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The long shots: 5 unlikely races that could tip the Senate

With control of the chamber hanging in the balance, the battle is being fought in places few would have expected at the beginning of the year.

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Trump in the Carolinas

The president touts federal response to Florence during visit.

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Shopping-mall scion sisters have a beef with Pence

Pair has poured \$12M into backing Dems, making their combined contributions the seventh-largest chunk of cash donated to either party this cycle.

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Matt Wuerker

The cartoonist's daily take on the world of politics.

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'We're very confident'

Trump, GOP bullish on Kavanaugh's survival

BY NANCY COOK

President Donald Trump is growing more confident that his Supreme Court nominee, Brett Kavanaugh, can weather a charge of sexual assault and will be confirmed, according to two sources familiar with the confirmation process.

The feeling is shared by some of Trump's key Republican allies, even as controversy continues to rage over a sexual-assault allegation against the conservative judge. The White House and its allies have taken no steps to line up a new nominee, according to four people familiar with the confirmation process.

"We're very confident," one Republican in touch with the White House said when asked whether Kavanaugh will survive the firestorm.

Even so, Kavanaugh's Washington allies continue to hunt for evidence — scouring everything from high school yearbooks to real estate records — that might reveal Christine Blasey Ford to be acting out of personal or political bias, or simply misremembering a single night when they were in high school.

Trump's optimism was on display in his comments to reporters Wednesday, just before he departed Washington for North Carolina to tour hurricane-ravaged areas. As



WIN MCNAMEE/GETTY IMAGES

Sources, including a White House official, said President Donald Trump's tone toward Brett Kavanaugh reflects optimism that his Supreme Court nominee will win confirmation, despite an allegation of sexual assault.

he did on Tuesday, Trump cast Kavanaugh as an extraordinary man with an "unblemished record," whom he said has been treated unfairly. But he also escalated his rhetoric, applying new pressure on Kavanaugh's accuser by saying she should attend a Senate Judiciary Committee hearing on

Monday to testify publicly about her allegation.

"I really want to see her. I really would want to see what she has to say," Trump said. "If she doesn't show up, that would be unfortunate."

"This is a very tough thing for him and his family. And we want to

get it over with," Trump said — before adding: "At the same time, we want to give tremendous amounts of time."

The sources, including a White House official, said the increasing frequency and sympathy of Trump's tone toward Kavanaugh

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Grassley in firing line on assault allegation

BY BURGESS EVERETT AND ELANA SCHOR

Chuck Grassley has cultivated a decadeslong reputation for protecting whistleblowers and fighting for government transparency. Now he's plunging into the harrowing task of investigating a sexual assault allegation while advancing a Supreme Court nominee that could define him and the GOP for years to come.

The 85-year-old Iowa Republican is trying to stay sensitive in

GRASSLEY on page 11

With testimony uncertain, GOP presses for vote

BY ELANA SCHOR AND BURGESS EVERETT

Republican senators are giving Christine Blasey Ford a stark choice as they prepare to weigh her sexual assault allegation against Brett Kavanaugh: Talk to us on Monday, or risk losing your chance to do so before we vote.

Judiciary Committee Chairman Chuck Grassley (R-Iowa) replied on Wednesday to a letter

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TOYA SARNO JORDAN/GETTY IMAGES

Democrats have condemned the administration's targeting of the ACA's pre-existing condition provisions. Polling shows heightened public concern over the issue.

Republicans 'duck and cover' on pre-existing conditions

BY ADAM CANCRYN

Republicans are struggling to convince voters they will protect people with pre-existing conditions as Democrats trying to build a blue wave for November pound them for threatening to take away sick people's health care.

Republicans have sought for weeks to defuse public angst over the issue, alternately vowing to protect coverage for vulnerable

Americans while trying to fire up opposition to Democrats' growing embrace of single payer.

Polling shows heightened public concern over pre-existing conditions — 75 percent of voters in a recent Kaiser Family Foundation poll said it's "very important" to keep Obamacare's insurance protections — and greater trust in Democrats to deal with the issue. The GOP's most direct attempt to

address the insurance protections — a recent Senate bill Republicans said would protect sick patients — backfired spectacularly after it quickly became clear the measure wouldn't actually cover the pre-existing conditions it claimed to protect. The Trump administration's support for a lawsuit in Texas that would gut the health care law also hasn't helped the perception Republicans won't protect patients

with pre-existing conditions.

That has left Republicans, who took control of Washington after years of vague promises to replace Obamacare, grasping to find a new health care message less than two months before midterm elections. Their inability to neutralize the pre-existing condition issue is hurting their efforts in tight races that could determine control of

PRE-EXISTING on page 14



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Trump renews attack on Sessions: 'I don't have an Attorney General'

President Donald Trump renewed his criticism of Attorney General Jeff Sessions on Tuesday, complaining in an interview with The Hill that "I don't have an attorney general. It's very sad."

Trump was once again critical of Sessions recusing himself from the investigation related to the 2016 presidential election, a decision that removed him from any role in the ongoing probe into possible collusion between the Trump campaign and Russia — an inquiry now headed by special counsel Robert Mueller.

Trump said Sessions had succumbed to pressure applied by Democrats during his confirmation process, leading to what the president said was the attorney general's unnecessary recusal.

"He gets in and probably because of the experience that he had going through the nominating when somebody asked him the first question about Hillary Clinton or something he said, 'I recuse myself, I recuse myself,'" Trump said.

Asked whether he will fire Sessions, as some have speculated, the president demurred.

"We'll see what happens. A lot of people have asked me to do that. And I guess I study history, and I say I just want to leave things alone, but it was very unfair what he did."

Replacing Sessions would be no easy task for Senate Republicans, some of whom suspect that perhaps only a sitting senator could win confirmation as Sessions' successor — that is, someone who could be trusted not to interfere with Mueller's investigation. Finding a willing replacement, given the constant turmoil within the Trump administration and the criticism the president has heaped on Sessions, could prove difficult as well.

— Hugh T. Ferguson

Trump: I should have fired Comey 'the day I won the primaries'

President Trump said Tuesday that his decision to declassify documents related to the Justice Department's Russia probe was "a great service to the country" and expressed regret that he had not fired FBI Director James Comey earlier.

In an interview with The Hill, Trump said he believes his crusade against the FBI, whose past leadership he has criticized as biased against him, will ultimately reveal corruption inside the bureau. Uncovering that corruption, the president said, could be one of the "crowning achievements" of his administration.

"I hope to be able put this up as one of my crowning achievements that I was able to ... expose something that is truly a cancer in our country," the president said.

"What we've done is a great service to the country, really," Trump added.



AHN YOUNG-JOON/AP

Doubling down on pursuit of peace

Photos of President Donald Trump's summit with North Korean leader Kim Jong Un are displayed in Seoul, South Korea, on Wednesday at an exhibition seeking peace on the Korean Peninsula. Kim promised this week to dismantle the North's main nuclear complex if the U.S. takes corresponding measures.

The president's comments came one day after he ordered the release of a tranche of Comey's text messages and declassified 20 pages of a surveillance application that targeted former Trump campaign adviser Carter Page.

Allies of the president have suggested that the released information will show evidence of the president's claims, that the ongoing Russia investigation led by special counsel Robert Mueller is a "hoax" and that a conspiracy existed inside the Justice Department to undercut Trump's presidency.

Prior to Mueller's appointment, the bureau's Russia investigation was overseen by Comey, whom Trump fired in May 2017. Trump told The Hill that he should have fired Comey "the day I won the primaries," something he would not have had the authority to do.

"If I did one mistake with Comey, I should have fired him before I got here. I should have fired him the day I won the primaries," the president said. "I should have fired him right after the convention, say I don't want that guy."

"Or at least fired him the first day on the job," he added. "I would have been better off firing him or putting out a statement that I don't want him there when I get there."

Trump also ordered on Monday the release of senior Justice Department official Bruce Ohr's notes related to the Russia investigation. Ohr served as a key conduit between the Justice Department and Christopher Steele, a former British spy who compiled a dossier of incendiary but still-unverified information

linking Trump to the Russian government. Steele's work was funded in part by the Democratic National Committee and the presidential campaign of Hillary Clinton. Ohr's contact with Steele continued after the FBI terminated its relationship with the former British spy.

The president has grown increasingly critical of Ohr over the past couple of months, questioning why he still works at the Justice Department.

Trump criticized leaks that he said emanated from the FBI before he was inaugurated, labeling it a type of "insurance policy" to create a false narrative to hurt his presidency if Trump won.

"What we have now is an insurance policy," the president told The Hill. "But it has been totally discredited; even Democrats agree that it has been discredited. They are not going to admit to it, but it has been totally discredited."

— Rebecca Morin

Trump on Manafort: 'I believe that he will tell the truth'

President Donald Trump on Wednesday morning insisted he had no concerns about former campaign chairman Paul Manafort's recent agreement to cooperate with special counsel Robert Mueller.

"If he's honest, and he is, I think he's going to tell — as long as he tells the truth, it's 100 percent," Trump said on the South Lawn of the White House.

As part of a guilty plea struck last Friday, Manafort agreed to cooperate with Mueller's probe into Russian interference and whether the Trump campaign aided the Kremlin in its efforts.

The cooperation deal, which includes no restrictions on what topics Manafort can discuss with Mueller's team, was surprising to some given Manafort's prior vows to fight the charges against him — and Trump's praise of those efforts.

Trump on Wednesday continued to compliment his former senior campaign aide.

"He was with Ronald Reagan. He was with Bob Dole. He was with [John] McCain. He was with many, many people," Trump said before heading to North and South Carolina to survey damage caused by Hurricane Florence.

"Paul Manafort was with me for a short period of time. He did a good job," Trump added. "I was very happy with the job he did. And I will tell you this, I believe that he will tell the truth. And if he tells the truth, no problem."

Manafort's guilty plea came after he was convicted on eight counts of bank and tax fraud in a Virginia trial and several days before he was set to face a second trial in Washington on charges of foreign

lobbying and money laundering. The guilty plea scuttles the D.C. trial and calls for a cap on the prison sentence Manafort is expected to receive.

While Trump has publicly toyed with pardoning Manafort, he refused to engage the topic on Wednesday.

"I don't want to talk about it now," he said.

