituents what we want to hear, while the Washington Daschle mocks and betrays us daily in the United States Senate. Only when you see the two Daschles standing side by side, can you understand the magnitude of his deception.

The main problem in writing this book was an excess of examples. So remember that Daschle's misrepresentations are not limited to those issues discussed here. He has done the same thing in many other areas of public policy where liberal ideology conflicts with South Dakota values.

Daschle's misrepresentations go far beyond the natural tendency of politicians to put their record in the best possible light for their constituents. The deceptions are so numerous and flagrant that they expose a deficiency of character deeply disturbing in a public official. This impression is further reinforced by the ethical problems Daschle and his current wife Linda have created for themselves by their behavior both in and out of public office.

What follows, then, is a selective recounting of chronic deceit. In many ways, the Daschle story exemplifies what is wrong with politics in America today. It is a story too often repeated at every level of government, though seldom to such

excess. For this reason, it should prove useful to the entire nation, as well as to the people of South Dakota, many of whom are being introduced to our senior U.S. Senator for the first time.

## 1 Daschle and the Bush Tax Cut

IN JANUARY OF 2001, when Bill and Hillary Clinton left the White House to make way for George W. Bush, the new administration found the offices in shambles. The departing president's staff had trashed America's executive mansion, sabotaged computers, and scrawled obscene messages for the incoming Republicans. Yet the worst thing they left behind for the new president was Senator Tom Daschle. No single Democrat in Washington—including Ted Kennedy and Hillary Clinton—has done more to damage the nation's economy than the South Dakotan, who has fought every measure the President has proposed to stimulate economic growth.

From the very beginning, Daschle has attempted to block a Bush-driven recovery. Apparently he believed a four-year, Senate Democrat-engineered economic decline was a reasonable price to pay for a Democratic victory in 2004—despite the fact that had all the Bush tax cuts been thwarted, his own people of South Dakota would have borne a heavier burden than people in other, wealthier states; and despite the fact that a hefty majority of South Dakotans supported Bush's tax-cutting platform in 2000. (Older voters in our state remember that John F. Kennedy and Ronald Reagan had cut taxes, and in both cases this had jump-started a faltering U.S. economy.) So, Daschle seized every opportunity to get in front of a camera and tell

us how Bush's tax cuts and tax rebates would not do anything for South Dakotans.

Fortunately the Daschle-led Senate liberals failed to block most of the President's economic package, and the result has been prodigious growth and the rapid regaining of almost all the jobs lost in the recession that President Bush inherited from the Clinton administration's final year. You can be sure that Daschle is grinding his teeth as daily reports indicate a healthy economy well on the way to unprecedented prosperity: at this writing, more people are employed in the United States than at any time in our history.

Like the Reagan recovery in the 1980s and the Kennedy-era tax cuts in the early 1960's, the current economic revival under President George W. Bush dramatically illustrates a basic axiom of conservative fiscal policy—tax cuts can trigger prosperity. It happens almost every time, especially if spending and bureaucratic red tape are held in check.

Like President Reagan, President Bush inherited an economy in recession. The new president quickly pushed through his Economic Growth and Tax Relief Reconciliation Act of 2001—over the high-decibel complaints of Tom Daschle and other liberal congressmen. (After all, when taxes are cut, money remains in the pockets of ordinary Americans, and can't be wasted on government handouts and boondoggles which congressmen pass to try to increase their re-election odds.)

However, well before the President's package had an opportunity to take effect, Daschle began saying that the tax cut was "the biggest reason" a budget surplus deteriorated so quickly, that it "probably made the recession worse"

and "put us in an unnecessary fiscal bind at the worst possible time" ("What Would Happen if Congress Repealed the 2001 Bush Tax Cuts?" The Heritage Foundation, Web Memo # 163, 10/28/02).

Then Daschle put forth his own economic plan, which had, as its first order of business, the *repeal* of the Bush tax cuts. So what would have happened had Daschle rammed through his alternate scheme? The Heritage Foundation—an independent "think tank" whose data analysis center is widely regarded as the best in Washington, D.C., even better than that of the U.S. Treasury—ran the figures and came up with the following projections:

- Under the Daschle plan, by 2003 there would have been \$115 billion less in personal income, \$155 billion less by 2004, and up to \$275 billion less by 2011. That's a lot of money to snatch from the pockets of hard-working Americans—in fact, since \$1 billion equals about ten dollars for every household in America, your family would have lost \$1,150 in 2003, \$1,550 in 2004, and up to an annual loss of \$2,750 in 2011
- By 2003, there would have been about 420,000 fewer jobs; by 2004, 650,000 fewer jobs; and by 2011, 1.41 million fewer jobs.

Fortunately, the majority of the Senate beat down most of Daschle's assault on the nation's taxpayers and saved each average American household thousands of dollars. By late 2003, the President's economic growth package had made a substantial and highly positive impact on the economy—so much so, that "Fox News" carried the following commentary:

Bad news, that is for those who have continued to insist, in the face of mounting evidence to the contrary, that President Bush's tax cuts aren't working. They're running out of negative spin. When the news came last month that economic growth in the third quarter of this year had surged to 7.2 percent, for example, they had a ready retort: "It's a jobless recovery."

Not any more. According to the new figures from the Bureau of Labor Statistics, employment grew by 126,000 in October and by nearly as much in September. In related good news, unemployment fell slightly, from 6.1 percent in October to 6.0 in November. With few exceptions, economic indicators are up across the board (Allison Fraser, on FOXNews.com, 11/10/03).

Last year's Fox numbers are highly generalized national figures. But what have these tax cuts—which Senator Daschle voted against—meant to South Dakotans?

- Approximately 232,000 taxpayers in South Dakota bring home fatter paychecks thanks to President Bush and congressmen, unlike Daschle, who put their country ahead of their party.
- Approximately 98,000 married couples in the state have benefited from the elimination of the marriage tax penalty.
- Approximately 68,000 families with children in South Dakota are benefiting from the increase in the Per Child Tax Credit.
- South Dakotans will enjoy \$370 million in disposable income between 2004 and 2008.

- South Dakotans will realize \$154 million in personal savings during the same period.

Like the Energizer Bunny, the prosperity generated by the Bush tax cuts can go on and on and on—provided the cuts are made permanent. Unfortunately, if Senator Daschle has his way, they will soon expire; and when they do, watch the economy begin to collapse the way it always does in the face of high taxes and wild spending.

By the way, Senator Daschle is willing, even eager, to have South Dakotans bear the burden of increased taxes, but he doesn't like to pay taxes himself.

A case in point:

In order to represent South Dakota in the U.S. Senate, we expect Tom Daschle to be a resident of the state. Yet, to avoid property taxes, he claims a homestead exemption for his \$2 million mansion in Washington, D.C. So is he a South Dakotan or a Washingtonian?

Steve Hildebrand, Daschle's campaign manager, tried to explain it this way: "The homestead exemption is available to any homeowner in Washington, D.C., who qualifies, and because Linda Daschle pays Washington, D.C. income taxes, she qualifies on behalf of the Daschles." (Steve C. Hildebrand, Letter to the Editor, *Argus Leader*, Sioux Falls, S.D. 9/1/03). However, Hildebrand's statement is untrue:

- First, the names of both Senator Daschle *and* his wife appear on the bill for real property taxes and also on the application for a Homestead Deduction from the D.C. Office of Tax and Revenue. So Daschle is as much an "owner" of the mansion as his wife.
- According to that same Office of Tax and Revenue, "this deduction reduces [a] your real property's assessed

value by \$30,000 prior to computing this year's tax liability. The homestead exemption is limited to residential property. To qualify:

1. An application must be on file with the Office of Tax and Revenue;
2. The property must be occupied by the owner/applicant and contain 5 dwelling units (including the unit occupied by the owner);
3. The property must be the *principal residence* (domicile) of the owner applicant" (emphasis added) (Office of Tax and Revenue for the City of Washington, D.C.).

So Daschle is chiseling the nation's capital out of tax dollars, while at the same time doing his best to ensure that South Dakotans have to pay more federal taxes on their hard-earned pay. Next time you run into Senator Daschle, ask him about his \$2 million house and the tax cuts he doesn't want you to get.

## 2 The Hawk and Dove

**W**HETHER YOU SUPPORT or oppose military action in Iraq, then Tom Daschle is your man. He has been outspoken on both sides of this issue:

1998: "... Saddam Hussein leaves us little choice at this point ... if nothing changes, the use of force at some point would be inevitable."

2003: "I'm saddened, saddened that this president failed so miserably at diplomacy that we're now forced to war."

So is Daschle truly a hawk or a dove? First, let's look at Daschle the hawk, who appeared to recognize the dangers posed by Saddam Hussein:

[C]learly the intransigence on the part of the Iraqi government and Saddam Hussein leaves us little choice at this point ... So I would think that, if nothing changes, the use of force at some point would be inevitable (William Neirkirk, "Congress Talks Tough on Iraq," *Chicago Tribune*, 2/5/98).

Pretty tough talk, accurately characterizing the attitude of Saddam and the inevitable outcome of his refusal to play by the rules. And it wasn't the only time Daschle rattled his saber. He also said:

Iraq must comply. There is no choice. We stand united in our determination to do whatever is necessary ... The United States has the resolve to ensure that compliance and we stand united today in an effort to articulate that very clear message as loudly, as unequivocally, and in as much of a bipartisan way as we can (Senator Tom Daschle, *Congressional Record*, 2/12/98).

Thus Daschle called for U.S. resolve to confront Iraq, giving Saddam no option but to allow effective weapons inspections. The message was clear—comply or else. And the most heartening aspect of this speech, delivered on the

floor of the Senate, was his unapologetic endorsement of bipartisanship. He basically said, take on Iraq together, not as a Senate divided into Democrats and Republicans, but as Americans confronting a clear and present danger.

He also warned Saddam Hussein:

[A]bsent immediate Iraqi compliance . . . the security threat doesn't simply persist—it worsens. Saddam Hussein must understand that the United States has the resolve to reverse that threat by force, if force is required (*Ibid.*).

If this isn't the Daschle you remember from the recent past, you aren't losing your mind. These statements weren't made in support of President Bush's War Against Terror. They were made in 1998, when Bill Clinton was President of the United States and faced with Saddam's defiance—an attitude that President Bush inherited from the Clinton Administration.

So what about the "sad" denunciation of the President? That was in response to Bush's actions against Saddam. However, if you conclude from these quotes that Daschle has been inconsistent in his view of Saddam, Iraq, and the use of force, you are dead wrong. He has consistently supported what he believes to be politically expedient for the Democratic Party. If partisanship means flip-flopping on Iraq, then he has no scruples about changing his mind overnight.

When President Bush assumed the reins and decided finally to end Saddam's non-compliance, Daschle knew that the President was likely to get a big bounce following any military action, since at such times Americans tend to rally around their leadership. Thus, Daschle called for a moratorium on politics as usual and a bipartisan renunciation of exploiting the war. As he said on the floor of the Senate:

We ought not politicize this war. We ought not politicize the rhetoric about war and life and death . . . We have to rise to a higher level . . . [I]t is not too late to forget the pollsters . . . campaign fundraisers . . . [the] accusations about how interested in national security Democrats are (<http://www.washingtonpost.com/wp-srv/politics/transcripts/daschle.html>, Sen. Tom Daschle, *Congressional Record*, 9/25/02).

That statesman-like call to reason was issued in September 2002, as the current House and Senate campaigns were rounding the last turn and heading toward the finish line. President Bush senior received an enormous boost as the result of Operation Desert Storm. Now George W.'s popularity was on the rise, which meant that Republican candidates might profit from identification with any strong action in the Middle East. Daschle was saying, in effect: "Please don't use our habitual opposition to military spending and national security to defeat us. Be good sports. Rise above partisanship, at least until after the votes are counted in November." After all, he said, we didn't try to make a political issue of Desert Storm:

I can recall in 1991 and 1992 . . . when President Bush made the decision he did. I can recall several of my staff coming to me, suggesting that we say this or that. But never once did I have someone on my staff . . . refer to the politics of the war with Iraq . . . We need that same level of debate this time (Sen. Tom Daschle, *Congressional Record*, 9/25/02).

However, when the time came in 2003 to make good on Daschle's 1998 threats and join in bipartisan disregard

of the politics of the war, the Senator wrung his hands and cried over President Bush's decision to use force.

I'm saddened, saddened that this president failed so miserably at diplomacy that we're now forced to war. Saddened that we have to give up one life because this president couldn't create the kind of diplomatic effort that was so critical to our country ([http://www.usatoday.com/news/washington/2003-03-18-daschle-bush\\_x.htm](http://www.usatoday.com/news/washington/2003-03-18-daschle-bush_x.htm)).

At that point, liberals were predicting tough fighting and heavy casualties. Perhaps they believed Saddam Hussein's boast about his weaponry and his elite troops. Whatever their reason, they were wrong. In three weeks, the Coalition Forces, composed chiefly of U.S. personnel, swept across Iraq, just as they had done slightly more than a decade earlier. None of the dire predictions came to pass. America was blessed with surprisingly low casualty rates. None were killed by poison gas or biological attacks. The United States was not attacked with nuclear bombs.

As the initial phase of the war came to a close, Daschle saw the victory bandwagon rolling by and jumped aboard—and with good reason. In the 2000 election, Bush had carried South Dakota. In 2003, he was even more popular. The war was also popular, and Daschle could already see a tough reelection campaign in 2004.

