

The Ripon Forum

Fall 2009
Volume 43, No. 4

CONFLICT & CONSENSUS:
Gail Wilensky assesses the
health care debate



Leavitt's Lament

The former Cabinet Secretary and Governor discusses the growth of federal power and complacency of the states

Plus: Donald Carcieri explains how he is cutting spending in Rhode Island

And: Mark Sanford's former press secretary on kiss-and-tell political memoirs and why he has no plans to write one



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The Ripon Forum

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Volume 43, No. 4, Fall 2009

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In this Edition

One of the things we try to do in each edition of *THE RIPON FORUM* is to focus on a particular issue or theme. This current edition is no different. But as we finished work on it, we began to wonder whether we had failed to accomplish our goal.

This edition does, after all, feature as its cover story an essay by former Utah Governor and Cabinet Secretary Mike Leavitt on the growth of government in Washington and the complacency of the states in standing up to what he views as an unprecedented – and possibly unconstitutional -- federal power grab.

At the same time, however, this edition also includes an essay by a Governor who is anything but complacent -- Rhode Island's Donald Carcieri, who writes about his efforts to reduce spending in the Ocean State. If Carcieri's is a success story, the essay by political reform expert Steven Hill is not – it is account of the dysfunctional political process in California, and the effort underway to rewrite the state constitution and turn this process on its head.

These three different essays on three different topics have, at first glance, very little in common. But after thinking about it a little more, we came to realize that, collectively, they depict the good, the bad, and the ugly of American governance – which, after a summer of town hall protests and voter anger, struck us as an appropriate theme to convey this fall.

We hope you enjoy these essays. We also hope you enjoy some of the other pieces included in this edition, among them: John Barrasso's expert commentary on the importance of personal behavior in driving down health care costs; Gail Wilensky's spot-on assessment of the flashpoints and areas of agreement in the current health care debate; and Darrell Issa's practical advice on how to keep partisan politics out of the Census next year.

Finally, at a time when it seems that every other political aide has a "tell-all" book that he or she wants to write, we hope you take a moment to read the essay by Joel Sawyer, who, as the former press secretary to Mark Sanford, not only has every reason to write such a book, but whom, for reasons he explains in his essay, has decided that's not something he believes would be right to do.

As with all editions of the *FORUM*, we would like to know what you think. Please write us at editor@riponsociety.org with any thoughts or opinions you may have.

Lou Zickar
Editor
THE RIPON FORUM

Without Responsibility, There is No Reform

JOHN BARRASSO

One of the most significant statistics in the debate on health care reform is this: half of the money we spend on health care is spent on just five percent of the people.

Basically, these are people who eat too much, exercise too little, and smoke. They develop expensive and largely preventable conditions: high blood pressure, heart disease, diabetes, and many types of cancers.

This is evidence of the role of personal responsibility in controlling the cost of care. If we can provide the proper incentives to encourage people to live healthier lives, there will be adequate money to help others deal with the cost of their care.

As a practicing physician, I've been fascinated to see how little Medicare will pay for a doctor or nurse to spend time teaching a diabetic how to control blood sugar. Medicare pays much more to treat the complications when a diabetic's condition becomes uncontrolled.

As the medical director of the Wyoming Health Fairs, I annually supervised the blood testing of over 50,000 Wyoming family members for over two decades. These inexpensive blood screening exams test for cholesterol, diabetes, anemia, thyroid problems, prostate cancer and much more. With the help of these programs, people have taken charge of their own health.

Amazingly, Medicare still refuses

to pay for these low cost exams. Medicare routinely pays much higher prices for individual blood tests if a patient has symptoms. Medicare refuses to cover screening tests to help



If we can provide the proper incentives to encourage people to live healthier lives, there will be adequate money to help others deal with the cost of their care.

our seniors identify problems early. The state of Wyoming will pay for the screening exams for its employees because it recognizes the value of early

detection and prevention. Washington, D.C. does not.

Businesses that want to set up workplace programs designed to motivate their employees to adopt healthy habits face a maze of government obstacles and regulations. They have to contend with the Health Insurance Portability and Accountability Act, the Americans with Disabilities Act, the Employee Retirement Income Security Act and numerous other rules that make it difficult for them to create effective incentives.