— Ramsen Shamoon

Trump on Kavanaugh accuser: 'I really would want to see what she has to say'

President Trump said Wednesday he wants to hear Christine Blasey

Ford testify about her allegation that Supreme Court nominee Brett Kavanaugh sexually assaulted her when the two of them were in high school.

"I really want to see her. I really would want to see what she has to say," Trump said.

"We want to get it over with. At the same time, we want to give tremendous amounts of time," he said. "If she shows up, that would be wonderful. If she doesn't show up, that would be unfortunate."

If Ford were to give a "credible showing," Trump said he'd reassess his nominee but said he had confidence in Kavanaugh's reputation.

"Look, if she shows up, and makes a credible showing, that will be very interesting. We'll have to make a decision," Trump said. "But I can only say this, he is such an outstanding man, very hard for me to imagine that anything happened."

— Hugh T. Ferguson

Trump in 2015 sided with Justice Thomas on harassment allegations

President Trump has largely tried to avoid opining on Christine Blasey Ford's allegation that Supreme Court nominee Brett Kavanaugh sexually assaulted her in high school, but in 2015 he sided with Justice Clarence Thomas in the decades-old fight that has drawn comparisons to the current moment.

Shortly after launching his presidential campaign, Trump told Bloomberg in an interview that he believed Thomas when he denied in 1991 that he sexually harassed Anita Hill when he was her supervisor at two federal government agencies.

"I really have a lot of respect — I like Clarence Thomas a lot, and I will go with Clarence Thomas," Trump said. "In terms really of conservative decisions, he is probably about the best there is on the Supreme Court, certainly one of them."

"What do I know? I just respect Clarence Thomas," Trump said. "I don't know Anita Hill. I'd met Clarence Thomas on a number of occasions. I thought he was terrific. I think he's a terrific person. So what do I know?"

Trump has backed Kavanaugh since Ford came forward this weekend as the woman behind an accusation of assault when they were both high school students in the Washington area. Trump said it would be "hard for me to imagine that anything happened."

But he has also steered clear of forcefully denying Ford's allegations or criticizing her, saying on Wednesday that he wanted to hear what she had to say.

Hill, meanwhile, wrote in The New York Times this week that it is up to Kavanaugh to convince senators he did nothing wrong.

"As Judge Kavanaugh stands to gain the lifetime privilege of serving on the country's highest court, he has the burden of persuasion. And that is only fair," she wrote.

— Ramsen Shamoon

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Booker and Murphy raise cash for Fla. gubernatorial hopeful

BY MATT FRIEDMAN AND MARC CAPUTO

The Democrat who wants to be governor of the Sunshine State is looking to pluck some money from the Garden State.

Tallahassee Mayor Andrew Gillum, a liberal who won the Democratic Party's nomination in an upset last month, will be the "special guest" at a Sunday fundraiser in Edison, New Jersey, with a host committee that includes Sen. Cory Booker (D-N.J.), Gov. Phil Murphy and U.S. Reps. Bonnie Watson Coleman and Donald Milford Payne, both New Jersey Democrats.

The fundraiser at the Pines Manor party venue benefits Gillum's political committee, Forward Florida. Tickets range from \$250 to \$5,000, according to the invitation.

The New Jersey event marks the first major event for Gillum hosted by a senator or a governor and foreshadows the national interest in Florida's gubernatorial race, one where there's a stark choice between the deep-blue liberal Gillum and Trump-red conservative Ron DeSantis, who recently stepped down from his seat in the House.

Gillum, who had been trailing in every major poll before Florida's multicandidate Aug. 28 primary, instantly became a national figure with his surprise win and history-making candidacy as the Florida Democratic Party's first African-American nominee for governor. The following day, national interest and the racial dynamics of the contest intensified when DeSantis used the phrase "monkey this up" regarding what he believed would be the effect of Gillum's liberal policies on Florida's finances. DeSantis denied he intended any racial connotations in making the remark.

Booker's fundraising firepower is crucial for Gillum, who was an underfunded candidate until his primary win. Since the primary, Gillum's campaign and political committee have raised more than \$5.4 million. DeSantis' campaign and his political committee, Friends of Ron DeSantis, have hauled in more than \$4.3 million. Huge sums of cash are a hallmark of campaigns in Florida, which is so big that it necessitates major TV ad spending in its 10 major media markets. During the height of a campaign season, campaigns can spend as much as \$3 million weekly on saturation TV ad campaigns.

Florida law allows candidates to raise and spend unlimited sums through their political committees.

Booker is New Jersey's first African-American senator and could benefit from making powerful friends in major states like Florida. Booker acknowledged he's thinking about running for president in 2020 in a New York Magazine profile.

Conspicuously absent from the host list: Robert Menendez, New Jersey's other Democratic senator, who survived a corruption trial rooted in his friendship with a Florida ophthalmologist.



EVAN VUCCI/AP

President Donald Trump hands out food at Temple Baptist Church in New Bern, N.C., on Wednesday. "It's going to be a tough two weeks," Trump said.

Trump touts federal response to Florence

'You will have everything you need,' president says during visit to N.C. to see storm damage

BY HUGH T. FERGUSON

President Donald Trump on Wednesday touted the federal government's response to Hurricane Florence during a stop in North Carolina to survey the damage, after the storm overwhelmed the region starting last week.

"There will be nothing left undone. You will have everything you need," the president told a group of federal and state officials involved in the disaster response who gathered at Marine Corps Air Station Cherry Point in Havelock,

before touring towns hit hard by the storm.

Trump recently has been battling critics, including Puerto Rican officials, over complaints that the federal response to last year's Hurricane Maria was insufficient. Trump has refused to accept death-toll figures the Puerto Rican government has acknowledged as legitimate, calling the statistics a smear tactic by Democrats to discredit his government's efforts.

He has argued that because there had been few deaths at the time he

visited Puerto Rico, it is unfair to count people who died later. The Centers for Disease Control and Prevention, however, has encouraged officials to cast a wide net when determining whether a death is disaster-related.

In North Carolina, Trump said things would improve soon for residents hit by Florence, but he acknowledged his visit wouldn't mark the end of the devastation.

"It's going to be a tough two weeks," Trump said.

He issued a similar warning later in the afternoon.

"They assume you look outside and you see this beautiful weather, but over the next couple days, it

will get rough in South Carolina," Trump said at an emergency operations center in Conway, S.C.

"I think the most exciting part is the rebuild," Trump said. "There is a lot of damage, and you haven't really been hit yet by comparison to what is coming."

South Carolina Gov. Henry McMaster echoed Trump's warning.

"The worst is yet to come. We will have water outside this building maybe 4 feet deep, maybe 5 feet deep, maybe something less," McMaster said at the emergency operations center. "But we have people that need help. The good news is that the team in South Carolina is up to the job."

It's tofu vs. BBQ for Ted Cruz in Texas Senate race

BY SARAH ZIMMERMAN

Tofu is having a political moment deep in the heart of barbecue country.

It started when Sen. Ted Cruz (R-Texas) tried to make the soybean product a partisan issue in his closer-than-expected reelection battle against Democratic Rep. Beto O'Rourke. The former Republican presidential contender declared that an O'Rourke win would make the Lone Star State more like California, "right down to the tofu and dyed hair."

Not to be outdone by Cruz's effort to add some seasoning to the race, PETA pounced on his comments for its own political purposes. Protesters picketed a Cruz town hall in Columbus, Texas, over the weekend, passing out barbecued tofu and holding signs that read: "Republicans eat tofu too."

The advocacy group tweeted pictures of the protest the next day, noting that "tofu is versatile, healthy, and grown right in the

Lone Star State." Cruz retweeted PETA, adding that he was happy to see the protesters, arguing that their demonstration "illustrates the stakes of the election: if Beto wins, BBQ will be illegal!"

O'Rourke's campaign refused to hit back after the jab, and Cruz said it was "just a joke" — after all, his tweet included three crying-laughing emojis.

But for many Texans, barbecue is no laughing matter.

"It's something Texans take very seriously," said Bethany Albertson, an associate professor in government at the University of Texas at Austin. She said that Cruz's attempt to make O'Rourke seem anti-barbecue is the equivalent of making him seem anti-Texan. Barbecue has long been a staple food in Texas, she said, and political candidates in the state are often asked for their favorite BBQ joints at the Texas state fair.

Albertson said Cruz's tofu and barbecue comments are his latest



THE DALLAS MORNING NEWS VIA AP

Sen. Ted Cruz made tofu a partisan issue in his close reelection battle in Texas, then said his comments were "just a joke."

attempts to make O'Rourke look "not sufficiently Texan."

"Texans know who Cruz is — love him or hate him," she said.

"But O'Rourke still faces awareness problems."

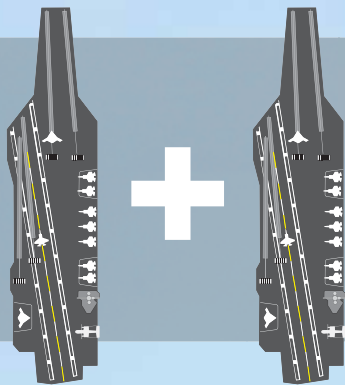
Yet in trying to redefine O'Rourke, Cruz may have inadvertently put a spotlight on Texas' growing soybean industry.

Dani Alexander, the PETA volunteer who organized the protest, said "animal flesh" shouldn't define any one political party, nor should it represent the identity of a state. While many a Texas cattle rancher would likely disagree with that statement, Alexander pointed out that Texas is becoming a major soy producer.

Soybean production in Texas increased last year as low prices for other commodities led farmers to look for better options, according to the Texas Farm Bureau. A total of 185,000 acres of the crop were harvested in 2017, a 28 percent jump from 2016.

"There's lots of vegetables that we can barbecue," she said. "BBQ is about the seasoning and the marinade."