The *New York Post* reported that consultants recently assembled a focus group and ran a film clip of Daschle attacking Bush on the war (<http://www.nypost.com/news/nationalnews/35067.htm>).

Apparently the poll found that some of those studied in the focus group were offended by Daschle's anti-war

comments. As a result, Daschle quickly became a cheerleader for the war. The *Mercury News* reported him as saying:

In 21 days we eliminated somebody who for 20 years has repressed and tortured his own people and posed a serious risk not only to his country, but to countries all over the world, including the United States ("Daschle: Goal in Iraq Has Been Achieved," [mercurynews.com](http://mercurynews.com), 5/1/03).

When asked if he thought his earlier criticism of Bush and the war would hurt his reelection chances, Daschle said, "I'll let that be decided by the voters of my state." The time to decide is drawing near.

## 3 Supporting Our Troops?

WHATEVER HIS POSITION ON issues of war and peace, surely Senator Daschle—an Air Force veteran—supports our troops. After all, in response to state and national criticism of his stance on the liberation of Iraq he has begun airing television commercials touting his promotion of economic benefits for National Guard troops now serving in the Gulf. But is this representative of his core beliefs?

Tom Daschle and his party claim to be advocates for "the little guy," "the underdog," "the People" in their fight against "the powerful and privileged." Indeed, the central

strategy of many liberal organizations is to stir up class warfare, using it to capture control of government at every level. Yet enlisted men and women in the military—among the lowest-paid public servants—are left out in the cold, their noses pressed against the window of the bakery.

During the Clinton Administration, which was staunchly anti-military, Daschle voted five times against increasing military pay.

- On March 24, 1993, he voted for the motion to table (kill) the amendment to eliminate a proposed freeze on military pay in FY '94 and cut other non-military spending by the same amount (CQ, Vote #72, 3/24/93).
- The same day, he voted against another amendment, this one to increase defense spending over five years for the specific purpose of pay raises. Again the proposal was tied to the cutting of expenditures in non-military areas. And again, Daschle revealed the low priority he placed on national defense and the welfare of service families (CQ vote #73, 3/24/93).
- The following month, he voted in favor of a motion to kill an amendment to cut discretionary spending in a bill by 18 percent to give military personnel, as well as other federal employees, a cost-of-living adjustment (COLA) (CQ Vote #98, 4/1/93).
- In 1995, Daschle voted against the acceptance of the House-Senate conference report which proposed to raise the Department of Defense budget by almost \$7 billion more than Daschle and Clinton wanted (CQ Vote #579, 11/16/95).
- And in January of 1996, he again voted against the same increase (CQ, Vote #5, 1/26/96).

And what was the consequence of the Daschle-Clinton insensitivity to the men and women in our Armed Forces? In 1997, Secretary of Defense William Cohen was put on the spot when it came out that nearly 12,000 lower-ranked service personnel and their families *were dependent on food stamps* (*Augusta* [Ga.] *Chronicle*, 2/1/97). In addition, hundreds of thousands of military families were forced to endure deplorable housing conditions.

The Pentagon has said that more than 200,000 of its approximately 350,000 family housing units are substandard, with leaking pipes, faltering electrical and heating systems and, in some cases, conditions bordering on dilapidation (CQ, Weekly Report, 5/20/95).

This was during the Clinton Administration, when the President, who avoided military service himself, was sending U.S. Forces to Haiti, Eastern Europe, and other trouble spots and dispatching missiles to blow up an aspirin factory in the Sudan. For a politician with a reputation for being anti-military, this freewheeling use of our troops was the height of presumption. Meanwhile, Clinton and congressional leaders like Tom Daschle felt no responsibility to pay military personnel a living wage while they risked their lives for their country.

In addition, Daschle and his fellow liberals in the House and Senate seemed reluctant to encourage men and women in uniform to participate in elections. In late winter of 1993, the Democrats were pushing their "motor/voter" bill, which decreed that people could register to vote at the same time they renewed their driver's license or applied for welfare. However, when an amendment was offered that would have required military personnel to register to vote at the time

and place of their induction, Daschle voted to kill the amendment. It was one thing to encourage welfare recipients to vote, and quite another to encourage members of the Armed Forces to do the same. Members of the Armed Forces tend to favor a stronger defense budget and to be less supportive of government handouts. Such policies conflict with Daschle's voting record; thus it is easy to see why he would do whatever he could to encourage the one and discourage the other (CQ Vote #36, 3/17/93).

Daschle's efforts to muzzle the military vote didn't stop there. In 1993, the Democrats revised the Hatch Act to allow federal employees to participate in politics—i.e., to collect money, to ring doorbells, to stuff envelopes, to work on telephone banks—provided no campaigning took place in government offices. After all, Democrats outnumbered Republicans in government service at every level.

However, the military were not treated equally. Weren't men and women in uniform also government workers? In fact, they were. That's why Daschle and others voted for a motion to kill the amendment that would include military personnel. If the military participated in political campaigns, they would perhaps be more likely to work in behalf of Republicans rather than Democrats. So why take the chance? Thus, the Senate denied men and women in uniform the same rights other government workers enjoyed. The message was clear: Though you were willing to die for your country, you were not supposed to have a say in how your country was run (CQ Vote #196, 7/14/93).

Daschle's hostility toward service personnel is not limited to those on active duty. He also opposes them after they leave the military, though he claims to be a premier supporter of veterans. Daschle said:

As a member of the Senate Veterans' Affairs Committee, I have enjoyed the challenge of working to develop and pass legislation to provide for necessary improvements in veterans' benefits. The bills I have been involved with provide improvements such as an annual cost of living adjustment for disabled veterans, new job training programs for Persian Gulf veterans and veterans of previous wars, and increases and expansions of GI education benefits ("The Daschle Plan," campaign literature, 1992).

He begins to sound like George M. Cohan as he trumpets his own commitment to this cause:

Why is it we can't seem to show just as much patriotism and purpose in fighting for veterans' rights and benefits as we do in times of war (Ibid.)?

Daschle's rhetoric would have us believe that he fought for every pro-veterans bill ever proposed in Congress—and that, of all issues, this one was nearest to his heart.

As usual, his voting record tells a different story. In 1984, he voted against veterans' benefits. In an effort to reduce federal spending by \$3.9 billion during fiscal years 1985-87, Daschle supported the accomplishment of this goal in part by cutting veterans benefits. The same bill would also have cut Medicare benefits for seniors (CQ, Vote #75, 4/12/84).

A vote that clearly demonstrates Daschle's priorities, was cast in 1987. In what was labeled "campaign reform," a bill was introduced that would fund senatorial elections with taxpayers money. Consider the following votes, as described by *Congressional Quarterly*:

As approved by the Rules Committee, S 2 would provide public funds to Senate general election campaigns who agree to abide by certain restrictions, most notably, campaign spending limits that varied from state to state based on the size of the voting population (*CQ, Almanac, 1987*).

This bill was a stealth weapon for incumbents. Challengers need a lot more money and a lot more exposure than incumbents. In order to get matching funds from government, a challenger would have to agree to a limitation on the amount of money he or she could spend during the campaign—a limitation that would make it all but impossible to gain sufficient exposure to overturn a high-profile politician like Daschle who has spent millions making himself known to South Dakotans. It was an expensive trap for which Daschle was willing to pay a large chunk of the taxpayers' money.

However, in the same session, he refused to allocate money for veterans' health programs.

Daschle voted for the motion to kill the amendment to increase funding for veterans' health programs by \$100 million and to eliminate \$100 million allotted for campaign finance reform legislation (*CQ vote #94, 5/6/87*).

In other words, Daschle voted to choose the campaign finance debacle over the health of our veterans. Had that campaign finance bill become law, not only would candidate Daschle have received an extra infusion of cash from taxpayers, but his opponent, in order to receive those funds, would have had to fight with one hand tied behind his back. And to Daschle that was more important than the health and lives of veterans.

A few years later, he voted against automatic COLAs for veterans, despite the fact that he had supported such an automatic increase for the salaries of senators. Why do highly paid senators need a cost-of-living adjustment more than disabled veterans living off government pensions?

Someone should ask Tom Daschle.

## 4 Abortion Anytime for Any Reason

PERHAPS THE MOST DIVISIVE public policy issues currently under discussion are those that relate to abortion, homosexuality, and the family. Quarrels over these matters are particularly bitter because they involve ultimate values of right and wrong rather than practical politics. Until recently, the belief that sex should be confined to marriage was a "given" in American society. Radical groups like NARAL and the National Gay and Lesbian Task Force, with the help of the leftist media, daily attack the moral code that has served civilization well for thousands of years. By the 1990s, these groups had public opinion by the throat.

In contrast, most South Dakotans believe that the promotion of abortion and homosexual behavior is deplorable public policy, not only because these behaviors violate natural law, but also because they endanger the health of the community and cost the taxpayers billions of dollars every year.

In Washington, however, Daschle sides with the most liberal activists in his support of abortion and gay rights. Back in South Dakota, he says he supports traditional family values . . . and many believe him.

At the 2003 Brown County Fair in Aberdeen (Daschle's hometown), a couple in their fifties were talking only a few feet away from the annual Daschle booth. They lamented the horror of abortion, particularly partial birth abortion, and wondered how it could be allowed . . . all the while sporting large "Daschle" stickers on their shirts. Just as many other fellow South Dakotans, they failed to realize that by supporting Tom Daschle, they were supporting the very acts that they found deplorable. They believed his words, without consulting his voting record, which tells a different story.

### PARTIAL BIRTH ABORTION

Most of us in South Dakota, like other Americans, are appalled at partial-birth abortion. A *New York Times* poll revealed that fully 93 percent of the American people do not support abortions in the third trimester (*New York Times*, 1/16/98). If you don't know whether you support partial birth abortions because you are not sure of the definition, consider this *Washington Times* description:

In partial birth abortion, an unborn child is delivered up to its neck. A doctor then kills the child by piercing the skull with scissors and sucking out the brain through a tube (*Washington Times*, 3/3/97).

Is this horror widespread? Pro-abortion activists claim that it occurs infrequently. For example, in 1995, Ron Fitz-

simmons, executive director of the National Coalition of Abortion providers, said on ABC's Nightline that partial birth abortions were very rare and only performed in dire circumstances. Ted Koppel and America were reassured.

Then, in a taping for the same show on February 27, 1997, Fitzsimmons shocked the nation by saying of his earlier statement, "I lied through my teeth." He admitted that from 3,000—5,000 partial-birth abortions are performed annually on healthy babies with healthy mothers, that he, "just went out there and spouted the party line" (Tidalweb.com).

In addition, Dr. Martin Haskell, an abortion provider, has said that 80 percent of women who underwent partial-birth abortions had no medical reason to require such a radical step. In other words, they allowed their babies' brains to be sucked out as a matter of convenience (frc.org, 7/10/04).

Even pro-abortion Democrat Patrick Moynihan could not stomach this barbaric act. He was quoted in the *Washington Times* as saying that partial-birth abortion is "not just too close to infanticide, it is infanticide, and one would be too many" (*Washington Times*, 3/3/97).

Tom Daschle apparently has no such reservations. He voted twice against a federal ban on partial-birth abortion. *Congressional Quarterly* gave the details:

Daschle voted against passage of the bill to impose penalties on doctors who perform certain late-term abortions, in which the person performing the abortion partially delivers the fetus before completing the abortion (CQVote #596, 12/7/95).

Despite Daschle's opposition, and that of other pro-abortion liberals, the bill passed both the Senate and the House. That was December of 1995. In April of 1996, President Clinton vetoed the bill. When it came up again, supporters in both the House and the Senate needed two-thirds to override the veto. Thanks to Daschle and three others, the vote fell short; and doctors were free to continue this grisly practice (CQ, Vote #301, 9/26/96).

In 1997, however, a reelection campaign loomed on the horizon. Daschle must have realized how strongly public opinion weighed against partial-birth abortion. In fact, given the national polling data, he might have figured that just about everybody in the state of South Dakota opposed the killing of live, fully formed babies by sticking scissors in their heads and vacuuming their brains. So—after receiving stern criticism from the people in his home state, and specifically from the Catholic Church—he flip-flopped—something he has learned to do with increasing ease. However, from the floor of the Senate, he described his “disappointment” in the Catholic clergy from South Dakota, saying that “their harsh rhetoric and vitriolic characterizations . . . proved to be a consequential impediment” to his vote (*Congressional Record*, 5/20/97).

In 2002, when the ban passed the House, then-Majority Leader Daschle refused to place it on the Senate calendar for a vote, saying he didn't believe the issue “merits the highest priority.” What he also knew was that President Bush had promised to sign the bill into law if it came across his desk (Kaiser Network.org, 7/25/02).

Daschle lost his power over the Senate calendar after the 2002 fall elections. And when the issue came before

Congress in 2003, new Senate Majority Leader Bill Frist, a pro-life Republican, allowed the bill to come up for a vote. Though Daschle voted to approve the ban two out of the three times in the 1990s, this vote was significant because he could no longer stand behind a president in the Oval Office who would veto it. If the ban cleared the Senate this time, it would become law.