The Democrat health care reform bills do nothing to improve the situation. While they pay lip service to prevention, they target the money toward things like bike trails, street lights and jungle gyms. These do very little to motivate the individual.

We can do better. Real health care reform must be patient-centered. The way to reduce costs and improve the health of our citizens is by creating true incentives for people to take responsibility for their own health.

The different approaches to helping others stay healthy illustrate the difference between how conservatives and liberals view this issue.

I start with the assumption that people generally can be trusted to do the right thing and society prospers when government has less to say about how people run their lives. Others start

by assuming that Washington knows best and should take more authority over all of us.

I prefer individualized incentives that encourage healthy behavior. Regrettably, our current health care system is not built to emphasize wellness and prevention – nor do the reforms currently under discussion in Congress.

It is time to revise federal regulations so employers and insurers can more easily offer wellness programs that reward people who quit smoking, lose weight and control their cholesterol and blood pressure. That's what was done by the grocery store chains Safeway and Whole Foods. They reduced their health care costs substantially. The rules should make it easier for all businesses to offer these kinds of voluntary programs.

Real reform means changing the Medicare payment system to pay providers for the time spent working with patients on personalized prevention and healthy living plans.

It is time to revise federal regulations so employers and insurers can more easily offer wellness programs that reward people who quit smoking, lose weight and control their cholesterol and blood pressure.

Since Medicaid and other insurance programs base their payments on what Medicare allows, this would go a long way toward focusing doctors, physician assistants, nurse practitioners, dietitians and other health professionals on

keeping patients healthy, instead of treating them once they become sick.

In many cases, and for many people, the best result of health care reform will not come from Washington.

It will happen when government gives people the freedom to control their choices and truly take charge of their own health.

Democrats in Congress are planning an extremely expensive experiment that will affect the life of every American. They should be focusing on taking cost effective steps that will improve the health and the healthcare of our country. **RF**

John Barrasso is a U.S. Senator from the State of Wyoming. An orthopedic surgeon for over 24 years, he has served as President of the Wyoming Medical Society and has been recognized as Wyoming Physician of the Year.

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The Consensus that Exists and the Obstacles to Reform

GAIL R. WILENSKY

Once again, the nation is in the throes of debating health care reform. Although a perennial topic during Presidential elections, it has been a decade and a half since the country has been consumed by health care reform as a major issue — perhaps the major issue — of the day.

Unlike the Clinton era, with its clumsily-handled and ultimately failed Health Security Act, President Obama seems likely to be in a position to sign a health care reform bill sometime around Christmas or early in 2010.

Precisely what will be in the legislation and whether and how much Republican support will exist for the final package is yet to be determined.

Areas of Agreement

Although it is difficult to tell right now, with emotions running high and the decibels surrounding the exchanges on the floor of the Congress running higher, there actually are many areas of agreement between the parties on the need for health care reform and the general direction the reform needs to take. This was seen most clearly during the 2008 Presidential campaign but it persists now as well.

Both parties and the two Presidential candidates agreed that the rate of spending growth for health care is unsustainable and that there are serious concerns about patient safety and clinical appropriateness. These beliefs have led to agreement on the need to reform the delivery system and on many of the reforms

that need to occur. These reforms include the importance of changing how physicians and hospitals are paid so as to promote care coordination and quality, the need to promote preventive care and chronic disease management, the importance of encouraging the use of electronic



**...it's important
to recognize the political
dilemma that Republicans
face.**

medical records and other forms of health IT, and encouraging the faster introduction of generic drugs.

There has even been agreement on the importance of expanding subsidies to buy insurance coverage, especially to people who are not currently subsidized, and also the

need to make provisions for people who are identifiably high-risk health care spenders.

Areas of Disagreement

While the principles and, in some cases, even some of the policies are similar (such as the importance of moving away from individual fee for service payments towards more bundled payments, and payments to more accountable units) many of the policies and some of the basic principles are clearly different between the parties, especially as they are now being articulated by the respective leaders in the Congress.

The importance of liability reform and the prominence given to reforming the tort system is and has been a major area of disagreement between Republicans and Democrats. During the campaigns, there had been some discussion by Democrats about linking medical error disclosure with physician liability protections or at least promoting new models for addressing physician errors and generally referencing the need to reform malpractice. But since then, there has been almost no attention given to the issue in the various proposals under consideration.