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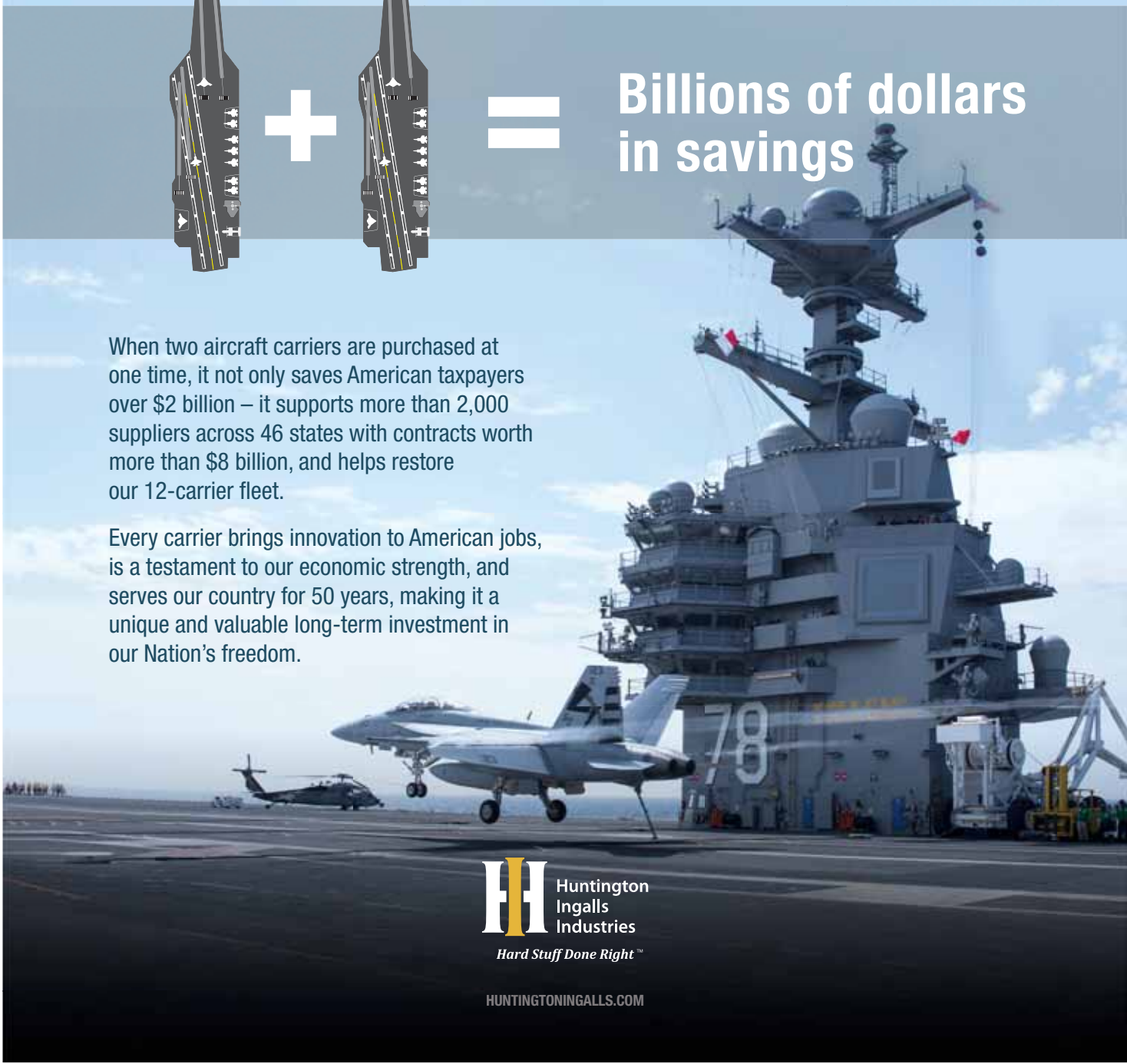
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The long shots: Five races that could tip the Senate

Election upsets might be brewing in unlikely places as Democrats seek to retake control

BY CHARLIE MAHTESIAN
AND STEVEN SHEPARD

Until recently, the storyline of the 2018 Senate elections seemed fairly consistent: No matter how favorable the political conditions, the quirks of the Senate map this year made it nearly impossible for Democrats to win a majority.

Yet now, only seven weeks until Election Day, there's growing chatter that maybe the unthinkable could happen.

Yes, Democrats are defending 10 Senate seats in states President Donald Trump carried in 2016 — five in states Trump won by double-digit percentages. Republicans, meanwhile, have only one seat up in a state Trump lost two years ago: Nevada.

But Democrats' chances of flipping the Senate have gained steam in recent weeks. The party feels good about its chances in Nevada and Arizona. Meanwhile, red-state Democratic senators like Joe Donnelly in Indiana and Joe Manchin in West Virginia are leading in the polls.

"We have a much better chance of taking back the Senate than anybody ever imagined," Senate Minority Leader Chuck Schumer said Monday.

The party's surprising strength in two states that haven't sent a Democrat to the Senate in roughly three decades — Tennessee and Texas — is driving the sense of cautious optimism on the left. In Tennessee, a CNN poll released Monday showed Democrat Phil Bredesen with a 5-point lead over GOP Rep. Marsha Blackburn.

Republicans are still in the driver's seat: They have more opportunities on the map than Democrats, and the GOP can cede one seat without losing its majority.

Still, with control of the Senate hanging in the balance, the battle is being fought in places that few would have expected at the beginning of the year. Here are the five unlikely races that could tip control of the Senate this fall:

Texas Senate

Against all odds, Beto O'Rourke has put Sen. Ted Cruz's seat in play and sent Republicans into high gear to protect the first-term Republican.

O'Rourke's campaign has been unconventional. The El Paso congressman has been barnstorming the state, holding campaign events and documenting his travels on cellphone videos. He swears. He says he doesn't have a pollster providing public-opinion data to his campaign — and, until recently, he eschewed advertising on television.

But O'Rourke has raked in campaign dollars at a faster clip than any other Senate candidate in the country. Through the end of June, O'Rourke raised \$23.6 million, including \$10.4 million from April-June alone. (His tally for the third quarter could be twice what he raised last quarter, according to reports.)

Polls still show Cruz with a modest lead, but the Republican and his allies are sounding the alarm.



PHOTOS BY AP AND GETTY IMAGES

"We have a much better chance of taking back the Senate than anybody ever imagined," Senate Minority Leader Chuck Schumer says. Clockwise from top left: Senate candidates Phil Bredesen in Tennessee, Rep. Beto O'Rourke in Texas, Sen. Tina Smith in Minnesota, Bob Hugin in New Jersey and Sen. Cindy Hyde-Smith in Mississippi.

Cruz's Texas colleague, Sen. John Cornyn, told POLITICO earlier this month that concerns about Cruz's race are genuine. "This is real, and it is a serious threat," Cornyn said.

POLITICO rates the race as *Lean Republican*.

New Jersey Senate

It's been nearly a half-century since New Jersey elected a Republican to the Senate. But Bob Hugin's challenge to Sen. Robert Menendez is nevertheless making Democrats nervous.

A former CEO of New Jersey pharmaceutical company Celgene, Hugin is uncomfortably close in the polls to the veteran incumbent, whose popularity has taken a serious hit since a federal corruption case against him ended in a mistrial.

According to one late August poll, Menendez had just a 6-point lead over Hugin, who has reached into his own deep pockets to pound the senator with negative TV ads.

There are lots of caveats here. Trump is deeply unpopular in New Jersey, which will likely serve as a

drag on Hugin's performance in November. And Menendez has yet to unleash the full brunt of his resources against his Republican challenger — he's only recently begun running ads against Hugin.

But until Menendez widens his lead and shows signs of pulling away, Democrats will continue to sweat this one. Losing a Senate seat in solidly blue New Jersey would be a devastating loss for the party — and potentially a fatal blow to its hopes of winning back the Senate in November.

POLITICO rates the race as *Likely Democratic*.

Tennessee Senate

If Republicans end up losing the Senate this year, there's a pretty good chance this open seat will be one of the reasons why.

In a state that hasn't elected a Democrat to the Senate since 1990 — that was Al Gore — this seat should be a layup for the GOP. Just two years ago, Trump romped to victory in Tennessee with a 26-point winning margin.

The state remains as red as ever,

but Blackburn, the Republican nominee, has struggled to get her party in line behind her against Bredesen. A two-term former governor, Bredesen might be the only Democrat who can win statewide in Tennessee these days. He's popular, well-financed and — just as important — he's a centrist who's been able to get distance from his national party.

Polls show the race is much closer than anyone would have expected this late in the campaign. And if you look closely enough into the polling data, you can see how this race might be decided. Bredesen has a large lead among likely female voters; Blackburn has a smaller edge among male voters. Bredesen is also more popular overall — likely voters, 55 percent to 26 percent, said they have a favorable opinion of the former governor. Blackburn, whose political style is more confrontational, doesn't fare as well by this measure: 45 percent had a favorable opinion of her, compared with 43 percent who had an unfavorable opinion.

The implications of a Bredesen

victory here would be far reaching. If Democrats were to pull off an unlikely upset, it would enable them to withstand the loss of one of their endangered incumbents elsewhere and still have a shot at winning the Senate. In fact, that scenario is what poses the biggest threat to Bredesen: In this conservative-oriented state, Republicans argue that a Bredesen victory would end up putting the Democratic Party in control of the Senate.

POLITICO rates the race as *Lean Republican*.

Minnesota Senate (special election)

Former Sen. Al Franken's resignation adds a wrinkle to Democrats' Senate math. In addition to the 10 seats the party is defending in states Trump carried, two seats are up in Minnesota, which Trump came within 1.5 points of flipping, too.

Sen. Amy Klobuchar's seat is safe, but the special election for the final two years of Franken's unexpired term is a different story. When Franken resigned, Gov. Mark Dayton appointed Tina Smith, then his lieutenant governor, to fill the seat.

Smith is seeking to finish the term, but she faces Republican state Sen. Karin Housley in what could be a competitive election in November. The race hasn't yet attracted attention from national groups, but a Mason-Dixon poll conducted for the Minneapolis Star Tribune and Minnesota Public Radio found Smith only 7 points ahead of Housley, 44 percent to 36 percent.

POLITICO rates the race as *Likely Democratic*.

Mississippi Senate (special election)

Here's a real wild card: Imagine Democrats net two Senate seats on Nov. 6, giving the party 50 seats and putting it on the verge of the majority. If that were to happen, it is likely the political world would train its attention on Mississippi for the rest of November.

That's because the special election for a Senate seat in Mississippi — former Sen. Thad Cochran resigned earlier this year amid health problems — is unique. The parties didn't hold primaries for the seat; instead, all the candidates run together on the November ballot, without any party labels. If no candidate earns a majority, the top two finishers advance to a runoff on Nov. 27.