Daschle was one of the 64 senators who voted to ban the procedure, however, all the while, he was actually working against the bill. He voted for Sen. Barbara Boxer's attempt to scuttle the legislation by sending it back to the Judiciary Committee to be rewritten. When Sen. Harkin tacked on an amendment, which passed, that gave moral support for the Supreme Court's *Roe v. Wade* decision, Daschle supported it.

Daschle also orchestrated two unsuccessful amendments that would have watered down the bill with so-called “health exceptions.”

Moreover, Daschle worked frantically behind the scenes to use the “conference committee” —a group of Senators and Congressmen appointed to settle differences between each chamber's version of an approved bill—to kill the ban approved by both chambers.

Daschle's record on this issue fits the pattern of deception he has demonstrated in other areas. He votes with Washington liberals, then either deceives his constituents or changes his vote when elections draw near. For years, this tactic has served him well on both fiscal and social issues.

### ABORTION ON DEMAND

When in South Dakota, Daschle always tells us that he “opposes abortion on demand.”

Both [Daschle and 1984 South Dakota congressional candidate Dale Bell] say they are against abortion on demand that was legalized in a 1973 Supreme Court decision (*Aberdeen American News*, 10/28/84).

However, Daschle repeatedly votes in favor of using our tax-dollars to pay for abortions, a position more radical than the holding in *Roe v. Wade*. In South Dakota, we don’t hear about these votes because newspapers like the *Aberdeen American News* and the *Argus Leader* often ignore them. *Congressional Quarterly*, the publication of record where Congress is concerned, does not. Daschle’s voting record reveals his disregard for South Dakota values and his comfortable collaboration with liberal colleagues like Kennedy and Clinton.

Daschle’s pro-abortion votes began early in his career as a congressman.

- In 1985, his first term in the House, Daschle voted against an amendment to prohibit the use of any funds in the bill to pay for abortions (CQ Vote #247, 7/30/85).
- Daschle voted to kill an amendment to prohibit the use of federal or District dollars for abortions except where the life of the mother is endangered (CQ Vote #289, 9/30/87).
- Daschle voted to kill an amendment to prohibit the use of all funds appropriated under the bill—whether federal or city—to perform abortions, except when the life

of the mother would be endangered by continued pregnancy (CQ Vote #233, 7/7/88).

- Daschle voted against applying the Hyde language on abortion to all federal programs. The Hyde language prohibits the federal funding of abortion except in cases of rape, incest, or if the woman’s life is endangered (CQ Vote #539, 10/27/95).
- Daschle voted against the motion to instruct the Senate conferees to retain the ban on federal funding of abortions except in cases of rape or incest or when pregnancy threatens a woman’s life (CQ Vote #129, 6/25/97).

These are some of Daschle’s positions on the use of federal funds for this purpose. As the result of his votes and influence over the years, hundreds of millions of dollars in federal funds have been funneled to Planned Parenthood, the chief provider of abortions in America.

Even more revealing, perhaps, are Daschle’s six votes to allow government employees to use their insurance to pay for abortions, as if killing a living baby were the moral equivalent of an appendectomy or the removal of a gall bladder. Such votes seek to make the federal government an accomplice in an act that many Americans regard as murder (CQ Votes 6/8/83; 6/27/84; 8/3/93; 8/5/95; 9/11/96; and 7/22/97).

Daschle has not merely voted for abortion on rare occasion, when there was some ambiguity in the legislation. He is a chronic supporter of what many South Dakotans believe is infanticide. He even voted in favor of using tax dollars to pay for the abortions of women serving prison terms (CQ Vote #478, 9/29/95).

Support for federal funding of abortion is not the only way members of Congress promote the agenda of pro-abortion activists. They also do so by voting to allow minors to have abortions without the knowledge or consent of the parents. Those who favor abortion on demand, like Planned Parenthood, argue that minors should have these rights as well as adult women. Pro-family advocates believe that a minor girl should not make such an important decision as having an abortion without the knowledge and advice of her parents. Yet, Daschle comes down on the side of pro-abortionists by opposing parental consent. He stands with a small minority of liberals nationwide. A *New York Times* poll showed that Americans overwhelmingly support parental consent for abortion.

The survey, which was the first *New York Times*/CBS News Poll devoted to abortion since 1989, was based on telephone interviews conducted Jan. 10 to 12 with 1,101 people around the country and had a margin sampling error of plus or minus three points.

The *Times*/CBS News Poll indicates that those new state laws [mandating parental consent and a waiting period] tap a significant vein of public opinion. Nearly 80 percent of respondents supported both parental consent and waiting periods (*New York Times*, 1/16/98).

With such strong sentiment nationwide, it is a safe bet that South Dakotans are even more supportive of parental consent and waiting periods. Daschle, however, stands with Planned Parenthood and other advocates of abortion on demand. He has voted repeatedly against parental notification, parental consent, and waiting periods in the case of abortions involving minors.

He also voted against an amendment to prohibit groups receiving Title X funding from performing an abortion for a minor under the age of 18, unless a parent or guardian has been given 48 hours' notice, the life of the minor is endangered, the pregnancy is the result of parental incest, or the minor has been subjected to sexual abuse, child abuse, or child neglect by a parent or guardian. This amendment would have forced abortion mills like Planned Parenthood clinics to inform a mother or father before a daughter has an abortion—just as it's required that a school nurse inform a parent before administering an aspirin to a child. Daschle didn't want parents told (CQ Vote #131, 7/16/91).

Another example: Daschle voted against the amendment to require organizations that receive funding under Title X of the Public Health Service Act to notify at least one parent or legal guardian 48 hours prior to providing an abortion to an unemancipated minor under the age of 18 unless the life of the minor is endangered, the pregnancy resulted from parent incest, or the minor has been subjected to sexual abuse, child abuse or child neglect (CQ Vote #185, 9/11/91).

Same principle; same disregard for parental authority.

Daschle and his staff will be quick to tell you that he voted for two so-called parental consent amendments. The first was offered by George Mitchell as an escape hatch for liberals who wanted to vote for abortion but were afraid of infuriating a conservative constituency. *Congressional Quarterly* described the Mitchell bill and Daschle's support of it.

Daschle voted for the Mitchell amendment to require entities that receive Title X funding to obtain consent from a parent, grandparent, adult sibling, aunt or uncle for a

minor to have an abortion. If the consent is not forthcoming, the attending physician could give parents 48 hours' notice before the abortion. The amendment also contains court or clergy bypass provisions (*CQ* Vote #130, 7/16/91).

The Mitchell amendment was merely a circumvention of parental authority while appearing to submit to it. It allows a pregnant child to recruit virtually anyone in her family to become an accomplice in obtaining the abortion. If parents disapprove of abortion, either on moral or on health grounds, almost any adult family member with an opposite view could thwart the will of the parents.

Second, notice that in the Mitchell bill the attending physician "could" give parental notification, but is by no means required to do so. The largest recipient of Title X funds is Planned Parenthood, an organization that performs more abortions than anyone else in the United States. Planned Parenthood receives hundreds of millions of dollars from Title X every year with which to subsidize abortions. They use some of this money to place full-page ads in the nation's largest newspapers, protesting such policies as parental notification. It is difficult to believe that the organization would employ an abortionist who would choose to inform parents 48 hours in advance of such an act.

As *CQ* Almanac reported:

Abortion foes opposed Mitchell's plan, which was based on Maine's law. The proposal, said [Senator Orrin] Hatch, "is not a parental consent amendment, but an abortionist consent amendment" (*CQ* Almanac, 1991).

The second "parental-consent amendment" that Daschle supported was a compromise formulation that was so loaded with loopholes it would have applied in only nine states. Here is the *Congressional Quarterly* description.

Daschle voted for the amendment to prohibit organizations that receive funding under Title X of the Public Health Service Act from allowing their facilities to be used for an abortion on an unemancipated minor unless there has been written parental consent or written parental notification 48 hours prior to the abortion. The amendment would allow for the by-pass of the notification requirements if the life of the minor was endangered, a court of jurisdiction allows the minor the right to consent, the notification was certified to place the minor in physical or emotional harm, or a state has passed a referendum or statute concerning the conditions under which minors may be provided abortion.

The proposal would have required notification of, or consent by, at least one parent before a minor could obtain an abortion at a clinic receiving federal planning funds. But the compromise also included a long list of exceptions to the general requirement. Among those were cases in which: a physician certified the presence of a health emergency; a judge permitted the girl to obtain the abortion; or a professional counselor with no financial interest in the abortion certified that notification could put the girl at risk of physical abuse or emotional harm.

The amendment also would not have applied in states that passed their own laws on the subject or states, such as Oregon, where voters had voted against notification or consent laws (*CQ* Almanac, 1991).

Having voted for this bill, Daschle would come back to South Dakota and tell constituents that he had honored our wishes. At the same time, the pro-abortion activists wouldn't pull his liberal credentials because they knew the bill was a sham.

## 5 Daschle vs. Catholic Church

**I**N EARLIER TIMES, the church took heresy seriously. Today, orthodoxy is less prized, and even members of the clergy say they no longer believe in the basic tenets of the faith. In a time of moral relativism, many mainline churches have remained silent in the face of a rise in secularism.

Not so of the Roman Catholic archdiocese in South Dakota when a high-profile communicant defies his church in a teaching as fundamental as the sanctity of life. In fact, in April of 2003, Senator Tom Daschle received a letter from his Bishop saying he could no longer refer to himself as a Catholic.

In an expose that appeared in the April 17, 2003 edition of *The Weekly Standard*, writer Joseph Bottum (himself a South Dakota native and practicing Catholic), analyzed the meaning of this action:

This isn't exactly excommunication—which is unnecessary, in any case, since Daschle made himself ineligible for

communion almost 20 years ago with his divorce and remarriage to a Washington lobbyist. The directive from Sioux Falls Bishop Robert Carlson is rather something less than excommunication—and, at the same time, something more: a declaration that Tom Daschle's religious identification constitutes, in technical Catholic vocabulary, a *grave public scandal* (Emphasis added.)

The directive ordered Daschle to remove from his congressional biography and campaign documents all references to his standing as a member of the Catholic Church. The action was a long time coming.

It's a matter of some speculation how many private discussions, warnings or messages may have traveled back and forth over the years between Daschle and various priests and Bishop Carlson. Whatever priest/penitent communications may have taken place, the private debate erupted into public view in 1997 when a proposed ban on partial birth abortions was before the United States Congress.

Given his own precarious moral reputation during his second term, President Clinton was desperate to avoid having to veto a partial birth abortion ban, further raising the ire of both Catholics and fundamentalist Christians throughout the country. Senator Daschle, on behalf of the President and other pro-abortion Senators, proposed a way out of the dilemma: ban the procedure, but include a "mental health exception" that would allow partial birth abortion. The exception would be open to many women because the fear and mental turmoil brought on by pregnancy is universally, deeply felt, especially by those who have given birth.

South Dakota's own Bishop Carlson had finally had enough. He publicly declared the Daschle compromise a

“smokescreen” that would provide no meaningful reduction in the numbers of the hideous procedure. Daschle heatedly responded on the floor of the Senate, asserting that Bishop Carlson’s views were “more identified with the radical right than with thoughtful religious leadership.” Daschle’s words must have been a revelation to the North American Council of Catholic Bishops. The Council has been accused of many things, but even its worst detractors would never label its members “radical right.”

Daschle’s next act of defiance came in February of 2003 when he broke with precedent and led a filibuster against President George W. Bush’s nomination of Miguel Estrada to the federal bench. Daschle’s sole objection to Estrada centered on the belief among liberals that, although there had been no public pronouncements by Estrada, as a practicing Catholic, he *might* be pro-life. This prompted yet another public statement by Bishop Carlson:

“It has come to my attention that the pro-abortion forces (NARAL, NOW, Feminist Majority Foundation . . .) in our country are leading a campaign to prevent the confirmation vote of the first Hispanic American in history to sit on the United States Court of Appeals for the District of Columbia, Miguel Estrada . . . It is deeply disturbing that certain groups take such extreme positions against Mr. Estrada based only the possibility that he is pro-life. All of us must be concerned if only the suspicion of being pro-life now disqualifies you for public service in our country” (Statement by Bishop Carlson, 2/20/03).

The timing of Daschle’s filibuster could not have been worse, given the contemporaneous internal policy edicts being issued within the Catholic Church. On January 16 of

2003, the Congregation for the Doctrine of the Faith in Rome, led by Cardinal Joseph Ratzinger, issued a “Doctrinal Note” on Catholics in political life. The Note included the following not-easily-misunderstood statement: “A well-formed Christian conscience does not permit one to vote for a political program or an individual law which contradicts the fundamental contents of faith and morals.”

Joseph Bottum eloquently explained the portents of this Note and foreshadowed the church’s eventual public rejection of Tom Daschle.

“The Doctrinal Note marks at least the beginning of the end of the Vatican’s toleration of what the pope’s biographer George Weigel has called ‘Cuomo-ism’ in the American Church: the effort to finesse abortion by declaring oneself personally opposed but politically supportive of laws allowing abortion. Catholics have a ‘duty to be morally coherent,’ the Doctrinal Note declares. . . . The Catholic Church doesn’t take political positions—except when politics intrudes into something, like the right to life, that ought to be beyond the power of politicians.