Republicans, both during the campaign and now, put it at the top of their list of cost containment strategies. Given the current focus on the importance of incentives that reward physicians and institutions that “do less,” providing them with liability protection in exchange for

practicing within clinical guidelines and safety protocols seems crucial. The possibility of allowing the Health and Human Services Secretary to develop state pilots, which the President referenced in his September speech to Congress, is no substitute for change in current law.

The strategies that are being proposed subsidize coverage, and the regulatory structures surrounding them are also very different. Many Republicans, including Senator John McCain, have proposed substituting a refundable credit for the current tax exclusion for employer sponsored insurance. This has been done both as a way of ending the discrimination against people who are not offered employer-sponsored insurance and as a means to encourage people to be more cost conscious about the insurance they choose.

Democrats have primarily relied on Medicaid expansions to cover the poor; others up to 400 percent of the poverty line would receive subsidies to purchase insurance through insurance exchanges. Initially, the Finance Committee bill proposed to allow people above the poverty line who were eligible for Medicaid to use the equivalent funds to purchase private insurance through the insurance exchanges. But this provision was removed before the final committee vote.

The type of insurance, and where and how people purchase insurance, is also very different. Republicans have promoted the purchase of insurance across state lines as a strategy that would increase the availability of insurance offerings and also allow purchasers to avoid state mandates. This move to the increased use of individually purchased insurance has raised some questions about how to compensate for people who are predictably at risk for high spending, which has

led to the proposal for subsidized state high risk pools.

Democrats — and some Republicans — have relied on insurance exchanges as a strategy to pool risks and better promote competition on the basis of price and quality. The amount of regulation that is used in structuring the exchanges, particularly regarding what types of insurance products can be offered and if/how prices can vary for different age groups or other characteristics, has been the subject of debate.

The Obstacles to Reform

There are substantive as well as political obstacles to achieving health care reform. Some of the most important substantive differences are described above. Perhaps the

Since what emerges from conference is likely to be more liberal than the Senate bill that goes in, Republicans who support it will have helped make possible the passage of a bill they may like a lot less but will not be able to stop.

biggest obstacle, though, is the lack of agreement on how to pay for coverage expansions.

There is widespread agreement that any expansions in insurance coverage need to be financed. Both parties have agreed that the financial bail-out last year and the stimulus package enacted early in 2009 prohibit the use of any further deficit financing. Whether to finance the expansions from new taxes — particularly those on higher income individuals and health care providers — as opposed to squeezing money out of health care is one important area of

disagreement. But Congressional Republicans have also been sharply critical of proposals to slow spending under Medicare. This may however, largely reflect the other disagreements, and be more negotiable if there was more agreement on what was being financed.

Finally, it's important to recognize the political dilemma that Republicans face. Among the various bills being considered, the Senate Finance Committee bill is the most moderate. It will be merged with the Health, Education, Labor and Pension Committee bill, and then voted on by the full Senate. While the merged bill is likely to look a lot like the Finance Committee bill in terms of controversial provisions, once the bill goes into conference, there will be little that Republicans can do to affect the outcome.

Since what emerges from conference is likely to be more liberal than the Senate bill that goes in, Republicans who support it will have helped make possible the passage of a bill they may like a lot less but will not be able to stop.

Despite that knowledge, several prominent Republicans — like former Senators Dole and Frist, and current governors like Schwarzenegger and Jindal — have been calling on their colleagues to participate in health care reform.

We will know before too long whether these calls will be heeded and whether President Obama will succeed in his bid for reform. **RF**

Gail Wilensky is an economist and a senior fellow at Project HOPE, an international health education foundation. She served as Administrator of the Health Care Financing Administration from 1990 to 1992 and the chair of the Medicare Payment Advisory Commission from 1997 to 2001.

Census and Sensibility

DARRELL ISSA

In the face of growing challenges, Congress must scrupulously guard its Constitutional responsibility to ensure a fair, accurate and trustworthy count for the 2010 Census.

Since antiquity, nation-states have needed a reliable headcount of the population to know what size of army could be raised, what taxes could be levied, and to keep governing officials apprised of the customs, habits and social structures of the citizens living in remote areas of the empire.