Polls show interim GOP Sen. Cindy Hyde-Smith and former Democratic Rep. Mike Espy leading the field. Republicans were initially worried about state Sen. Chris McDaniel's candidacy — the right-wing firebrand nearly unseated Cochran in a 2014 primary — but Trump's endorsement of Hyde-Smith has deprived McDaniel of oxygen in the race.

It's possible that control of the Senate could come down to that Nov. 27 runoff, but Democrats haven't won a Senate seat in the state since 1982, and no Democratic presidential nominee has carried the state since Jimmy Carter did so in 1976.

POLITICO rates the race as *Likely Republican*.

Shopping-mall scion sisters have a beef with Pence

The pair's \$12M cash infusion to Democrats is among largest for either party this cycle

BY MAGGIE SEVERNS

A pair of shopping-mall scions from Indiana might seem like unlikely champions of the Democratic resistance.

But sisters Deborah Simon and Cynthia Simon-Skjodt — who have for years opposed Mike Pence in Indiana over abortion and religious freedom laws — have poured \$12 million into backing Democrats, making their combined contributions the seventh-largest chunk of cash donated to either party this cycle.

The Simon sisters, as these members of Indiana's most famous business family are called around Indianapolis, are still relatively unknown on the national stage. But their turn to big-league giving, mostly to help Democrats retake the Senate, comes after years of donations to progressive nonprofits such as Planned Parenthood and the Anti-Defamation League — and as Democratic donors have gone into hyperdrive after the election of President Donald Trump.

Billionaire Tom Steyer, the country's biggest single spender on politics, plans to spend \$30 million more this year than he did in 2016; LinkedIn founder Reid Hoffman launched a fund that collects money from other people to invest in both campaigns and private companies.

The Simons, too, were fired up by the success of Trump — and his running mate, friends of the family and Indiana operatives said in interviews with POLITICO. The sisters, who generally avoid media attention, did not respond to requests for comment.

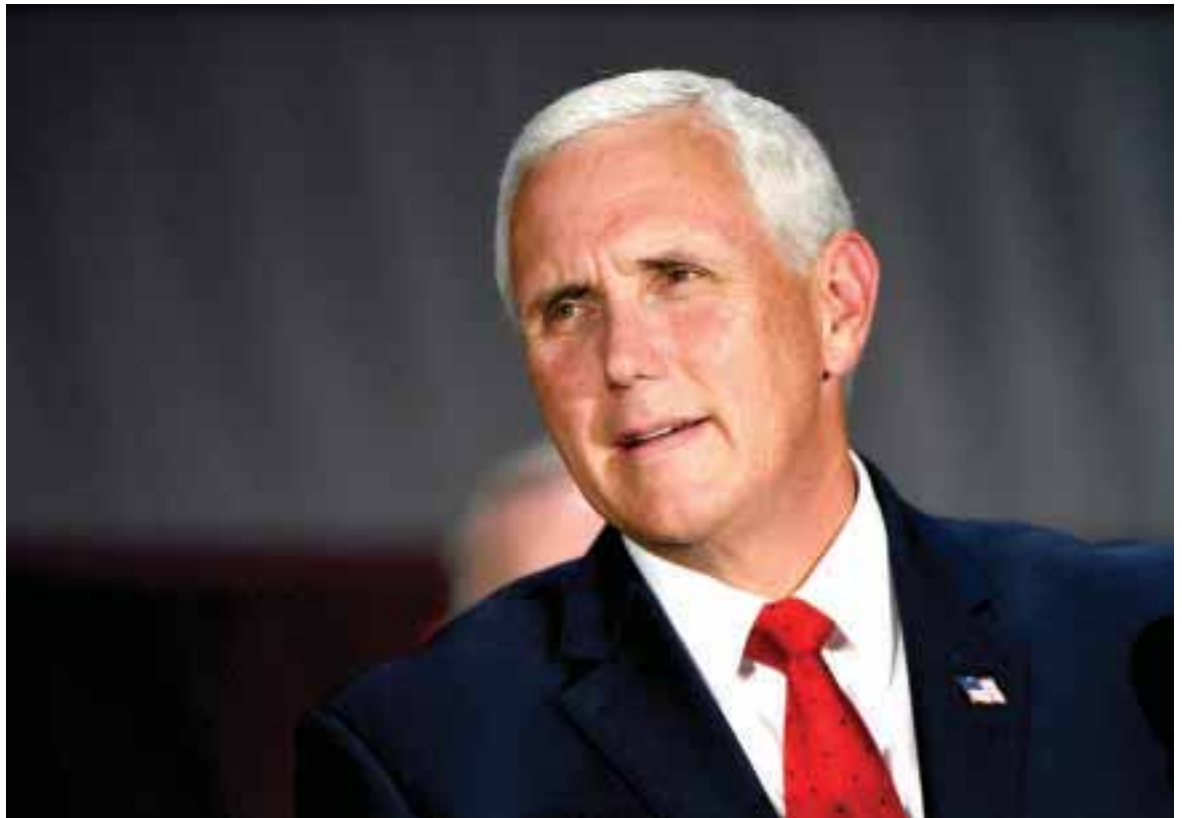
But their focus on progressive causes in Indiana is well known in political circles. The state has long hosted fiery debates over how the government should address social issues such as abortion, gay rights and sexual assault, and the Simon sisters donated millions of dollars to left-leaning nonprofit organizations.

Pence, meanwhile, pushed for cutting off federal funds for Planned Parenthood during his career in Congress, becoming a conservative star in the process. In 2015, after he became governor of Indiana, Pence signed a law allowing companies to deny service to individuals if they said it would burden their freedom to exercise their religion, enraging the state's business community, including the Simon family.

Deborah Simon, a political junkie, was particularly troubled when Pence became vice president, people familiar with her thinking said.

"If you care about reproductive health care, which Debbie does, this is a guy who spent 12 years of his career" voting to defund Planned Parenthood, said one Indiana political operative. "He was willing to shut down the federal government over it."

The Simon sisters donated \$48,700 to federal candidates during the 2014 midterm elections and gave \$41,500 to candidates for state office, who have always



ETHAN MILLER/GETTY IMAGES

Shopping mall scions Deborah Simon and Cynthia Simon-Skjodt, both Democrats, were deeply troubled when Donald Trump and Mike Pence won the 2016 election. The next spring, they started routing donations to Indiana candidates who aligned with their interests, including reproductive health rights.

received more of their attention. During the 2016 elections, they donated \$152,000 to federal causes and \$230,500 to candidates in Indiana, the bulk of it in the form of a single donation to lieutenant governor candidate Christina Hale during the final weeks of the campaign, according to state campaign finance records.

But the spring after Trump and Pence were elected, each sister donated \$1 million to Senate Majority PAC, the main super PAC aligned with Senate Democrats — a down payment on reelecting home-state Sen. Joe Donnelly and helping Democrats take back the chamber, according to multiple people familiar with the donations.

The sisters have now donated a total of \$5.5 million to Senate Democrats' PAC and given millions more to the political arm of Planned Parenthood, the Democratic National Committee, American Bridge 21st Century and the Democratic Senatorial Campaign Committee, among other organizations.

Deborah Simon has also begun thinking about how to get involved in the 2020 elections, the Indiana operative said.

The 2016 elections "convinced them that we need to be energized," said Indiana businessman Jeffrey Smulyan, a longtime family friend. "You look around, you see where the United States is and what's happened in Washington, and say, 'You know what? It is the time to get energized.'"

Like Pence, the Simons have long been a household name in Indiana, due to their family's booming mall business and its patronage of Ho-

sier basketball.

Cynthia Simon Skjodt and Deborah Simon's father, Mel Simon, began leasing and buying real estate in the 1950s with his younger brother, Herb, and eventually built Simon Property Group, which developed major projects such as Mall of America and now brings in \$5 billion in revenue each year.

In 1983, the brothers bought the Indiana Pacers, and Herb Simon owns them today. The brothers donated tens of millions of dollars to Indiana universities and politicians and to national figures such as Bill and Hillary Clinton.

For local politicians, Simon properties are literally hard to ignore. The Simon Property Group headquarters is perched directly across a grassy courtyard from the statehouse in Indianapolis. In the lobby, operatives and reporters mix with lawmakers at the popular Cafe Patachou — where they can sometimes order a cup of the Simon blend.

Mel Simon died in 2009, sparking a legal battle between Deborah Simon and her stepmother, Bren Simon. Deborah Simon alleged that Bren Simon had coerced her ailing husband into changing his will during the final months of his life in a manner that dramatically reduced his three children's inheritance. Bren Simon said her husband had agreed to the changes because he wanted to compensate her for the loss in Simon Property Group's stock value due to the financial crisis. The court battle stretched on for three years and ended in an undisclosed settlement in late 2012.

Deborah Simon and Cynthia Si-

mon Skjodt ramped up their giving after the settlement. In 2013, Cynthia Simon Skjodt donated \$40 million to Indiana University's basketball stadium, which was rechristened the Simon Skjodt Assembly Hall. That same year, Deborah Simon donated \$100 million to her high school alma mater, Mercersburg Academy.

Friends say the two were involved in progressive causes even before their donations became noteworthy.

Deborah Simon pushed her local chapter of Planned Parenthood through a difficult \$7 million capital campaign. "Debbie often refers to the two red-letter days in her life — when she first exercised her right to vote and the day the *Roe v. Wade* ruling was issued," the local Planned Parenthood newsletter said when introducing Deborah Simon as its board chairwoman.

People close to her say it was Pence's push to defund Planned Parenthood — he told POLITICO in 2011 that the organization "ought not be in the business of providing abortions" if it also wanted to continue counseling and HIV testing — that put him on Deborah Simon's radar.

Then, in 2015, after he became governor, his decision to sign the Religious Freedom Restoration Act aggravated the Simon family, according to multiple people who discussed the issue with family members.

The Indiana Pacers and the WNBA team, the Indiana Fever, bashed the law. "Everyone is always welcome at Bankers Life Fieldhouse," Herb Simon said in a statement. "That has always been

the policy from the very beginning of the Simon family's involvement, and it always will be."