What could possibly supersede Tom Daschle’s “duty to be morally coherent”? Apparently, his duty to a stronger force in his life than the church: the National Abortion Rights Action League (NARAL). What probably triggered Bishop Carlson’s letter ordering Daschle to separate his name from Catholicism were news media accounts that, as of the spring of 2003, Senator Daschle was to be the chief fundraiser for NARAL throughout the country. In all likelihood, this was the “grave public scandal” that drove Bishop Carlson to the mailbox.

By almost any measure—public polling, church membership, the lack of abortion services—South Dakota is the

most pro-life state in the nation. Politicians who ignore this reality do so at their peril. It was as much exasperation as doctrinal fury that led Bishop Carlson to say to the Sioux Falls *Argus Leader* following the 1997 partial birth abortion battle, "I don't understand how he can be in touch with South Dakotans as much as he is, and yet consistently have a pro-abortion record."

That is precisely the point.

## 6 Pushing the Homosexual Agenda

THE PHRASE "FAMILY VALUES" has always encompassed the idea of traditional marriage, a wholesome view of sexuality, opposition to obscenity and pornography, and a rejection of the so-called "gay rights" agenda. Daschle understands this phrase and is quick to exploit the honest conviction underlying it. Thus, during his 1992 campaign he said that politicians should do more than merely pay lip service to family values. As he put it:

These are real questions. The kind that can only get asked when candidates stop the name-calling and start telling you in detail where they stand.

This means more than just claiming you favor family values and prosperity. Everybody is for family values and

for prosperity. Charging that your opponent is against them is just mud slinging ("The Daschle Plan," 1992).

Well, maybe. Yet, Daschle himself is very vague about where he stands when it comes to homosexuality and gay rights. His voting record, however, speaks for him.

What does it say?

To the Human Rights Campaign (HRC), a gay-rights PAC, Daschle's record says he is one of their most ardent supporters. At the end of the 103rd and 104th Congresses, HRC put out a scorecard rating senators and representatives according to their support of the homosexual agenda.

- In the 103rd Congress, Daschle received an 80 percent favorable rating from HRC, one of the highest in the Senate.
- In the 104th Congress, he was still high on the gay rights list, with 78 percent (Human Rights Campaign Fund, correspondence).

And HRC has rewarded him with thousands of dollars in campaign contributions. HRC does not give money to office holders who support family values or the institution of marriage.

Let's take a look at the votes that earned Daschle such high praise and such generous campaign contributions.

- Daschle voted against the enforcement of state anti-sodomy laws. Specifically, he voted against an amendment that said: the homosexual movement threatens the strength and survival of the American family" and that state sodomy laws should be enforced (CQ Vote #12, 2/8/90).

- He voted for lifting the ban on open homosexuality in the military, a move opposed by most of the officer corps, as well as a majority of the American people (CQ Vote #9, 2/4/93).
- In 1994, Daschle voted against an amendment that would have prohibited agencies from receiving money to encourage or support homosexuality as “a positive lifestyle alternative.” The Amendment was adopted by a vote of 63 to 36. Daschle’s vote was among the 36 (CQ Vote #244, 8/1/94).

Daschle sponsored a bill that would, among other things, extend to homosexuals the same protection that is provided to blacks under the 1964 Civil Rights Act. Had this bill passed, small businesses would have been forced to hire homosexuals or face fines and jail sentences (107th Congress, S. 19 504).

To crown this shameful record of support for the homosexual agenda, in July of this year Daschle was instrumental in scuttling the Federal Marriage Amendment, which would have defined marriage constitutionally as the union between a man and a woman only. Thanks to a Daschle-led filibuster, the bill could not be brought to a vote.

Daschle has thrown his full weight behind the “sexual revolution.” Whether voting in favor of federally funded abortion, partial-birth abortion, or putting the government stamp of approval on homosexuality, he has supported the abolition of the family values in which we South Dakotans believe.

## 7 None Shall Pass: Filibusters of Supreme Court Nominees

**T**OM DASCHLE IS THE chief architect of the Democrats’ unprecedented filibuster of federal judicial nominees in the United States Senate. The battle over President Bush’s nominees to the federal bench is essentially different from perennial struggles between the President and the Senate because in the past, senators have always accepted majority rule. Presidents have nominated judges to federal courts (including the Supreme Court) and, in accordance with Article II, Section 2 of the U.S. Constitution, the Senate gave its “Advice and Consent” and—after some debate—voted each nominee up or down with a simple majority vote.

Enter Miguel Estrada, President Bush’s nominee for a vacancy on the prestigious District of Columbia Court of Appeals. Mr. Estrada was by all accounts a brilliant jurist. A Honduran born immigrant who taught himself English after entering college here in the U.S., he graduated from both Columbia University and Harvard Law School with honors. He went on to a distinguished career as a litigator and was eventually hired by the Clinton Justice Department. Democrats and Republicans alike embraced Estrada, and came to rely upon and respect his judgment and marveled at his up-by-his-bootstraps success story.

Estrada was one of newly elected President Bush’s first nominees to the federal bench in the spring of 2001. In the honeymoon that marks the first months of any new

president's term, Estrada was on his way to the D.C. Court of Appeals.

Then in May of 2001 Senator Jim Jeffords, Republican from Vermont, defected from the Republican Party and tipped the balance of power in the evenly divided U.S. Senate into the hands of Tom Daschle. All Republican business in the Senate stopped—including Republican judicial nominees. It did not escape new, Democrat Senate Judiciary Committee Chairman Patrick Leahy's notice that Estrada was a "practicing Catholic." The Estrada nomination was halted. For in modern liberal parlance, "practicing Catholic" is code for "pro-life."

Almost half of Bush's judicial nominees remained frozen until the 2002 election cycle delivered a Republican majority back to the Senate. Estrada and others were given new life. In fact, Estrada was so well respected by the Senate as a whole that not only did all 51 Republican Senators support his confirmation, but 4 Democrats did as well. This gave Estrada a comfortable 55 to 45 confirmation margin within the body—if the body had been allowed to vote.

It was at this point that Daschle and his friends Ted Kennedy (D—MA) and Charles Schumer (D—NY) decided to dispense with majority rule. Furious that they were unable to stop Estrada (and others) from confirmation under the old rules, they embarked on a constitutionally perilous path.

The "Advice and Consent" provision in the Constitution has been understood by every President and every Senate since 1789 to mean a simple majority vote on Presidential nominees to the federal courts. The President won election to office, his nominations were sent to the Senate where they were voted up or down. No Senator in the history of the

United States had ever successfully blocked an actual vote from taking place.

Yet on March 6, 2003, Senator Tom Daschle led his minority Democrats in repudiating 214 years of Constitutional history and filibustered the nomination of Miguel Estrada to be a judge in the federal courts. A "filibuster" is a procedural rule that exists in the Senate that demands that 60 of the 100 Senators agree to end debate on the matter before them. This super majority is used on rare occasion to obstruct votes on exceptionally controversial legislation that doesn't enjoy the support of at least 60 Senators. No Senator had ever used the rule against Presidential nominees.

In the firestorm that broke out following the filibuster, Daschle tried to justify this break with the Constitution in a variety of ways. Initially, he baldly asserted that filibusters of judicial nominees were in fact common. The nonpartisan Congressional Research Service quickly did a study on just that question. The *Wall Street Journal* summed up the report:

"That is false, so completely so that those who assert it are either lying or too lazy to check. In the history of the Senate, the 60-vote standard has never been used to block a nominee to a federal appellate court" (*Wall Street Journal*, 3/6/03).

Next the Daschle Democrats claimed that they would love to vote on Estrada's nomination, but simply didn't know enough about his background to cast an informed vote. This after Estrada had spent just under two years before the Senate Judiciary Committee and endured multiple days of questioning at their hands (both Democrat and Republican).

In fairness to Daschle, it is true that Estrada had not yet been a judge and therefore had no public paper trail of his judicial philosophy. This is why the Judiciary Committee hearing time had been so generous. But what Daschle wanted in order to bridge this paper gap now shocked the Department of Justice.

Miguel Estrada had worked for the Solicitor General's Office in the Clinton Department of Justice. The Solicitor General is, in effect, America's lawyer—arguing cases on behalf of the United States in various courts and forums. As at any good lawyer's office, in preparation for trial, attorneys assigned to the case are often ordered to argue all sides of a case before them in order to prepare. But only the Solicitor General's final, considered position is made public. (What went into the strategy is kept secret, much like failed plays in a football team's playbook are never revealed.)

Tom Daschle wanted every private, internal legal brief Estrada wrote for the Solicitor General released. Every living Solicitor General—including the three under which Estrada worked in the Clinton Administration—leapt forward to condemn this request. Like the filibuster, this ploy had never before been attempted. In fact, 67 other former Justice Department officials have been appointed to the federal bench without ever being asked for similar documents (*Wall Street Journal*, 2/26/03). Needless to say, President Bush did not comply.

What on earth is really going on here? Why would Tom Daschle so cavalierly cast out over two centuries of Constitutional precedent—over a single appellate court judicial nominee out of hundreds? And when pressed, why offer excuses of such thin gruel that not even members of his own party could swallow them?

In the contemporary, post-civil rights liberal movement, when it comes to judicial appointments, there's only one issue that matters: It's always about abortion.

Without a prior history on the bench, the only indication of Miguel Estrada's views on abortion was to infer one from his faith. As a practicing Catholic, the smart money (in liberal circles) said that Estrada was likely pro-life. And that's a risk that Senate Democrats just couldn't take.

For the real significance of Estrada isn't that he's unqualified or unknown; it's that he's so well qualified that a posting on the D.C. Court of Appeals may only be a brief stop . . . on his way to the U.S. Supreme Court. A possible swing vote on the wrong side of the abortion issue.

If this were simply the story of one man's tragic treatment at the hands of politicians, it would be nothing more than an historic footnote. However, the Daschle Democrats—emboldened by the lack of consequences for their actions—decided to strike again. Three more nominees were targeted for filibuster: Priscilla Owens (Texas), William Pryor (Alabama) and Carolyn Kuhl (California). By July, 2004, the list had grown to ten.

What do these individuals have in common with Estrada? Each is exceptionally qualified and likely pro-life. And although several represent a constituency that Senate Democrats are loath to alienate (blacks, women, Hispanics, southern conservatives) each appears tailor-made for the Supreme Court and thus must be blackballed.

Finally, filibustering judicial appointments has likely changed the balance of power between the Executive and the Legislative branches of government—and in a way neither spelled out in the Constitution nor intended by the Framers.

Douglas Kmiec, dean of the Catholic University Law School and a senior policy fellow at Pepperdine University, had this to say about the Daschle tactics:

“And it is not just Mr. Estrada who is being injured; it is the right of Senate members not to have their representation diluted or nullified. Ultimately, what is being filibustered here is the right of all of us who voted” (*Wall Street Journal*, 3/6/03).

## 8 Your Right To Remain Silent: Campaign Finance Reform

THE WORD “REFORM” (as in Bipartisan Campaign Reform Act of 2000) is liberalese for “power grab.” That’s why, in 2000, Tom Daschle took the lead in hustling Campaign Reform through the Senate *without a single hearing*. Daschle had been calling for greater government control of elections for years. As he said at a Democratic press conference on December 3, 1996, “Campaign finance reform is first and foremost our strongest desire.”

Everybody in Washington knew that the Bipartisan Campaign Reform Act would not, as its sponsors claimed, stop Big Business and special interest PACs from contributing to campaigns, would not “level the playing field,” would not take money out of the election process.

Indeed, critics make a good case that the new law will further empower fat cats and special interests while taking

small business and middle-income America out of the process. This will be done by preventing people from pooling their resources through contributions to political parties—which, under the new law, can no longer take “soft money” (i.e., money to be used for issue ads, get-out-the-vote drives, and other campaign expenditures that help candidates indirectly).

The bill should have been called the “Incumbent Protection Act.” By design it removed the ability of challengers in House and Senate races to receive sufficient support from political parties and grass-roots supporters to compete against incumbents. During the past decade, over 90 percent of the incumbents who sought re-election, returned to Washington. In the few races won by challengers, the challengers almost always out-spent their incumbent opponents.

Under the new rules, the only challengers with a chance to pull an upset are the very rich, like Jon Corzine, who shelled out \$62 million of his own money to buy a Senate seat in New Jersey. (Democrat Corzine—who understands the new law all too well—is now looking for multimillionaire challengers who can bankroll their own races against incumbent Republicans.)

In order to understand the enormous advantage that incumbents hold over challengers, let’s take a look at one randomly chosen senator—say, our Tom Daschle of South Dakota.

Daschle’s stance on “campaign finance reform” might have been more credible had he refrained from the very practices he denounced during the debate over the Bipartisan Campaign Reform Act. Indeed, in his harangues, he could have cited himself as the chief negative example.

Daschle's first run in 1978, could have made him Rookie of the Year as far as special interest groups are concerned. The Associated Press reported:

A study of campaign finance reports from the 1978 House elections showed new members averaged almost \$43,000 each in contributions from political action groups (PACs) maintained by interest groups, Common Cause said. Others at the top of the list included Reps. Vic Fazio, D-Calif, \$85,399; Daniel Crane, R-Ill., 81,253; **Thomas Daschle, D-S.D., \$79,916**; Beryl Anthony, D-Ark., \$75,565; and Joe Wyatt, D-Texas, \$72,050 [emphasis added] (Associated Press, 5/14/70).