When Pence launched his reelection campaign — which he abandoned after joining Trump's ticket — the Simon sisters donated to his opponents, John Gregg and Hale. That year, Trump and Pence swept the state by nearly 20 percentage points, carrying every county except Marion (home to liberal Indianapolis) and a handful of others.

The Simon sisters, like many Democrats, were deeply troubled by the election results, friends and associates told POLITICO, and the following spring they started routing donations to Indiana candidates — including Donnelly, who had courted their support — and the Democratic National Committee.

"They've found they can help philanthropically, whether it's supporting a domestic violence center, Planned Parenthood, or women survivors of assault," Hale said. "But in terms of long-term need, and to set people up for success, they have to get involved politically."

Strategists familiar with the Simons said they want to flip the Senate to a Democratic majority.

At the same time, they want to make clear to red-state Democrats like Donnelly that they shouldn't shy away from liberal priorities, such as defeating Supreme Court nominee Brett Kavanaugh, who Democrats fear would vote to overturn *Roe v. Wade*.

The donations are "an opportunity to make clear, these would be our preferences in terms of how you behave [when it comes to] Kavanaugh," the Indiana operative said.



NICHOLAS KAMM/AFP/GETTY IMAGES

On the advice of White House counsel Don McGahn and senior aides, President Donald Trump has shown some restraint on the subject of Brett Kavanaugh's nomination to the Supreme Court. As he landed Wednesday at Marine Corps Air Station Cherry Point, N.C., aboard Air Force One, Trump focused his remarks on hurricane response and tariffs on China.

Trump, his allies still urge Kavanaugh confirmation

REPUBLICANS from page 1

reflect growing optimism that his nominee would win confirmation, despite the epic drama still unfolding around Ford's allegation and whether she will detail it in public.

"This is not in the bag," said one White House official. "But I think we know what we are going to do."

On the advice of senior aides, including White House counsel Don McGahn, Trump previously offered a more muted and cautious line and, in general, he has shown uncharacteristic restraint on the subject.

One reason Trump and his allies are feeling bullish: Some Republican senators — including Sen. Bob Corker, who initially called for further investigation of Ford's allegation — have said the Senate should go ahead and vote on Kavanaugh's nomination if Ford does end up testifying. Kavanaugh's fate hangs on just a few additional votes.

Some conservatives have interpreted Ford's declaration that she wants the FBI to investigate her account before she testifies as evidence that her account of a night in the mid-1980s is somehow flawed.

No evidence has emerged to that effect, although Democrats and Republicans alike on Wednesday described a flurry of hearsay, rumors and online testimonials of generally

dubious veracity that allegedly support their respective sides.

Trump underscored the high stakes of the controversy in his remarks to reporters Wednesday. "Look, when I first decided to run, everybody said the single most important thing you do is a Supreme Court justice, OK? We've all heard that many times about a president."

Republicans hope to vote on Kavanaugh — with or without a Senate hearing — early next week, as

we're also worried about discouraging the base," the Republican said. "There is a real concern, if Kavanaugh does not get confirmed and we don't rally to the cause, it could hurt us."

The question of whether Ford ultimately will appear in-person in Washington was the latest twist in the Republicans' fast-moving process of trying to confirm and seat a justice before the November midterm elections.

One Republican familiar with the confirmation process said the White House and GOP are walking a line between not enraging women sympathetic to Ford's charges but also projecting strength and partisan fire to core Republican voters.

long as they can lock down 50 votes among Senate Republicans, with Vice President Mike Pence casting the tiebreaking vote if needed.

One Republican familiar with the confirmation process said the White House and GOP are walking a line between not enraging women sympathetic to Ford's charges but also projecting strength and partisan fire to core Republican voters.

"One thing that is keeping everyone in line is that we're worried about the #MeToo movement, but

went public with her story in The Washington Post on Sunday, the California clinical psychology professor has endured harassment and threats and has even fled her home.

Kavanaugh's backers have combed through dusty yearbooks and public records in an attempt to gather information about the night of the Maryland house party at which Ford says a 17-year-old Kavanaugh assaulted her so aggressively that she feared for her life.

prepare for a potential hearing on Monday.

In recent days, Kavanaugh has retained the law firm of Wilkinson Walsh + Eskovitz to represent him.

Even after the allegation came out and Ford went public, the White House and conservative groups doubled down on Kavanaugh as their pick for the Supreme Court — with no one else waiting in the wings, said the four sources familiar with the confirmation process.

Trump himself has largely left the defense of Kavanaugh and strategy behind it to McGahn and congressional leadership. And even as Trump has expressed sympathy for Kavanaugh — as he's often done for men facing allegations of abuse or sexual impropriety — he's also been quite focused on the federal government's hurricane response and new tariffs on China. He spent Wednesday in North Carolina, receiving a briefing on the hurricane response and handing out food in Styrofoam containers to hurricane victims in a church parking lot.

"Trump is happy no one is talking about Manafort and Mueller, so he is happy to play along," said one Republican close to the White House.

Andrew Restuccia contributed to this report.

Ford says Kavanaugh took her into a room with another male friend, groped her, tried to forcibly remove her clothes, and covered her mouth when she protested.

Ford's lawyer has not responded to repeated requests from POLITICO for an interview.

Kavanaugh has spent the past few days holed up in the West Wing with McGahn, who has served as confidant and counselor as the two try to line up the support of senators, map out a defense strategy and

Grassley walking a tightrope on Kavanaugh chaos

GRASSLEY from page 1

coaxing Christine Blasey Ford to talk to his Senate Judiciary Committee next week, and leading the charge to confirm Supreme Court nominee Brett Kavanaugh, whom Ford alleges assaulted her. It's a delicate juggling act that serves as the climax to a conservative career spent alternately battling Democrats and working with them against his party leadership.

On Wednesday, Grassley's challenge was on vivid display as he sympathized with Ford for facing death threats that he said "disturbed" him in a letter to her attorneys. Then, a few paragraphs later in that letter, Grassley served up a fastball: Ford's testimony and biography are due by Friday morning if she intends to show up on Monday.

Grassley says he's going to great lengths to be fair to Ford, offering to fly a staffer to California to interview her and making repeated attempts to contact her lawyers. But his dilemma is the same as the rest of his party's: Being as delicate as possible with an alleged sexual assault victim while keeping Kavanaugh headed toward the bench.

"Where I am focused right now is doing everything that we can to make Dr. Ford comfortable with coming before our committee, either in an open session or a closed session or a public or a private interview. That's four different ways," from which she can choose, Grassley told reporters on Wednesday. He said the hearing would be "fruitful" only if both Ford and Kavanaugh show up.

The famously curmudgeonly Grassley faces competing imperatives as he works through one of the most fraught periods of his 43-year political career. Senate Majority Leader Mitch McConnell (R-Ky.) is trying to get Kavanaugh confirmed before the midterm elections, and many of Grassley's colleagues are arguing there should be no delay.

But for Democrats and advocates fighting sexual violence, Grassley is in too much of a rush given his long-running history of urging people to come forward on their own terms about malfeasance. They say he needs to stop and assess his place in history before going forward.

"I've known him at times to really be a victim advocate, so I'm surprised that he seems to be rushing and setting it up in a way that we don't think is trauma-informed," said Terri Poore, policy director for the National Alliance to End Sexual Violence. "Sen. Grassley is a man who cares about doing the right thing. And I think that sometimes doing the right thing can rise over politics."

Sen. Mazie Hirono (D-Hawaii), a liberal member of the Judiciary Committee, said Ford has received "unacceptable treatment" from Grassley: "I expect more."

"I would expect Sen. Grassley to be much more evenhanded and fair-minded in how he's treating Dr. Ford," Hirono said in an interview. "She's just told, 'Here, we are having a hearing on Monday. Take it, or leave it.' This is not the treatment I'd expect from Chairman Grassley. [It] traumatizes her all over again."

Republicans see Grassley, now in his seventh term, as continuing his long history of autonomy and



AARON P. BERNSTEIN/GETTY IMAGES

Senate Judiciary Committee Chairman Chuck Grassley's dilemma is the same as the GOP's: Being as delicate as possible with an alleged sexual assault victim while keeping Brett Kavanaugh headed toward the Supreme Court.

trying to accommodate those he disagrees with. He quickly proposed a public hearing with Ford and canceled a planned Thursday committee vote to move forward on Kavanaugh after the California-based professor went public with her allegation.

And there's no one the GOP would rather have helming such a frenetic confirmation fight than the senior senator from Iowa. Judiciary Committee member John Kennedy (R-La.) said he's been a "senatorial rock star" dealing with protesters, Democratic interruptions and difficult political decisions.

"He is very sensitive to the issues

of survivors and whistleblowers that come forward," said Sen. Joni Ernst (R-Iowa), one of six female senators. "We want to approach this in a fair and balanced manner. And I do believe Chairman Grassley will do an exceptional job."

Over the past three years, Grassley has occasionally delighted but more often confounded his Democratic colleagues. Most notably, he blocked President Barack Obama's Supreme Court nominee, Merrick Garland, from even getting a hearing under the direction of McConnell. He also has moved forward on lower-level court nominees without buy-in from Democrats, in their

view breaking with tradition.

But Grassley can surprise: He worked with liberal Sen. Cory Booker (D-N.J.) — who praised him during the Kavanaugh confirmation hearings for having "the patience of Job" — on a bill to help protect special counsel Robert Mueller, which McConnell opposes. And he aligned with liberal Democrats on a bill to change the way the United States handles military sexual assault.

What he will do if Ford decides not to show up is the question on everyone's mind in the Senate. On Wednesday evening, Ford's attorneys asked that Grassley allow more

witnesses.

"I don't know what Chairman Grassley will do," Sen. Susan Collins (R-Maine), an undecided senator Republicans need to vote for Kavanaugh, said on WVOM radio. "The effort right now is to convince Professor Ford to come forward, which she said she wants to do. And I think it would be better for her to do so."

Grassley is more seasoned than most senators when it comes to sexual misconduct allegations being leveled against a Supreme Court nominee. He is one of three senators still serving on the Judiciary Committee who played a role in the Anita Hill hearings during Clarence Thomas' confirmation to the high court. And he defended Thomas strongly against allegations he felt were unproven.

"She accused Judge Thomas of sexual harassment and she had to establish the truthfulness of these charges. Judge Thomas stands accused, but he need not prove his innocence. And to the extent that any of my colleagues find the situation continued to be cloudy, murky and unclear, Judge Thomas must be given the benefit of the doubt," Grassley said in 1991.