Daschle's, \$79,916 equals about \$230,000 in 2004 dollars. Common Cause, an organization that favors heavy restrictions on fundraising, continued to monitor Daschle after he arrived in the Senate. A 1992 study by the organization showed just how high Daschle ranked among PACs:

Special interest groups have donated nine times more political action committee money to Senate incumbents than their challengers, an analysis shows.

Sen. Arlen Specter (R-Pa.) was the Senate's top PAC fundraiser with \$1.79 million through Sept. 30; **Sen. Thomas Daschle (D-S.D.) was a close second at \$1.77 million**, said Common Cause, a public-interest lobby that has led the fight to change campaign finance laws [emphasis added] (*Memphis Commercial Appeal*, 10/26/92).

Special interest groups gave Daschle an enormous head start over his under-funded challenger, Charlene Haar. Haar eventually spent only \$478,421. Daschle spent \$3,981,548—

which was nearly eight times as much as Haar (*The Almanac of American Politics*, 1998). In 1992 44% of his contributions came from PACs (Mackinson and Goldstein, *Open Secrets: An Encyclopedia of Congressional Money and Politics*, 1994).

By 1997, with all the perks of incumbency, Daschle was ready to abolish Political Action Committees—or was he? At the beginning of the new session, Daschle actually introduced a bill banning PACs (*National Journal's Congress Daily*, 1/23/97). While he was posturing on the Senate floor, however, he continued to take large sums of money from these same PACs for his upcoming 1998 race. By June, Daschle had collected over a million dollars. Among those showering him with gifts were the following:

Lawyers' PACs	\$66,814
Big Labor PACs	\$142,600
Liberal Ideological PACs	\$16,000
Entertainment/Gaming PACs	\$52,440

(Federal Election Commission Reports, 1/1/93–6/30/97).

Given the advantages of incumbency—such as his name recognition, government franking privileges, sympathetic press coverage of his every move, his spending record, and debts racked up for constituent services—why didn't he make a principled stand and refuse PAC money if he thought such contributions corrupted the system? He knew he could still out-raise and outspend any Republican challenger, though perhaps not by a margin of eight to one. Yet Daschle scooped up every penny thrown his way from special interests.

And that's not all.

Over the years, Daschle had also taken money from some pretty sleazy donors, including the Lippo Group, John

Huang, Charlie Trie, and James Riady. Just who are these characters?

- The Lippo Group—a huge conglomerate with headquarters in Jakarta, Indonesia. It was founded by an ethnic Chinese named Mochtar Riady and has strong political and economic ties with Red China. Lippo has major financial holdings in the United States, including the LippoBank of California; and its executives have contributed enormous sums of money to the Democratic Party.
- John Huang—the highest Lippo executive in America and a major fundraiser for the Democratic Party in the 1990s. In 1996, he alone raised \$3.4 million for Democrats. It was Huang (pronounced Wong) who organized the infamous Buddhist Temple fundraiser, where Al Gore helped to raise \$140,000 from “straw donors”—i.e., people (in this case, nuns) who became conduits for wealthy donors to give more than the legal limit to Democrats. It has been alleged that Huang was an “agent of influence” for the People’s Republic of China.
- Charlie Trie—another fund raiser for the Democratic Party. According to the *Washington Post*: “Information released by the Democratic National Committee showed that three fundraisers—Trie, John Huang, and Johnny Chung were responsible for raising \$2.2 million—or 79 percent—of the \$2.8 million in questionable or illegal contributions returned [in 1998].”
- James Riady—Mochtar Riady’s son and a lobbyist on behalf of Chinese interests. According to the *Post*: “James Riady made about twenty visits to the White House after Clinton was elected in 1992. He met pri-

vately with the President three times. . . . On [one] visit, Riady urged Clinton to push trade with China” (“Campaign Finance Key Players,” *Washingtonpost.com*, 7/24/97).

In 1997, *The Hotline* reported the following:

The “money mess” regarding the Asian connection that has been “rocking” Washington has now “cast its long shadow” over S.D., touching two of the state’s senators—past and present.

The records indicate that Lippo “reached out” to Daschle before they approached Pressler. Lippo exec. James Riady “helped host” a fundraiser for Daschle on 5/31/91. On that day, John Huang and his wife also gave \$1,000 each to Daschle. Daschle “had views that coincided with” Lippo interests in Congress granting China MFN [most favored nation] status.

“After Daschle became Senate Dem Leader, he received a \$500 donation from Charlie Trie, another “key figure” in the Dem fundraising controversy. Trie’s mother also gave Daschle \$2,000 in ‘95 (*Mercer, Rapid City Journal*, 3/16/97; *The Hotline*, 3/18/97).

After refusing at first to admit any impropriety, Daschle finally yielded to public pressure and returned the contributions from the Huangs and Riadys (*Ibid.*). John Huang, Charlie Trie, and James Riady subsequently pled guilty to campaign finance violations, and the LippoBank of California pled guilty to 86 counts of making illegal foreign campaign contributions from 1988 through 1994 (<http://www.usdoj.gov/opa/pr/2001/January/017crm.htm>).

Tom Daschle has used every trick of the politician's trade to raise campaign funds—money that, as an incumbent, he hasn't really needed. Some of the sleaziest influence peddlers in the world have slipped him cash. And probably due to his wife, the airline industries always pony up . . . the worse their safety record, the more they kick in.

Yet when Daschle comes back to South Dakota, he's treated like an Eagle Scout with a merit badge in Campaign Finance Reform. It's hypocritical to take money from people like Huang and Riady and Trie. That's why Daschle pretends he doesn't.

## 9 Mount Rushmore for Sale

WHEN ALFRED HITCHCOCK filmed "North By Northwest," he was not allowed to take his cameras up to Mount Rushmore, where the final scenes of the action took place. So he had to build his own facsimile of the historic site. Had Tom Daschle been around, Hitchcock could have contributed \$5,000 to the Senator's reelection campaign, hauled his camera up the real Mount Rushmore, and shot his film while sitting inside Thomas Jefferson's nose.

In 1997, Daschle used the monument, which he refers to as "The Shrine of Democracy," to reward those giving major contributions to his campaign. Here is a portion of the Associated Press account of the event.

The superintendent of Mount Rushmore said today he escorted guests at a \$5,000-per-person fund-raiser for Senate Minority Leader Tom Daschle to the top of George Washington's head at the famed national park in South Dakota's Black Hills last month.

Among those at Daschle's fund-raiser were lobbyists for Bell Atlantic Corp., smokeless tobacco maker UST, Bell-South Corp., Ameritech, Sprint Corp., Miller Brewing Co., Unilever, Federal Express Corp., McDonnell Douglas Corp., the Public Securities Association, the American Automobile Manufacturer's Association and the National Association of Letter Carriers (AP, 10/10/97).

Just last month, Senate Democratic leader Thomas Daschle took \$5,000 donors on a VIP hike to the top of Mount Rushmore National Memorial in his home state of South Dakota. High above normal tourists below, visitors on such special hikes get to stand atop the carved head of George Washington (AP 10/11/97).

When the story broke, Daschle followed the Democratic playbook, written by Al Gore and Hillary Clinton, and claimed that the hike was not a fund-raising event.

No one was asked for money to go on the hike, Daschle said Friday. No one was asked for money to come for the weekend (Ibid.).

A flat-out lie, as the AP story pointed out.

The invitation Daschle sent to invite lobbyists and others on the trip said, "The contribution for the weekend is \$5,000."

Daschle's explanation resembles what [Clinton] White House officials have said about the coffees, sleepovers, lunches, and dinners the Democratic Party held in the executive mansion for big donors.

It is unusual for the AP to offer commentary of this sort; but the misuse of government property, the commandeering of a federal employee for the guided tour, and Daschle's shameless denial of what was undeniably true may well have demanded that the comparison be drawn.

Ten years earlier, in the type of grandiose speech that politicians usually save for Fourth of July picnics, Daschle objected to a bill proposing that a nominal fee be charged for entrance to Mount Rushmore. Here is a portion of his rhetorical flight.

Since its creation, Mount Rushmore has been an internationally recognized symbol of our Nation's strength and vision. The tremendous undertaking of immortalizing George Washington, Thomas Jefferson, Theodore Roosevelt, and Abraham Lincoln in granite, and the spectacular results with which we are all so familiar, serves [sic] as a reminder of the foresight and leadership of four of this Nation's most distinguished leaders, as well as a tribute of their everlasting dream of freedom and equality.

The "Shrine of Democracy," as Mount Rushmore is known, is far too important to America's history and future to ever allow entrance to be denied on the basis of money. Charging a fee for U.S. citizens, not to mention visitors from foreign lands, to examine the manifestation of this nation's dreams and values into an unparalleled monument to freedom and freedom simply must not be

allowed. For Mount Rushmore is not so much a national park, as it is a tribute to the very ideals this body represents and strives to preserve.

Mr. President, the legislation I am introducing today reaffirms the intent of the February 25, 1929, prohibition against charging entrance fees at Mount Rushmore National Park in the Black Hills of South Dakota (*Congressional Record*, 4/29/87).

Ten years later, Daschle was charging \$5,000 a head.

## 10 Tom Daschle's Definition of "The Rich" and Taxes

LISTENING TO TOM DASCHLE talk about tax cuts is like stepping into a tornado—if your feet aren't nailed down, he'll spin your head off. He often claims that he supports lower taxes. Yet the record indicates that he opposes tax cuts of every stripe.

- For almost three years, he led the charge against President Bush's highly popular tax cut, which probably saved us from a deepening of the Clinton recession.
- He favors maintaining the "death tax," even when over 80 percent of South Dakotans voted in 2000 to repeal the state's inheritance tax (*Congressional Record*, 7/27/95).

- And when President Bush proposed one more tax cut in January of 2003 to spur our recovery, Minority Leader Daschle fought the \$600-per-family refund (ABCNews.com, 5/26/03).

On the other hand, when President Clinton proposed the largest tax *increase* in history, Daschle was head cheerleader. Liberals like tax increases for three reasons: (1) They provide funding for new government programs, (2) these programs in turn buy votes, and (3) votes equal power.

If you want to understand about Daschle and taxes, you have to go back to 1993, when Bill Clinton proposed the Mother of All Tax Hikes.

"It will be the largest tax increase in the history of public finance in the United States or anywhere else in the world.  
—Sen. Daniel Patrick Moynihan (D-NY) (CQ 3/18/93).

At the outset, Tom Daschle was a true believer in Bill Clinton's Guinness record tax increase. He said it was time to attack the national debt, to get our fiscal house in order. He made no reference to the fact that his party was primarily responsible for incurring that debt in the first place. Instead, he talked about future generations and world markets, no longer speaking as a Washington liberal. Daschle had become a statesman.

[I]f we do not make this down payment on the debt and come to grips with the deficit in an effective way with cuts and with revenue, recognizing the need for progressivity and the need for equal sacrifice geographically then, frankly, Mr. President, I do not think we have any chance of strengthening this economy. We must turn the debt around,

and do what we know we must to ensure that the American people and all future generations are not saddled with this economic situation. We must not fail in this most important task before us (*Congressional Record*, 6/23/93).

As the tax cut came down to the wire, however, Daschle saw passage of the bill less as a gift to the nation and more as a political necessity for the new leadership. Democrats had a difficult product to sell. Americans didn't want higher taxes. South Dakotans, among the more conservative voters in the nation, were sick of big government. The new president and his new Congress suddenly found themselves in trouble.

As the Democrats' old friend Elizabeth Arnold of National Public radio put it:

ARNOLD Budget Director Leon Panetta was one of a dozen administration officials scurrying around Capitol Hill yesterday. He worked on the Black Caucus in the House as other cabinet members prodded and poked wavering senators. The bottom line, he said, is that members cannot afford not to pass the plan. South Dakota Democrat Tom Daschle agrees. There's some wriggle room and some time for posturing, he said, but ultimately Democrats lose if it goes down.

DASCHLE Most people realize that politically, as well as economically, it's a disaster if we don't get this done (NPR's "Morning Edition," 7/30/93).

By the time this scurrying took place, the World's Biggest Tax Increase bill had already passed the Senate—

by one vote. In fact, Vice President Al Gore, presiding over the Senate, had to break the tie. Thus, had Daschle wanted to represent South Dakota's views, he could have prevented this monstrosity from ever becoming law. However, Daschle's loyalty was to the new president and to the left wing of the Democratic Party, for whom the bill was the fulfillment of a lifetime dream. By working for passage, Daschle established his credentials as a liberal. After that vote, Daschle would be called a liberal by most of the press.

When President Clinton signed the bill into law, the government's hand was poised to pick a variety of pockets. Among the provisions were:

- \$115 billion from higher personal income tax rates
- \$31 billion from higher gasoline taxes
- \$29 billion from expanding the Medicare payroll base
- \$25 million from higher taxes on Social Security benefits ("The Economic and Budget Outlook: An Update," Congressional Budget Office, 9/93).

Three years later, the Heritage Foundation—a Washington-based think tank—analyzed the impact of the tax bill on the U.S. economy. Among other things, the analysts found that the bill cost America:

- 1.2 million additional private sector jobs
- \$208 billion in economic output
- 40,600 new business starts
- \$112 billion in wages and salaries
- \$264 billion in disposable income
- \$138 billion in personal savings
- 1.3 million new car and light truck sales
- \$42.5 billion in durable goods

Bill Clinton inherited a period of economic expansion from his Republican predecessor. That period began in March of 1991, the third year of the elder Bush's presidency. But according to the Heritage Foundation's analysis, the Clinton budget "[D]elivered only 49 percent of the new revenues predicted by the Congressional Budget Office from the increase in personal and corporate tax rates between FY 1994 and FY 1996" (*Backgrounder No. 1078*, The Heritage Foundation, 5/1/96).