But Grassley also seized on the experience of that Anita Hill hearing to craft legislation giving Capitol Hill employees a system for reporting sexual harassment. He was a chief author of the 1995 Congressional Accountability Act, which effectively created the legislature's current workplace misconduct policing system.

And 27 years makes a big difference when it comes to Ford versus Hill, his detractors say. High-profile politicians and businessmen have been ousted over sexual assault allegations, and Grassley's handling of Ford's allegation may go a long way to determining how the Republican Party is viewed by women.

"If Grassley is betting that the public will disregard Dr. Blasey [Ford] just because she isn't surrendering to a sham hearing, he is dead wrong. Republicans are going to face a ferocious backlash in November if they insist on steamrolling ahead to install an alleged sexual abuser on the court," said Brian Fallon, executive director of anti-Kavanaugh group Demand Justice.

Of course, if Ford shows up for Monday's hearing Grassley will have a different challenge: Controlling what is sure to be the biggest congressional spectacle in years, a woman facing off with her accuser barely a month before the midterm elections. The atmosphere at Kavanaugh's first set of hearings was chaotic enough, but Grassley pushed through protester noise and didn't shut down Democratic dissent as the nominee conducted himself in a manner that seemed only to strengthen his GOP support.

If Monday's hearing goes forward, the stakes will be even higher.

"It will get crazy, I'm sure, if it's like the first" confirmation hearing, said Senate Majority Whip John Cornyn of Texas, a senior member of Judiciary. "But he, I think, was able to muscle through it and give everybody a fair opportunity. So I'm confident."

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The Next Generation 5G network promises more than blazing fast wireless broadband. Cities will become smarter and analysts expect 5G will enable the Internet of Things, encompassing a wide array of industries. As 5G implementation moves closer to reality, the industry, policymakers and others are grappling with the challenges and long-term benefits of rolling out the technology.

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Assistant Policy Counsel, Chamber
Technology Engagement Center, U.S.
Chamber of Commerce

Gerard Lederer
Partner, Best Best and Krieger

Sandra Rivera
Senior Vice President and General
Manager, Network Platforms Group,
Intel Corporation

Jessica Rosenworcel
Commissioner, Federal
Communications Commission

Patrick Steel
CEO, Politico

PRESENTED BY





WIN MCNAMEE/GETTY IMAGES

According to Sen. John Kennedy, Supreme Court nominee Brett Kavanaugh said he is "prepared to come before the [Judiciary] Committee again and answer any questions," about the accusations of sexual misconduct leveled against him. The president defended Kavanaugh's "unblemished record."

Hearing on Kavanaugh accusation in doubt

KAVANAUGH from page 1

from Ford's lawyers that sought an FBI inquiry before she testifies in public about her high school-era assault allegation against the Supreme Court nominee. Republicans are indicating little interest in any such investigation.

"I certainly understand and respect Dr. Ford's desire for an investigation of her allegations. That is precisely what the Senate is doing," Grassley wrote. "That is why our investigators have asked to speak with your client. That is why I have invited Dr. Ford to tell her story to the Senate and, if she so chooses, to the American people."

Grassley added that a "credibility assessment" of Ford's allegation would not fall to the FBI. On Wednesday morning, he said he would spend the rest of the week trying to persuade the California-based professor to appear before his committee.

"I'm not worried about anything other than just focusing for the next few days [on] encouraging her to come," Grassley told reporters.

Asked whether he would cancel the hearing if Ford does not attend, Grassley said he doesn't have to make that choice yet. The Iowan is also willing to send a committee aide to Ford's home base in California to talk to her if that's preferable, a GOP Judiciary staffer said.

One of Ford's attorney's late Wednesday sent a statement saying that there's no need to "rush" the hearing and that there are other witnesses who should appear at the hearing.

"Fairness and respect for her situation dictate that she should have time to deal with this," she wrote.

But the lawyer, Lisa Banks, did not say whether or not Ford would appear at Monday's hearing.

Kavanaugh's confirmation might

be decided by whether Ford shows up on Monday and is heard by the committee. Sen. Susan Collins (R-Maine), who is undecided on Kavanaugh, indicated that she's confused why Ford would go public and then decline to appear, which she said "would be a real disservice to both Judge Kavanaugh and professor Ford."

"Much to my surprise it now appears that she's turning down all [of her] options even though her attorney said earlier this week that she would come testify," Collins said on Maine radio station WVOM. "I just don't understand why the hearing shouldn't go forward."

She predicted the hearing would not go forward if Ford were not to show up. Another Judiciary Committee Republican told reporters he believes Ford might still come.

"Some of my colleagues say she's not going to show. ... I'm a little more sanguine and think there's a possibility that she will show and will change her mind again," said Sen. John Kennedy (R-La.). "I don't think we should cancel the hearing."

Grassley's letter noted that Ford has until Friday morning to submit advance information if she decides to participate on Monday.

Although the FBI conducted a dayslong inquiry of Anita Hill's 1991 sexual harassment allegations against then-nominee Clarence Thomas, a precedent that Ford's lawyers referred to in their letter, the FBI has said this week that it acted in accordance with existing guidelines by adding Ford's allegation to Kavanaugh's background file without further action.

Republicans on the Judiciary Committee, who had announced a Monday public hearing before Ford agreed to appear in that setting, say her appearance is neces-

sary in order for the committee to fully examine her claim that Kavanaugh tried to force himself on her when he was 17 and she was 15. Republicans have offered to let Ford speak in private but indicated that they plan to press ahead with President Donald Trump's high court pick even if she doesn't ultimately participate.

Some openly dismissed her recent request as a delaying tactic.

"Requiring an FBI investigation of a 36 year old allegation (without specific references to time or location) before Professor Ford will appear before the Judiciary Committee is not about finding the truth, but delaying the process till after the midterm elections," Sen. Lindsey Graham (R-S.C.), a senior Judiciary Committee member, said in a statement.

One key Republican who had urged for a delay in order to hear out Ford's side of the story, Tennessee Sen. Bob Corker, said Tuesday night that senators should proceed to a vote if she cannot participate on Monday.

If it is just Kavanaugh in the hearing on Monday, he may offer little more than further public denials that the incident ever occurred. Kennedy said he asked Kavanaugh about the allegations on Tuesday and received an "unequivocal" denial.

"Absolutely not. It did not happen. And I am prepared to come before the committee again and answer any questions," Kavanaugh said, according to Kennedy. The senator said Kavanaugh is not mad at Ford or anyone else for leveling the accusations against him: "He's not angry and he's not critical of anybody. He didn't say a bad thing about anybody."

Republicans have indicated that they may decide to question Ford

and her lawyers over any contacts they had with Democrats if the hearing slated for Monday occurs. The letter from Ford's lawyers does not commit her to speaking with the committee by Monday, regardless of whether her request for further FBI action is met.

Trump himself told reporters on Wednesday that he hopes Ford decides to speak in public, even as he defended Kavanaugh's "unblemished record" and dismissed the prospect of any further FBI investigation.

"I really would want to see what she has to say," Trump said, according to the White House pool report.

"If she shows up and makes a credible showing, that'll be very interesting, and we'll have to make a decision, but ... very hard for me to imagine anything happened," he said.

Sen. Dianne Feinstein of California the panel's top Democrat, responded: "President Trump, Dr. Blasey Ford did not want her story of sexual assault to be public. She requested confidentiality and I honored that. It wasn't until the media outed her that she decided to come forward. You may not respect women and the wishes of victims, but I do."

Senate Minority Leader Chuck Schumer urged Republicans to reconsider their resistance to an FBI examination of the allegation. "Senate Republicans and the White House should drop their inexplicable opposition to an FBI investigation, allow all the facts to come out, and then proceed with a fair process in the Senate," the New York Democrat said in a Tuesday night statement.

Rebecca Morin contributed to this report.

POLITICO INFLUENCE

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Saudi Arabia hires Gibson Dunn

The Embassy of Saudi Arabia hired Gibson Dunn to lobby against legislation that would allow the Justice Department to pursue antitrust actions against the Organization of the Petroleum Exporting Countries. Theodore Olson, former solicitor general of the United States from 2001 to 2004, Amir Tayrani and Benjamin Hayes will lobby on the issue. According to a letter addressed to Ambassador Prince Khalid bin Salman Abdulaziz included in Gibson Dunn's registration under the Foreign Agents Registrations Act, the Embassy of Saudi Arabia agreed to pay a flat fee of \$250,000. The fee, according to the letter, covers "preparation of a concise white paper, suitable for public dissemination" that opposes the bill; "preparation of a more in-depth legal analysis" of the bill; and preparation of an op-ed opposing the legislation. "In the event that you wish to expand the scope of engagement to include meetings between myself and members of Congress regarding [the bill], there will be an additional flat fee of \$100,000 per month to cover my time preparing for, and attending, such meetings," Olson wrote in the letter. Saudi Arabia retains many firms in Washington.

Supreme Court move could spur more dark-money disclosure

"A Supreme Court action Tuesday struck a blow to a conservative group's effort to shield its donors and could lead to more disclosure of who funds so-called dark money groups," POLITICO's Josh Gerstein and Maggie Severns report. "The court's unexpected action quickly set off a scramble among Washington operatives to change the way political nonprofits raise and disclose millions of dollars being spent on the midterm elections. The ruling invalidates, at least temporarily, a decades-old regulation that allows dark money groups to shield their donors ... The decision Tuesday relates to a Federal Election Commission regulation that said independent political groups had to name donors only when their gifts were linked to specific sets of TV ads or mailers. A federal judge last month struck down that rule.

Jobs report

■ Charlene MacDonald has joined FTI Consulting as a managing director in its strategic communications segment, focused on health care and life sciences. MacDonald was previously a senior policy adviser to House Minority Whip Steny Hoyer (D-Md.).
 ■ Michael Frohlich is now director of public affairs at Rational 360. He previously was manager of communications and speechwriter for the American Fuel & Petrochemical Manufacturers.
 — Marianne Levine and Theodor Meyer

Dems across U.S. running confidently on Obamacare

PRE-EXISTING from page 1

Congress.

"This is the killer app of Obamacare," said Republican strategist Rick Wilson, pointing to the broad bipartisan support for the law's health protections. "What you have to do at this point is duck and cover."