In other words, the tax increase was too great to allow the economy to grow at its natural rate. At least one person agreed with that assessment.

At a Democratic outing, President Clinton made a remarkable confession.

"There are probably people in this room still mad at me . . . because you think I raised your taxes too much," he told Democratic high rollers at an October 17 fund-raiser in Houston. "It might surprise you to know that I think I raised them too much" [ellipsis in the original] (*National-reviewonline.com*, 6/19/00).

His pollsters may have told him it was coming—a huge backlash over the administration's attempt to commandeer the American health-care system and the enormous tax increase that slowed down economic expansion and took money out of the pockets of even low-income Social Security recipients. People saw the Democrats as greedy for greater power and new tax dollars.

As a consequence, something happened in 1994 that had not happened in a generation: Against all odds, the Republicans took control of the House of Representatives

for the first time in 40 years. Suddenly Bill Clinton was looking at hostile leadership on the Hill.

Tom Daschle was lucky. He wasn't up for reelection until 1998. And by then, voters had forgotten that he was the champion of one of the biggest taxing nightmares in history. They remembered only Daschle the statesman, who called for belt-tightening and budget balancing. He came home again, talked about the homey virtues of discipline and frugality, and was once again returned to the Senate by our all-too-trusting electorate.

## 11 Taxing Seniors

**L**IKE MOST LIBERALS, Tom Daschle demagogues the Social Security issue, maintaining his concern for the comfort and security of senior citizens, pointing with pride to the Democratic support of this program, viewing with alarm any Republican effort to improve it. Consider a couple of quotes from his campaign literature.

Retirement years should be society's gift to those who built America. It should be a time of family, freedom, discovery, and joy. It should not be a time of financial distress, loneliness, and despair.

The latest buzzword in Washington these days is "entitlement cap," which could turn out to mean balancing the

budget on the backs of seniors . . . We have to review these proposals very closely before we buy into anything that breaks promises we've made to seniors regarding Social Security, Medicare, and other programs for the elderly ("The Daschle Plan" campaign literature, 1992).

Ten months after getting reelected, however, the kind and caring Daschle had been replaced by the hard-boiled ideologue, intent on adding new give-away programs to an already endless list. He voted for the largest tax increase in the history of the world (literally) and went after Social Security beneficiaries, as well as the rest of us, to pay the bill.

Consider the following story from the *Congressional Quarterly*.

Daschle voted for adoption of the conference report to reduce the deficit to an estimated \$496 billion over five years through almost \$241 billion in additional taxes and \$255 billion in spending cuts, closely tracking President Clinton's economic proposals. Of the cuts in the bill, \$102 billion would come through a freeze of discretionary spending at or below fiscal 1993 levels through fiscal 1998. Proposals in the bill include: a new top income bracket of 36 percent with a 10 percent surtax above \$250,000 retroactive to Jan. 1, 1993; a tax increase on Social Security benefits of wealthier recipients . . . [emphasis added] (CQ, Vote #247, 8/6/93).

So what did the phrase "wealthier recipients" mean—millionaires drawing Social Security? What it meant initially was married seniors who earned more than \$32,000 a year and single seniors whose income was at least \$25,000

a year. Later in the debate, that figure was upped to \$44,000 a year for married seniors and \$34,000 a year for single seniors.

Is that what was meant by “wealthier”? In 1993, most single seniors with an income of \$34,000 a year were living in limited circumstances, as were couples living on \$44,000 a year. At best they would fall into the category of “lower middle-income.” Yet Senator Daschle seemed perfectly willing to balance the budget on their backs.

Here is what a Heritage Foundation report had to say.

As President Clinton’s budget goes to Congress for a final vote, now that the conference committee has finished its work, millions of retired Americans face a tax increase on their personal savings. In the reconciliation agreement reached on August 2, an amendment to the Internal Revenue Code, Section 86, increases the “elderly surtax” on pensions, IRA withdrawals, interest from municipal bonds, certificates of deposit, and other income above a \$34,000 threshold (\$44,000 for married couples). The threshold is calculated by including municipal bond income and half of a taxpayer’s otherwise exempt Social Security benefits (“The Clinton Surtax on the Elderly’s Savings,” Heritage Foundation, 8/3/93).

Also the amount of a senior’s Social Security subject to taxation increased. *The New York Times* described it as follows:

Under the present law, 50 percent of the benefits are taxed at the person’s ordinary rate if the provision income is more than \$25,000 for a single person, or \$32,000 per couple. Under the new law, up to 85 percent can be taxed if

*the provisional income exceeds \$34,000 for a single person, or \$44,000 for a couple. [emphasis added]*

Arthur Anderson [accounting firm] figured that a single taxpayer with a provisional income of \$36,000 and Social Security benefits of \$8,000 would have to pay taxes on \$5,700 of the benefits. Under the old law, \$4,000 would have been taxable. Such a person is likely to be in the 28 percent tax bracket, so the tax increase amounts to 28 percent of \$1,700, or \$476 (*New York Times*, 8/8/93).

And the revenues raised by this new tax weren’t put into Social Security trust funds. The money went into the General Fund, to spend on pet projects and new programs.

Many protested, and Senator Trent Lott (R.-Mississippi) argued that the increased taxes on Social Security benefits were unfair.

Although I do not like a lot of the budget proposal, in my opinion, nothing is more unfair than this part of the budget proposal: To tax the Social Security benefits of these elderly retirees.

It has been said, even in some news media, something to the effect that this would be a tax increase on the most affluent Social Security recipients. As a matter of fact, I do not know what they mean by affluent. I do not know how they define wealthy. We are not talking about people with Social Security benefits and outside income of \$200,000. No, not \$200,000, not \$100,000, not \$50,000. You are talking about taxing the Social Security benefits of an individual down to \$25,000, a couple with \$32,000.

Mr. President, that is not even middle income; that is low income. When I hear this, I envision a retired school-

teacher who worked all of her life, is widowed, managed to save a little money, and has a little income. In total, it may go up to \$27,000 a year. She is going to have a significant tax increase. So let us make this clear: This is a raid, taking taxes, taking money from Social Security retirees down to \$25,000 a year (*Congressional Record*, 3/23/93).

Lott's opinion was shared by many others on the floor of the Senate. Opponents of increased taxes on Social Security benefits attempted to strike that part of the draft budget from the final bill. And how did Daschle vote on this measure of prime importance to seniors? He had two chances to vote to eliminate tax increases on Social Security, but in each instance he voted to pile the tax load on the heads of marginally poor seniors.

*The Congressional Quarterly* reports:

[On March 24, 1993] Daschle voted for the motion to table [kill] the amendment to eliminate the instructions to the Finance Committee for a \$32 billion tax increase over five years on Social Security beneficiaries, to be derived by increasing from 50 percent to 85 percent the amount of benefits subject to tax for single recipients with incomes of more than \$25,000 and couples with more than \$32,000 (*CQ*, Vote #57, 3/24/93).

It is hard to believe that Daschle's voting was merely an attempt to balance the budget, since:

The amendment would have cut new spending by the same amount in order to meet the same deficit-reduction targets in the resolution (*Ibid.*).

In other words, rather than reducing the size of government, Daschle would rather raise taxes on Social Security recipients. A vote against seniors, and a vote for Big Brother.

The second vote came three months later. This time, in an effort to reduce the tax burden on seniors another way, opponents of the Clinton-Daschle tax bill tried to get rid of the provision that would raise the taxable Social Security income of some seniors from 50 percent to 85 percent.

Again *Congressional Quarterly* summarizes what happened.

Daschle voted for the motion to table (kill) the amendment to strike the provisions of the bill that raise the percentage of Social Security benefits taxed from 50 percent to 85 percent for individuals earning more than \$32,000 and couples earning more than \$40,000 (*Ibid.*).

Taxing Social Security benefits is a second tax on the recipients' income. Throughout a recipient's working life, he or she is taxed on income and forced to pay into the system. Then, when recipients try to recoup their investment, Daschle and the IRS are there to tax them again. On the surface, a single senior and a senior couple seemed to be making the same amount as in the past. In reality, however, Congress reduced their benefits without having to admit it. The scheme was a deceptive way of renegeing on a promise to senior Americans; and liberals such as Daschle were the driving force. Yet, while Daschle votes against the interests of Social Security recipients, he never misses an opportunity to accuse Republicans of undermining the Social Security system.

In cutting Social Security benefits, Daschle was counting on the short memory of the general public and the sympathetic coverage of the media, who invariably repeat the myth that he is a staunch and incorruptible defender of Social Security. Thus he proclaimed in 2002, "What we say today and tomorrow and every time we take this issue up is: Don't mess with Social Security" ([http://more.abcnews.go.com/sections/politics/DailyNews/Social\\_Security010502.html](http://more.abcnews.go.com/sections/politics/DailyNews/Social_Security010502.html)).

As Huey Long once said, "If you have the reputation of an early riser, you can sleep till noon."

One final point. Over the years, Daschle and others (regardless of political stripe) have made solemn references to the Social Security trust fund, vowing to defend it with the last drop of blood that runs through their veins. Thus Daschle, commenting on the second meeting of President Bush's Social Security Commission on July 24, 2001, said, "The only way [the President] can pay for his plan now is by raiding the Social Security trust fund."

It is time to finally put a myth to rest and get one thing straight: *There is no such thing as a Social Security trust fund!*

The source for this statement?

Tom Daschle, who told columnist Robert Novak that "there is no such fund per se" ("Senator Admits It: Social Security Trust Fund is a Hoax," [self-gov.com](http://self-gov.com)).

Columnist Scott Burns explains why:

Here's the history. The Social Security Trust fund had a balance of \$27.5 billion in 1978, barely enough to pay a few months of expenditures. In the next five years, expenditures continued to exceed revenues. By 1983 Congress

had to shift \$5.5 billion from the general fund to the trust fund to keep Social Security checks from bouncing.

Congress responded with a large increase in the most regressive tax in America, the employment tax. The idea was to spend the next 30 years building a Trust Fund balance large enough to handle the early years of baby boomer retirements.

Unfortunately, the same Congress spent the money and left Treasury I.O.U.s in the Trust fund. Additional Treasury obligations are issued to reflect the interest earned.

In effect, the Social Security became Washington's slush fund. When the regular budget ran a deficit, it didn't feel quite so bad because surplus Social Security cash helped finance it. It wasn't necessary to borrow quite so much from domestic or foreign investors ([DallasNews.com](http://DallasNews.com), 9/16/01).

So there is absolutely nothing in the Social Security bank account—nothing but overdraft notices, which is why Daschle admitted that the Trust Fund didn't exist.

Yet in 2001, he was frantically waving his arms, warning that President Bush was about to raid a trust fund that didn't exist.

Of this charge, Scott Burns wrote:

George W. Bush has been in Washington less than nine months.

Tom Daschle has been in Washington since 1978. He was in the House of Representatives from 1978 to 1986. Then he was elected to the Senate...

Query: What did Senator Daschle, now the leader of the Democratic Party, do to protect the Social Security Trust Fund during all those years?

Answer: Nothing (*Ibid.*).

Daschle's stance on Social Security is not merely a side issue, an opportunity to play gotcha over some trivial inconsistency. He and his party have chosen to make this program the centerpiece of their campaign strategy. When the polls show that Republicans are about to elect a president or win control of Congress, Daschle and the Democrats invariably sound the alarm bell about Social Security, charging that the GOP doesn't care about old people, that its programs are designed to steal Social Security benefits from their mail boxes and bread from their mouths.

Yet, it was Daschle and friends who were willing to do just that.

## 12 I'm Exempt

**M**EMBERS OF THE HOUSE and Senate often pass laws that impose restrictions and requirements on ordinary citizens. Wherever you are, you can be certain the federal government is right there telling you what to do and what not to do.

At the same time, U.S. congressmen and senators are notoriously reluctant to live under the same rules they make for the rest of us. So they write laws with built-in exemptions for themselves and nobody else.

In 1992, Tom Daschle, facing an election only 10 months away, insulated himself from this issue, which was beginning to gain attention in the House. With a blast of trumpets and a clash of cymbals, he announced that he would introduce a bill to correct this practice—that is, “to eliminate Congressional perks” and “to ensure Congressional coverage under workplace laws” (*Roll Call*, 1/9/92).

In August, three months before the election and just in the nick of time, he introduced his bill, which failed to gain any co-sponsors and died in committee.

Surely this bit of stagecraft fooled no one in the Senate. Bills don't go to committee without the sponsors knowing something of how they will fare, unless those sponsors are merely trying to impress the people back home.

Until the Republicans made Congressional exemptions an ethics issue in 1992 and 1994, Daschle routinely voted to continue exempting himself from the tougher laws imposed on the American people.

Brian Little, the 1991 Director for Government Relations with the U.S. Business and Industrial Council, pointed out the irony of this practice in light of what the framers of the Constitution believed:

And indeed, 200 years ago the founding fathers recognized the importance of this issue. James Madison wrote in the Federalist Papers that all laws that Congress passes should apply equally to Congress as they do to all the

other people in the country (Civil Rights Bill Amendment press conference, 10/8/91).