Republicans' dilemma is the latest sign of a radical shift in health care politics over the past year that's jarred the GOP. Republican lawmakers' clumsy failed efforts to replace Obamacare sent the law's popularity surging as the potentially dangerous stakes for people with pre-existing conditions came into sharp focus.

Polls this summer showed that voters trust congressional Democrats more than Republicans on health care issues, and when it comes to pre-existing conditions, Democrats hold a 2-to-1 advantage, a Morning Consult/POLITICO poll found last week.

That margin has Democrats across the country running confidently on Obamacare for the first time since its passage in 2010, even in swing districts and deep-red strongholds still skeptical of the health care law.

In August, more than half of Democratic ads nationwide focused on health care, far outpacing the rate of GOP ads touting job growth or tax cuts combined. Democrats, including some who say the Obamacare repeal effort motivated their candidacy, have cut deeply personal ads highlighting their own health care struggles. Republican candidates, in contrast, have run far fewer health ads, and they tend to focus on Democratic support for single-payer health care or "one-size-fits-all" government solutions.

The Trump administration this summer added fuel to Democrats' health care offensive when it joined part of a 20-state lawsuit aimed at eliminating Obamacare. While the administration isn't asking the courts to throw out the entire health care law, it's challenging provisions that ban insurers from rejecting coverage or charging more based on patients' pre-existing conditions.

Democrats, who once worried the grass-roots energy that helped sink the repeal effort last year wouldn't translate to electoral success this November, are worried no more about whether the health care issue will help them at the polls.

"It's been a political gift," said Brad Woodhouse of Protect Our Care, an activist group orchestrating much of the outside pressure on Republicans' health care agenda. "Any prospect that they were going to get out of the health care box they put themselves in went away the minute this lawsuit was filed and the Trump administration weighed in."

The Trump administration asked the court to delay a ruling until January, potentially pushing off backlash until after the midterms. However, a federal judge in Texas during oral arguments this month appeared sympathetic to the lawsuit challenging Obamacare and has promised a quick ruling.

Sensing their disadvantage on the issue, 10 Senate Republicans last month sponsored a bill that would force insurers, who routinely rejected patients with pre-existing



MARK WILSON/GETTY IMAGES

Sen. Joe Manchin of West Virginia, shown in July discussing a plan to protect people with pre-existing conditions, has surged to a comfortable lead in his reelection race by attacking GOP foe Patrick Morrisey on the issue. Morrisey is among attorneys general backing a lawsuit that would gut Obamacare.

conditions before Obamacare, to accept those patients. There was one major loophole, though: Insurers didn't have to cover those conditions. In other words, an insurer would have to sell a health plan to someone with cancer, but it wouldn't have to actually cover cancer treatment.

"It's a cruel hoax and a fraud," said Sen. Claire McCaskill (D-Mo.), who's in a very tight reelection

"It's been a political gift. Any prospect that they were going to get out of the health care box they put themselves in went away the minute this [anti-Obamacare] lawsuit was filed and the Trump administration weighed in."

— Brad Woodhouse
Protect Our Care

tion race against a Republican state attorney general who is part of the anti-Obamacare lawsuit. "How do you have a pre-existing conditions bill that says we're going to protect people with pre-existing conditions, but not for their pre-existing condition? I mean, it's embarrassing."

Sen. Susan Collins of Maine, one of the Republicans whose "no" vote helped doom the Obamacare repeal

effort, instantly shot down the new bill. Within hours of introducing the legislation, Sen. Thom Tillis (R-N.C.) was already backtracking, contending he could make improvements to bolster the bill's protections.

"It was never intended to be comprehensive," Tillis said in an interview last month. "This was to get the discussion going."

But weeks later, the bill hasn't been changed, and Republicans have stopped talking about it entirely.

Other Republicans say the threat to Obamacare's consumer protections has been overblown by Democrats for political gain. They say Republicans should go on the offensive and highlight President Donald Trump's expansion of cheaper health plans, which cost less than Obamacare plans because they cover less and provide fewer protections.

"Republicans know a better solution is to give Americans more options and let them choose the coverage that works best for them," Sen. John Barrasso (R-Wyo.) wrote in an op-ed last week.

But few Republicans in competitive races are eager to make that case. Some are awkwardly trying to embrace Obamacare's protections while still railing against the law. That's proved an especially difficult tightrope walk for McCaskill's challenger, Josh Hawley, and West Virginia Senate candidate Patrick Morrisey, who also is among the attorneys general backing the Obamacare lawsuit.

"The reality is that Josh Hawley has always said he wants people with pre-existing conditions to be covered," his campaign said in response to an August ad highlight-

ing his support of the lawsuit. "On the other hand, Sen. McCaskill is responsible for the current Obamacare mess."

McCaskill, who's trailing Hawley slightly in polls, is in the middle of airing 30 different ads in 30 days highlighting pre-existing conditions. Sen. Joe Manchin of West Virginia has surged to a comfortable lead by persistently attacking Morrisey on the issue, punctuated by an ad that shows Manchin shooting a copy of the Obamacare lawsuit.

Three other Democrats in close Senate races in states Trump won — Sens. Heidi Heitkamp of North Dakota and Joe Donnelly of Indiana and Rep. Kyrsten Sinema of Arizona — are also making pre-existing conditions a central theme of their campaigns.

House Republicans are in an even tougher spot, since their chamber last year approved an Obamacare repeal bill that would have watered down the law's consumer protections. The House legislation, which Trump hailed in a Rose Garden celebration, was supposed to be the payoff of eight years of promises to replace the health care law. Instead, it was an instant liability for vulnerable incumbents dragged down by an unpopular president.

"You say you want to repeal something, it's got to be replaced with something that is better than what you're repealing," said Rep. Dan Donovan of New York, one of the few Republicans who voted against repeal.

Donovan and 26 other House Republicans signed on to a resolution calling on Congress to restore pre-existing condition protections if the Trump-backed lawsuit in Texas wipes them out. That group

includes some in competitive races, like Arizona's Martha McSally and California's David Valadao, who have faced intense criticism over their repeal votes.

Republicans lament that the focus on pre-existing conditions has drowned out their once-reliable campaign tactic of highlighting Obamacare's flaws — or for that matter, Democrats' national health plans that GOP candidates say are escaping much-needed public scrutiny.

"What we want is a marketplace where you can get what you want," said Texas Rep. Pete Sessions, who's battling a progressive Democrat in a district Hillary Clinton narrowly won in 2016. "Let's tell the truth about [Obamacare]: It is a discriminatory, expensive system that's one size fits all."

Obamacare supporters, who have tried to tamp down talk of single-payer and "Medicare-for-all" this cycle to keep the focus on Republicans, aren't slowing down in the campaign's home stretch.

Liberal activist group Health Care Voter is running a voter mobilization campaign in the home districts of Sessions and 19 other House Republicans who voted for repeal.

Protect Our Care is also embarking on a six-week, 23-state bus tour to boost Democratic Senate candidates by highlighting the threats that it says GOP policies pose to health coverage.

"Make it about Republican sabotage, repeal and legal challenges to do away with things that people want," said Woodhouse of Protect Our Care. "There's nowhere in the country, no district, no state where Democrats shouldn't be hammering away at this."

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Trump's tough line on Iran risks backlash at U.N.

To POTUS, General Assembly is venue to slam Iran — but allies say he's the problem

BY NAHAL TOOSI,
DAVID HERSZENHORN
AND MATTHEW KARNITSCHNIG

Donald Trump sees next week's main session of the United Nations General Assembly as a chance to condemn Iran for spreading what he's called "chaos and terror" through the Middle East.

But many key U.S. allies likely use the global forum to present Trump himself as a threat to world peace.

The result could be an unusually combative gathering at an annual forum meant to promote harmony among world leaders.

"It's not going to be a pleasant conversation," predicted Ilan Berman, senior vice president of the conservative American Foreign Policy Council.

Trump's expected barbs against Iran in New York also come with political risk — and potential rewards: Talking tough on Tehran will please the president's Republican base, as well as Israel and some Arab states. But the broader reaction could expose how isolated Trump is on the world stage, especially after he unilaterally quit the Iran nuclear deal this past spring.

"It is the most public platform that Trump has to date to say our Iran strategy is not negotiable and that there will be consequences for not complying," Berman said. "But opposing parties are very likely to use the chance to push back and try to build consensus of their own to preserve the status quo."

Mindful of the danger, the Trump White House has already dialed back plans to dedicate a session of the U.N. Security Council that Trump himself will chair to the subject of Iran; the meeting will now cover the broader subject of nonproliferation, which could comprise other issues, like North Korea. Officials worried that Trump could appear to be all alone on a Security Council with many members who believe he should not have withdrawn from the nuclear deal.

But Trump's speech to the General Assembly, set for Tuesday, will include tough anti-Iran language, an administration official confirmed. And Iran's behavior is still expected to come up during the U.N. Security Council session Trump will chair, tentatively set for Wednesday.

Trump and his aides are sure to denounce Tehran over its sponsorship of terrorism and its military interventions beyond its borders — what the White House refers to as "Iran's malign activities." They will likely also claim that Iran, despite still clinging to what's left of the 2015 nuclear deal, has never truly fulfilled its end of the agreement to scale back its nuclear program in exchange for economic sanctions relief.

"Iran continues to be one of the world's biggest threats to peace and security and dealing with Iran has been a priority of this administration," a U.S. official said in a statement to POLITICO. "We will



DREW ANGERER/GETTY IMAGES

President Donald Trump, shown addressing the U.N. General Assembly in New York in 2017, plans to castigate Iran for its actions in the Middle East at next week's main session, but he also could use the occasion as an opportunity to meet with Iranian President Hassan Rouhani.

be looking at raising Iran's destabilizing influence throughout the Middle East region whenever appropriate during this year's U.N. General Assembly meetings."

Throughout the U.N. gathering — which began this week with lower-level meetings before the leaders of participating countries speak next week — a slew of side events, forums organized by activists and bilateral meetings between Trump and his counterparts will give all sides a chance to air their views. Brian Hook, who heads a newly formed State Department group to coordinate Iran policy, was to speak about Iran at the conservative Hudson Institute on Wednesday.