Here are a few examples of laws that Daschle and many others in Congress exempted themselves from obeying.

- As late as 1993, employees of the Senate were not protected by the same civil rights legislation that, Wal-Mart or grocery store employees enjoyed. As *Congressional Quarterly* explained it: "Because of exemptions from civil rights laws, employees cannot take their bosses to court for violations such as racial discrimination or sexual harassment." In other words, if you were a black staffer in Senator Daschle's office and thought you had been passed over for promotion because of your race, you couldn't file a suit in federal court. Why not? Because Senator Daschle and his friends decided they would rather handle your problem "in-house"—as would every other employer in the U.S. (*CQ Weekly Report*, 9/18/93).
- Until Republicans made exemptions an issue, Daschle and others exempted themselves from Occupational Safety and Health Administration (OSHA) regulations. As *Congressional Quarterly* pointed out: "In the private sector, the Occupational Safety and Health Administration (OSHA) can fine manufacturers who maintain unsafe working conditions. The office has no power to punish [congressional] violators; it can only report to congressional committees" (*CQ Weekly Report*, 9/18/93).
- Daschle and friends also exempted themselves from federal wage regulations. Again *Congressional Quarterly*

pinpointed the hypocrisy: "Senate employees get no overtime pay. House workers did not until 1989, following news reports that workers in the folding room were being forced to work 72-hour weeks stuffing envelopes with members' newsletters to constituents. In the private sector, employers must pay time and a half for work over 40 hours a week." If anyone else had been doing this, they would have called it a sweatshop. On Capitol Hill, they called it "business as usual" (*Ibid.*).

In 1990 and 1991, Tom Daschle had an opportunity to lead the fight to repeal the exemption of the Senate from civil rights litigation. *Congressional Quarterly* describes what he ended up doing.

Daschle voted in favor of providing Senate employees with "the rights and protections provided for under the Civil Rights Acts of 1990 and 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973 and the Americans with Disabilities Act" by referring all claims raised by the individuals with respect to violations under such acts to the Select Committee on Ethics (CQ, Vote 144, 7/10/90).

Referring the charges to the Select Committee on Ethics means the complaint is kept within the warm and cozy confines of the Senate leadership, where it can be disposed of quietly and without embarrassment. The Select Committee is a friendly and manageable body, if you happen to be Tom Daschle. (If you don't believe that, ask the widows of the three doctors killed in a South Dakota plane crash. See Chapter 14.)

Republican Orrin Hatch made the obvious argument against Daschle's position:

I challenge any Member of this body to defend a statement that the Senate is above the law. We are not—we should not be.

Mr. President, the Senate should treat its employees no different than the employers we impose these rules and regulations on.

There is no reason why we should deny Senate employees the same treatment as is available to everyone else (*Congressional Record*, 7/10/90).

There is really no reply to this argument. So how can we explain Daschle's votes? Did he secretly believe that these civil rights laws were unjust? Or did he believe that senators were above these laws, with every right to adjudicate complaints behind closed doors, while General Motors and the Salvation Army were being hauled into open court on the same charges?

The fact that Congress under Tom Daschle's leadership was militantly unwilling to live under the same rules as the American people tells us something disturbing about this man.

## 13 Tom Daschle's Breadwinner

FOR A WHILE DURING 2002–3 it appeared as if Tom Daschle would give up his Senate seat and run for president. With the exception of Hillary Clinton, Daschle had the highest name recognition of any potential candidate. He had been a ruthlessly effective Majority Leader of the Senate and, as Minority Leader, had tied up President Bush's judicial nominees and a good portion of the GOP legislative package. The hard left in his party recognized him as a member of their team, and yet he still maintained the image of a moderate both in South Dakota and elsewhere. In short, Daschle had the credentials and the experience; and he could fool enough of the people to pass as a centrist.

Yet, after he seemed about to stick his toe in the water, he suddenly announced he had no intention of running, that he would seek reelection to the Senate instead. Immediately members of the press began to speculate on the reasons for his withdrawal. Many came to the same conclusion: Daschle knew that if he ran for president, the media would focus on the activities of his current wife, Linda Daschle, whose history as an FAA official and a high-paid Washington lobbyist constituted a closet full of skeletons waiting to clatter into the spotlight.

Prior to Daschle's withdrawal, Stephanie Mencimer, writing in *The Washington Monthly*, warned of problems involving his wife:

If Daschle does seek higher office, or even if the business of Congress becomes more contentious, those attacks will inescapably become more personal. He may find himself answering some pointed questions about his wife's career and its relationship to his. It won't be pretty.

The landmines in Linda Daschle's professional portfolio will make Hillary Clinton's pork futures and law-firm billings look like mousetraps (Stephanie Mencimer, "Tom Daschle's Hillary Problem," <http://www.washingtonmonthly.com>).

When Daschle did withdraw, *Slate*, a liberal Internet magazine heaved a sigh of relief:

Chatterbox doesn't know why Tom Daschle suddenly decided not to run for president.

But the decision is unquestionably a good one for the Democrats. Had Daschle run, sooner or later his wife Linda, who is a corporate lobbyist in Washington, would have become an issue. It's unsettling enough that the Democrats' Senate leader is married to an influence peddler. It may even unsettle Linda Daschle, who was quoted two years ago saying she took a "not at all favorable" view of Daschle running for president. "You can be a very nice person and you can find that some will still distort your record, try to convince in every possible way that they can that you are not who you are," she told Gannett News Service. A plausible translation of that would be: "If Tom runs for president, he'll get pilloried for being married to me" (<http://slate.msn.com>, 1/7/03).

What has Linda Daschle done to constitute such a political liability to her husband? In short, she used her influence to obtain outrageous concessions for her multi-billion-dollar clients . . . deals that have cost the taxpayers unnecessary billions.

Linda became known to the general public in 1976, when, as Linda Hall, she won the Miss Kansas contest, just two years before Tom Daschle was elected to Congress. Daschle was then married to his first wife, Laurie, who campaigned with him from the beginning and bore him three children. In 1980, the ex-Miss Kansas took a job with the Civil Aeronautics Board, where she served as director of the Office of Congressional, Community and Consumer Affairs. She met Tom Daschle while on a business trip to South Dakota. After Daschle's 1984 divorce, Daschle married Linda (Mencimer).

Shortly after the marriage, Linda was hired by the Air Transport Association, the airline industry's trade organization. Her position required her to lobby on behalf of the Association's membership. After taking the job, she consulted with lawyers on the House ethics committee and announced that she would not lobby her husband, his office, or the committees on which he served and would not even whisper in his ear about the air transport industry. Thus from the beginning, she sought to maintain the appearance of propriety. However, no ethics committee staffer or outsider could ever know whether she held true to her word.

When Mrs. Daschle came to call on other members of Congress, it would be difficult to ignore her last name or the fact that her husband was an increasingly influential member of the House. When Daschle was elected to the Senate, Linda promised to avoid lobbying the Senate. Now

she could lobby the House, where he had served with old friends (*Ibid.*).

By 1993, she was so good at what she did that she had become senior vice president of the American Association of Airport Executives. It was then that President Clinton appointed her to the FAA, a position that required Senate confirmation. Linda was approved unanimously (*Ibid.*).

Linda has said that she didn't ask for the job and took a pay cut when she accepted it. However, it was a good career move for her, since she established additional credentials as an aviation expert, and she was also in a position to help old friends like Murl Bellew, as well as air transporters and airport executives. It was while she was with the FAA that her first public scandal surfaced—the crash of Bellew's charter plane that killed the pilot and three doctors (see Chapter 14).

After her stint with the FAA, Linda returned to lobbying with the well-known Washington law firm of Baker, Donelson, Bearman & Caldwell, where she became chair of the firm's public policy practice group, a position she still holds. She is clearly a tremendous asset to the firm, which has served its well-heeled clients admirably, though not without considerable controversy. Consider the following examples reported by Stephanie Mencimer:

- American Airlines is one of Linda Daschle's larger clients. Since 1994, six American Airlines planes have been involved in fatal crashes (not including the 9/11 losses), and American has been fined thousands of dollars for safety violations. According to Judicial Watch, a non-profit organization that monitors government legal questions, American "has lobbied for years to

water down safety and security regulations that might have helped foil the World Trade Center attacks." In addition, immediately after 9/11, Tom Daschle rushed a bill through the Senate that gave American Airlines \$583 million (<http://www.judicialwatch.org/archive/newsletter/2002/0902a.shtml>).

- Another client, Northwest Airlines, was also the fortunate recipient of \$404 million in cash from the federal government as the result of a joint effort by the Daschles. As a consequence, Northwest reported a \$19 million profit for the third quarter.
- Linda Daschle's firm has also been lobbying the federal government on behalf of Boeing on the acquisition of 100 military aircraft. Boeing wants to lease rather than sell the planes to the military. The cost to the taxpayers of leasing—\$37 billion. The cost of buying—\$25 billion. The difference—\$12 billion. Given the power of Team Daschle, this deal may yet be consummated. Linda claims that she is never involved with lobbying military aircraft (Judicial Watch).
- In gratitude for his many favors, the air transportation industry donated more than \$100,000 to Daschle's campaign in the last election cycle. In fact, Northwest Airlines was the second largest contributor to Daschle's 1998 campaign.
- Perhaps the Daschles' neatest joint venture was the passage of legislation that forced the FAA to buy baggage scanners from L-3 International, another client of Linda Daschle. The Inspector General of the Department of Transportation said the L-3 scanners were substandard. Yet the legislation requires the agency to buy one L-3 scanner for every one it buys from an L-3 competitor.

According to Stephanie Mencimer, “[t]he L-3 machines have been so bad that the one at Dallas- Ft. Worth airport leaked radiation, and most others purchased by the FAA have not been installed. The FAA inspector told Congress that the FAA’s requirements to buy L-3 machines is one reason that DOT will not be able to meet the new mandate to screen all luggage for bombs for many years.”

- Judicial Watch reports that “Linda Daschle was recently cited in an FAA report for failing to enforce a “zero tolerance” policy she announced in 1996 while Deputy Director of the FAA against violent airline passengers, a pledge that some say could have prevented the 9/11 terrorist hijackings.”

Why hasn’t the story of these outrageous ethical breaches been covered on page one, above the fold, of every major newspaper in the country? And why haven’t Peter Jennings, Dan Rather, and Tom Brokaw been all over the Daschles? Stephanie Mencimer explains it this way:

So far, while the press has reported on Linda Daschle’s lobbying efforts, it hasn’t elevated it to anything like a bona fide scandal. Nor has the GOP, despite its recent attacks on her husband. But that could change. It doesn’t take Lee Atwater to see how Mrs. Daschle’s professional life might play out in a nasty re-election or presidential campaign: Sen. Daschle’s wife: Lobbyist for Nation’s Most Dangerous Airline,” or “Majority leader’s wife lobbied to make airlines less safe.”

Many of our newspapers in South Dakota see no evil, hear no evil, speak no evil, at least where the Daschles are

concerned. Thus Randell Beck, the executive editor of the *Argus Leader*, when asked why he hadn’t run this important story, replied that they didn’t report stories about candidates’ wives. Such was not the case when Newt Gingrich’s wife was the subject of the story. Not only did the paper report the story, but they also published an editorial denouncing the practice of lobbying by the wives of legislators. Of course, Newt Gingrich is a conservative Republican.

## 14 The Doctors’ Widows vs. Tom and Linda Daschle

**I**N THE EARLY 1990S, Daschle and his current wife, Linda, were involved in a shameless abuse of power that may have led to the deaths of four people. The story—lightly covered by the major media—*would have been the scandal of the decade* had the chief players been conservatives.

Here are the basic facts.

Once upon a time, a man named Murl Bellew was the owner of B&L Aviation—a charter flight company operating out of South Dakota. Bellew was a close friend of the Daschles and taught Tom to fly. He flew both Daschles around the state and was a contributor to Tom’s campaign fund (*New York Times*, 5/7/95).

Bellew was in the business of providing flights for the federal government that often involved hazardous

conditions—e.g., delivering firefighters to remote forest areas or flying Indian Health Service doctors to primitive air strips in rough country. The company was automatically under the jurisdiction of the FAA, which inspected its aircraft and safety procedures, and examined its pilots. In addition, since many of these flights passed over national forests, the U.S. Forest Service was also responsible for certifying the flights for safety. Forest Service inspections were more stringent than those of the FAA, but both agencies found problems with B&L (“60 Minutes” with Mike Wallace, 2/5/95).

Enter Tom Daschle, ready to do battle for a fellow South Dakotan. After all, constituent service is a big part of what congressmen and senators do. The trick is to help the hometown folks in every way possible without violating federal law or getting somebody killed.

Most of the time, these favors consist of helping a poor soul from the hinterlands through the bewildering maze set up by the federal bureaucracy. However, every so often, the results are disastrous.

When then-Congressman Tom Daschle tried to stop the Forest Service from inspecting airplanes, he denied that it had anything to do with Bellew’s slipshod operation. Daschle claimed “he was trying to streamline Government by eliminating duplication” (*New York Times*, 2/5/95).

[Bill Dickson, an aviation inspector with the Forest Service, told Mike Wallace that B&L planes frequently failed to meet safety standards. Here is a portion of that “60 Minutes” interview:

WALLACE In your 1993 inspection, it’s my understanding that you refused to approve 10 of B&L’s 14 planes.

- DICKSON That’s right.
- WALLACE And I’ve seen that inspection record. You found planes with no record of propeller overhaul . . .
- DICKSON Mm-hmm.
- WALLACE . . . no record of engine overhaul, an engine mount deteriorated, a fuel gauge stuck on empty, an oil leak inside the firewall, and on and on.
- DICKSON Right.
- WALLACE Could their infractions, if you want to call them that, or their sloppiness—could—could it cause a crash, a loss of life?
- DICKSON Sure, it could.
- WALLACE During one check of B&L, conditions were found to be so bad that an inspector wrote in his report, quote, “not only would I not fly in B&L’s aircraft myself, I would never let my family or loved ones fly in one!”
- DICKSON Myself, if I was—if I was there, I’d be reluctant. I’d be reluctant to fly on their aircraft.

And it wasn’t just the machinery that didn’t operate safely. It seems that Murl Bellew and his pilots had the disturbing habit of sleeping while at the controls of their planes. Tammy Kirkland, a South Dakota nurse, told the *New York Times* that Bellew dozed off for several minutes while piloting her flight. When she complained, B&L pilot Edward Mullen told her not to worry. “Murl’s a light sleeper,” he said (*New York Times*, 10/16/94).

At some point, Bellew must have gone to his good friend in Congress and asked for his help. Daschle responded by trying to take the Forest Service out of the picture. The *New York Times* reported that, after the Forest Service found numerous safety violations at B&L, Daschle began "a two-year effort to strip the United States Forest Service of authority to inspect air charter companies" (*New York Times*, 2/5/95).

In a follow-up story they were even more explicit.

Senator Daschle began working to remove the Forest Service's authority over air safety after its inspectors had consistently complained that a carrier in Rapid City, S.D., B&L Aviation, was shoddily run and should be barred from obtaining government contracts. B&L is owned by Murl Bellew, a friend of the Daschles who taught the senator how to fly (*New York Times*, 5/7/95).

The Associated Press, in a separate account, supplied additional details:

Daschle started pressuring the Forest Service in 1992 to end its inspection program and leave the job to the Federal Aviation Administration (*Associated Press*, 2/13/95).

Daschle went further. As Mike Wallace reported on "60 Minutes," Tom tried to pass legislation barring the Forest Service from inspecting B&L's aircraft.

WALLACE [Daschle] managed to push his bill to eliminate those Forest Service inspections through the Senate without any hearing or debate, even though B&L was the only company to complain about those Forest Service inspections. But when his fellow Democrat, Congressman Charlie Rose of North Carolina, learned ... that

it was Bellew who was behind the proposal to eliminate Forest Service Inspections, he saw to it that the bill was killed in the House, but that didn't stop Tom Daschle.

WALLACE He then took his case directly to then-Agriculture Secretary Mike Espy, whose department oversees the Forest Service, and persuaded him to reduce the role of the Forest Service inspections.

Then Wallace asked an obvious question.

WALLACE Now, if the Forest Service inspectors were so concerned about using B&L, why didn't they advise the agency to stop using the company? Well, Bill Dickson says he tried to warn his Forest Service superiors against hiring B&L, but he says that he received a warning in return.

DICKSON (aviation inspector): It was a telephone conversation with a person who's since retired ...

WALLACE Who said?

DICKSON ... who said that if you fight the senator, you'll lose.

WALLACE Don't fight the senator.

DICKSON Don't fight the senator.

Why did Daschle believe Bellew would get a better deal with the FAA? Wouldn't he have had every reason to suspect that the federal agency primarily responsible for air safety in America's skies would be at least as tough as the

Forest Service? The contemporary AP story answers that question: "Daschle's wife, Linda, is the FAA's deputy director" (Associated Press, 2/13/95).

And indeed she was—appointed to the \$115,700-a-year job by Bill Clinton—who, the *Wall Street Journal* speculated, was repaying Daschle for supporting the President's controversial budget, the highest tax increase in history (Gannett News Service, 9/8/93).

One thing is obvious from the evidence: At the time the Daschles intervened, B&L Aviation was an accident waiting to happen. And in 1994, it did. One of Ballew's planes crashed, killing the pilot and three government physicians aboard, all on a federally funded mercy mission. The physicians were working with the Indian Health Service, and they often flew to remote Indian settlements to give Native Americans specialized medical care.

The widows of the doctors told Mike Wallace that their husbands had complained of past flights.

- Jennifer Blair said, "There was a time where an airplane door flew open. There were times when engines failed. There were times when there were failed landings."
- Diane Vlasits said of her husband, "He specifically stated in a report that went to his supervisor that he had had four very bad flights in a row ... And he was on B&L Aviation, and he was very concerned about continuing to fly."
- Jennifer Brown reported that her husband, a cardiologist, had told her his life was in jeopardy: "And he said, 'Jen, they almost killed us.' And I remember turning around in the kitchen, saying, 'What are you talking about?' He said, 'Jen, they almost killed us.'"

Other physicians lucky enough to not have been flying that day reported similar incidents. Dr. Susan Baser, a neurologist who formerly worked with the Indian Health Service, told Wallace that everyone was worried about the planes and pilots at B&L: "Their reputation was going to sleep during—they would—they would take naps and put it on autopilot."

While some of these near accidents were occurring, the Daschles were pressuring both the FAA and the Forest Service to relax their safety standards for B&L and their old friend Murl Bellew. To what degree, then, were the Daschles responsible for the four deaths?

Mike Wallace put that question to the widows:

- WALLACE Do you believe that Senator Daschle's efforts, if you will, on behalf of B&L, put your husbands' lives in jeopardy?
- BROWN Absolutely.
- BLAIR Yes.
- VLASIS Mm-hmm.
- BROWN He used his power to his advantage and B&L's, a friendship over safety of people serving their country and the Native Americans.

The grieving widows were not alone in their belief that the Daschles played a role in the tragic accident that claimed these doctors' lives. Questions were being raised. *The Hotline* published the following:

Government officials have obtained evidence that Linda Daschle, wife of Senate Min. Leader Tom Daschle (SD), "may have used her position" as second in command of

the FAA, to help her husband “reduce safety inspections of an air-charter company owned by a family friend.” Daschle “has tried for two years” to end inspections done by the Forest Service in addition to ones conducted by the FAA. “At least two” FAA officials have said that Linda Daschle “broke a promise to withdrawal [sic] from cases involving her husband” (*Hotline*, 5/8/95).

As required by law, the FAA launched an investigation into the fatal crash. But documents that might have implicated the Daschles apparently vanished. Here is what one newspaper reported:

Federal Aviation Administration inspector Gary M. Baxter recently reported that documents he sought in connection with a B&L plane crash last Feb. 24 in Minot, North Dakota—in which three government doctors were killed—have been improperly withheld. In some cases, Mr. Baxter said the documents were destroyed “in an apparent effort to conceal interventions by the Senate minority leader, Tom Daschle” (*Phoenix Gazette*, 3/27/95).

Baxter said the documents could also have proved embarrassing because Sen. Daschle’s wife, Linda, just happens to be the FAA deputy administrator.

The Associated Press was even more explicit.

Early this year, an official alleged that the manager of the FAA’s Rapid City office was ordered to destroy documents concerning Daschle’s intervention because they would make the agency “look bad” (AP 4/13/95).

When the story broke about the subversion of the investigation, the Federal Aviation Administration requested a 30-day probe of allegations that records were withheld or destroyed to protect Sen. Tom Daschle and his wife, Linda Daschle, the FAA’s No. 2 official.

Discussing the alleged cover-up, the *New York Times* reported on February 5 of 1995:

“[Daschle] initially said that he never pressed the Forest Service to get its inspectors to relax their inspections on B&L. But in November, a senior Daschle aide said that he had, with the senator’s knowledge, intervened directly with the Forest Service inspectors who had warned that B&L was unsafe.

As it turned out, Daschle didn’t leave this important task to his aides. He personally twisted the arm of the Washington supervisors of the inspectors who had pronounced B&L unsafe. As the *Times* reported: “[Two] FAA inspectors who spoke on condition of anonymity said in recent interviews that the Senator helped Mr. Bellew when he flunked a safety check in 1987” (*Ibid.*).

During the investigation, Cathy Jones, an office manager at the FAA, told investigators she was ordered to destroy documents concerning the B&L case because they “contained information with the possible appearance of improper intervention by Senator Daschle. . . .” These documents, Jones said, “would make the FAA look bad” because Linda Daschle was second in command at the agency (*Ibid.*).

The Inspector General of the Clinton Transportation Department was given 30 days to complete her investigation of the matter. However, as fate (or the powers that

be) would have it, she was in Japan on “a government-sponsored work-study program” (Gannet News Service, 7/7/95). The inquisitive were told she would not be back until fall. The allotted 30 days elapsed, then months went by, as the widows waited.

As *Roll Call* reported in June of 1995:

“Daschled Hopes,” The Transportation Department Inspector General is still slogging away on her investigation of allegations of document destruction in connection with Senate Minority Leader Tom Daschle (D-SD) and his wife, Linda, the deputy administrator of the Federal Aviation Administration.

In February, FAA Administrator David Hinson asked IG Mary Schiavo to complete the probe within 30 days—a period that was up 88 days ago (*Roll Call*, 6/1/95).

More than three months later, the investigators formally “concluded that officials in the Federal Aviation Administration did not destroy documents relating to the fatal air crash to protect Sen. Tom Daschle and his wife” (*Rocky Mountain News*, 9/23/95).

Despite insiders who told a different story to the media, the outcome was predictable. Those involved were friends or appointees of the President. The papers were gone. So who could say they ever existed in the first place? The matter seemed closed.

However, the still grieving widows weren’t satisfied. A complaint was filed with the Senate Ethics Committee—the ultimate good-old-boy club. On November 30, 1995, the Committee gave the women a reply in the following terse release:

The Senate Ethics Committee dismissed a complaint of possible improper conduct made against Sen. Tom Daschle regarding contacts made on behalf of the South Dakota aviation industry. The committee has concluded that contacts and actions by Sen. Daschle and his staff were routine and proper constituent services.

Bitterly disappointed, the widows gained some satisfaction by filing and winning a lawsuit against Murl Bellew. In fact, in order to settle the lawsuit, he had to sell the business. As the *Journal of Commerce* reported it, “B&L Aviation of Rapid City, S.D., said in court papers it will sell its assets and give 45 percent of the proceeds to the widows of three doctors killed in the crash (*Journal of Commerce*, 11/21/96).

As for the Daschles, Tom was reelected to the Senate in 1998 against token opposition. Linda left the FAA and became a public policy adviser at Baker, Donelson, Bearman & Caldwell, where she was soon reportedly making \$6 million a year.

No looking back.

## Conclusion

THESE EXAMPLES ARE BY NO means the only evidence available to demonstrate how often and how well Tom Daschle has deceived the people of South Dakota. However, from these few chapters, his behavior should now be obvious.

When he's home in South Dakota, he says what South Dakotans want to hear. When he's in Washington, he does what he pleases . . . voting to raise taxes, promoting abortion and gay rights, fighting progress in education, or lowering Social Security benefits for the elderly.

It has often been said that the true measure of your moral worth is what you would do if you knew no one else would ever find out. Tom Daschle seems convinced that South Dakota will never find out what he does on Capitol Hill. Thus, he behaves like a Kennedy.

There is nothing new about this phenomenon. If you're a senator, you can easily immerse yourself in the culture of Washington, which is politically liberal and personally permissive. After all, the city is filled to overflowing with people who—one way or another—make a living off the government. They sell to the government. They buy from the government. They lobby the government. They work in the government. And the government is the biggest thing in the whole world. You can't beat it. You can't control it. You might as well enjoy what it has to offer.

Even people who come to Washington determined to reduce government, all too often find themselves fascinated by its power and eventually become its abject servant.

The history of Congress is filled with examples of idealistic politicians, elected to represent the ideals and values of their friends and neighbors, who wind up in the camp of the enemy. The problem is that when you leave somewhere for long enough, your identity changes. Though it is sad, Daschle has grown into a Washingtonian, forgetting his South Dakota heritage and the people he represents.

Washingtonians hate nothing more than the heartland values professed and practiced by the people of South

Dakota—and they love nothing more than swooping down on young idealists from the hinterlands, converting them to a leftist agenda, and then protecting them against the narrow-mindedness and bigotry of the folks back home. Tom Daschle is their current poster child.

There is no use trying to remind Daschle of his roots or why South Dakotans sent him to the House and then to the Senate. In order to change, he would have to give up too much power, too many perks, and virtually all of his friends. He would never be Majority or Minority Leader again. He would never be invited on Meet the Press or This Week. He would never again feel that exhilarating surge of power as he issued committee assignments or decreed which bills could or could not come to the floor.

If South Dakota voters brought Tom back home for his own good, would he stay? Would he rediscover our state? Would he become reacquainted with his neighbors? Would he revive his belief in the old-fashioned heartland virtues that made America the greatest and most productive nation in the world?

Or would he stay on in Washington, join his wife in the lobbying game, and continue to feed off government and the taxpayers who support it?

The answer seems obvious.

If you would like additional copies of this book, please call 800-426-1357 for bulk copies at generous discounts. Your friends, your local media, and others will want to learn about "the two sides of Tom Daschle."



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