Within the U.S. government, there's been "a renewed push to include anti-Iran talking points in all engagements," including the General Assembly, a former administration official briefed on the topic told POLITICO.

But European countries, led by France, Britain and Germany, and unofficially backed by Russia and China, don't intend to let the Trump team hog the microphone. And America's European allies have been clear that they will not bow to U.S. demands to scrap the nuclear deal.

Last week, European officials announced they are working on a range of measures to stymie the impact of renewed U.S. sanctions on Iran so that Tehran can keep doing business with Europe without fear of U.S. punishment.

A spokeswoman for Federica Mogherini, the European Union's

foreign policy chief, took a pointed shot at the U.S., noting that the nuclear deal was unanimously approved by the U.N. Security Council.

The nuclear deal "is crucial for the security of the region, for Europe and beyond," said Maja Kocijančič. "And in this context the European Union is fully committed to the continued full and effective implementation of the [nuclear deal] as long as Iran continues to respect its nuclear-related commitments."

A senior German diplomat told POLITICO that, for Europe, Iran has become a "question of principle" that has as much to do with preserving international norms as it does with reining in the Iranian nuclear threat. European officials are happy to confront the U.S. over Iran at international gatherings, the diplomat said, because they believe Trump can't rally many people to his defense.

U.S. officials regard Europe's efforts to salvage the Iran deal as little more than bluster, and they believe the Europeans will cave eventually. The threat of U.S. sanctions has, after all, already led dozens of European businesses to quit the Iranian market, despite promises that European governments would protect the firms.

The Iranian economy, meanwhile, is struggling. The country's currency, the rial, has plummeted in value in recent months, and Iranians have staged protests across the country accusing their Islamist government of ineptitude and corruption.

And this is all before U.S. sanctions on Iran's oil sector, which had been lifted under the nuclear deal, are reimposed starting Nov. 4.

Trump quit the nuclear deal in May, saying the Barack Obama-era agreement was too narrow. Trump argued he wanted a better deal that reins in both Iran's nuclear and nonnuclear activities, including its support of terrorist groups that threaten U.S. allies such as Israel.

The Trump administration has since unveiled a list of 12 demands on Iran that would require a radical reordering of Iran's foreign policy.

European leaders are sympathetic to many of Trump's complaints about Iran. They worry about Iranian aid to terrorist groups implicated in attacks across Europe. France is reportedly restricting its diplomats' travel to Iran, citing a foiled bomb plot aimed at Iranian dissidents on its soil.

These officials also worry about Iran's military activities in places like Yemen and Syria, both of which are mired in war.

But these same allies believe Trump should have built on the nuclear deal instead of walking away from it. They also don't buy the Trump administration's claim that it's not seeking regime change in Iran. They fear the U.S. is doing what it can to collapse the regime without a long-term strategy, meaning more political chaos and human suffering in an already volatile Middle East.

Another opposing voice who could stir things up is Iranian President Hassan Rouhani, who is expected to attend the U.N. meeting

despite debate in his home country over whether he should go. Rouhani will have multiple opportunities to rebut Trump.

It's even possible that Trump may ask to meet with Rouhani while the two are in New York. The U.S. president tried to sit down with Iranian officials during last year's assembly, and he's said he's willing to meet the Islamic Republic's leaders without preconditions.

"What does he have to lose by asking?" said Alex Vatanka, an Iran specialist with the Middle East Institute. Even if the Iranians once again say "No," Trump "can turn around and say ... 'I gave the Iranians plenty of time to come back to the table.'"

The Iranians declined last year's request from the Trump administration, which was conveyed through the French. U.S. officials declined to comment on whether Trump was mulling more outreach this year.

Mark Dubowitz, chief executive of the hawkish Foundation for Defense of Democracies, argued that Trump should hold out for a meeting with Iran's Supreme Leader Ayatollah Ali Khamenei, who holds the ultimate power in the country under its theocratic system. Secretary of State Mike Pompeo could be dispatched to meet with Rouhani instead, Dubowitz suggested.

Trump's "instinct seems to be, 'Let's have another summit,'" he said. "I think the [Iranian] regime has to be somewhat careful if they continue to rebuff Washington — they may end up isolating themselves."

Scott Walker launches scorched-earth ad campaign

Spots attacking Democrat Tony Evers show Wisconsin governor 'is in trouble,' observers say

BY CAITLIN EMMA

Teachers who watch porn while at school and "body slam" students highlight an ad campaign in the Wisconsin brawl for the governor's seat that's a startling change from the usual jobs-and-taxes messaging.

Wisconsin Gov. Scott Walker is hammering Tony Evers — his Democratic opponent, who leads the state school system — for what he says was Evers' failure to pull licenses from dangerous teachers. The charge is the focus of gripping attack ads blasted out by Walker's campaign and the Wisconsin Republican Party, including one featuring a science teacher who viewed hardcore porn on the job and "is still in the classroom with young girls."

Walker's campaign says Evers' failure to act shows that he's a "weak leader." But Evers campaign manager Maggie Gau in a statement called the ads "false and disgusting attacks from Walker" that "show just how desperate he is to distract from his record after eight years of failed policies and broken promises."

Local school boards in Wisconsin did pursue action against the teachers in question, and the boards have the authority to hire and fire. Whether a teacher ultimately retains a license rests

with Evers' agency, the Department of Public Instruction. But the teachers' conduct didn't meet the legal definition needed to have their licenses pulled, the Evers campaign and the state agency say.

Political analysts say Walker, who's running for a third term, is fighting for his life. And they say he has been forced to get personal through ads that try to knock Evers off-message.

"Walker is in trouble," said Barry Burden, director of the Elections Research Center at the University of Wisconsin-Madison. "I think the ads indicate that the Walker campaign realizes its regular style of campaigning isn't going to work this year."

"Usually the focus would be on jobs and taxes and the budget," he said. "Those issues are still there, but the fact that he's picking on smaller issues, like teacher licenses, I think indicates that riding on these traditional issues this year isn't going to be enough."

Evers leads in recent polls and held a 5-point advantage in the Marquette University Law School Poll released Tuesday. Both sides have spent millions in advertising, with Republicans ahead of Democrats.

In a statement, Walker spokesman Brian Reisinger said the

campaign is attacking Evers over teacher licenses because "if Tony Evers won't fight for our children in the face of pornographic material, sexual misconduct, and even violence in our schools, the people of Wisconsin can't trust him to fight for them as governor. Tony Evers didn't do his job and he shouldn't be asking for a promotion."

Burden said "there are certainly oversimplifications and stretching what happened to some degree" in the ads.

One of the most talked-about spots relates the case of Andrew Harris, a Madison-area science teacher who looked at porn at school in 2009.

The ad, paid for by Walker's campaign committee, features a female voice-over who says: "A teacher watched hardcore pornography in his classroom, showed obscene images to his co-workers, commented about the chest sizes of middle-school girls, suggested one struggling student should brush up on her sex skills because it's the only thing she'd ever be good at, then intimidated the female teacher who complained."

"Tony Evers should've revoked the teacher's license, but he didn't. And the teacher is still in the classroom with young girls."

PolitiFact, a project operated by the Poynter Institute that fact-checks elected officials, has rated the ads "mostly false" or "half-true." The case hinged on state

law at the time, which set a high bar when it came to teachers losing licenses for what's called "immoral conduct."

Harris was fired and appealed the decision. A state arbitrator restored his job, saying his actions didn't meet the law's definition of immoral conduct because he didn't endanger the "health, safety, welfare or education" of a student. The arbitrator's decision held up in state court, and Evers' agency didn't revoke Harris' license.

Evers later supported a bill that Walker signed to change state law so that a teacher's license could be revoked if the teacher viewed pornography at school.

"It is incredibly rare to be investigated for immoral conduct and be cleared," said Thomas McCarthy, spokesman for the Wisconsin Department of Public Instruction. "But there is always a reason why. That reason is not because we are asleep at the switch."

McCarthy pointed to state data showing that a teacher winds up without a license as a result of most investigations into immoral conduct. McCarthy said the Wisconsin Republican Party has requested records for about 32 cases.

One of those is the case of Corey Morning, a first-grade teacher and high-school sports coach from Prescott.

Morning was working as a coach in June 2011 when he used a wrestling move to take a student to the

mat after repeatedly asking the student to stop throwing medicine balls. Police records referred to the move as a "body slam."

"The student was shaken by the incident," McCarthy said. "He did not immediately report the situation, and it came to the attention of the district after the parents were made aware and made a complaint."

The school district, local police department and child protective services investigated. Morning received a misdemeanor battery charge, but he had the backing of his principal, and the school district allowed him to stay on as a first-grade teacher after he resigned as a high school sports coach.

The Department of Public Instruction determined that Morning's case didn't meet the standard for immoral conduct under the law, preserving his license.

But the Wisconsin GOP argues that Morning had a history of being too aggressive as a coach. Evers had the authority to pull Morning's license but "refused to act," Walker's campaign said in a "fact sheet" about the ads.

Burden of the University of Wisconsin-Madison said the ads are visceral and attention-grabbing. But Evers has a shot at winning even though Walker holds a financial advantage, he said.

Walker is "trying to find a way to trip up the Democrat who's in front of a Democratic headwind," he said.

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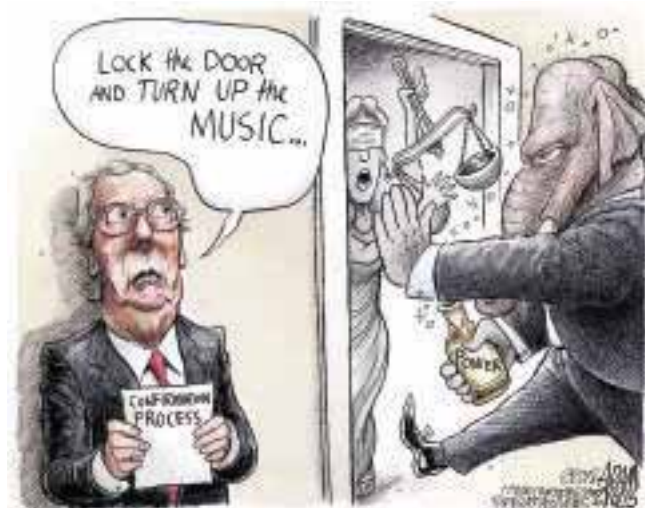
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