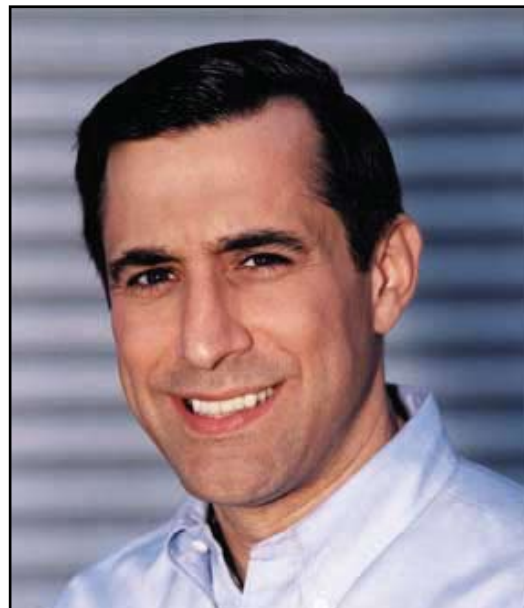
Today, the Census is just as important to our Republic. It is the very foundation of our representative system of government, and it is not surprising that it presents a source of incredible political controversy.

Professional partisans seeking to influence the apportionment of Congressional seats based on Census results or manipulate the distribution of federal dollars arise to advocate the use of dubious mathematical estimates rather than an actual headcount. Elected officials from states and cities large and small, urban and rural, marshal tremendous efforts to make sure their constituents get counted.

Indeed, the American Census is the largest peacetime mobilization of resources, both human and otherwise, undertaken throughout our history. Along with the Census come regular threats to subvert a full and fair counting.

The frontal assault comes in the form of “statistical adjustment,” or the

use of estimates to achieve population counts. Proponents of statistical adjustment argue that no Census can count every single person within the United States – a fact that everyone readily acknowledges. Because the undercounted population typically lives



...the American Census is the largest peacetime mobilization of resources, both human and otherwise, undertaken throughout our history.

in poor, urban areas, it is argued that complex mathematical estimates should be employed to achieve a more equitable representation in Congress for these urban areas.

Of course, these arguments

aren't the result of the phenomenon of urbanization in modern American life. During the public debate over the ratification of the Constitution, our nation's Founding Fathers wrestled with the issue of using estimates to count the fledgling country's citizens. Then, it was the virgin wilderness, dense forests and primitive modes of transportation that made an actual headcount difficult. Nevertheless, the Founders overwhelmingly rejected the use of estimates in favor of an actual headcount, realizing the only fair way to enumerate the people was house by house, head by head.

There are other routine challenges to overcome. This month, the Government Accountability Office (GAO) released a report that highlighted various problems that are facing the 2010 Census, including weaknesses in the Census Bureau's information technology, problems with the equipment used in canvassing, and uncertainty over the ultimate cost of the Census – now estimated at \$14.7 billion. Simply put, the Bureau created to conduct the Census every ten years struggles to keep pace with technological advances that occur every ten minutes. Remarkably, however, GAO reported that the Census Bureau is making “noteworthy gains in mitigating risks and in keeping the headcount on-track.”

This year, there were new, yet unsurprising challenges that threatened the Census. Early in his administration, President Obama stepped up efforts to

cut out the Census Bureau's superiors at the Department of Commerce and have the Census Director report to his Chief of Staff, Rahm Emanuel. This plan raised the concern that politics would interfere with the Census Bureau's work and thus jeopardize the independence needed to carry out a Constitutional mandate. After the public outcry over the politicization of the Census escalated, the White House walked back the President's power grab.

More subtly, then, the President seemingly ran afoul of the Constitution's requirement of Congressional advise and consent when the man publicly acknowledged to be his original choice for Director of the Census, Kenneth Prewitt, withdrew his name from consideration. Shortly thereafter, Prewitt was hired by the Administration as a paid consultant for the 2010 Census, reinforcing concerns that President Obama was circumventing the proper

nomination and confirmation process in the U.S. Senate to give his political ally a place of key influence over the Census.

Other scandals have fed an atmosphere of doubt about the legitimacy of the 2010 Census under President Obama's watch. Earlier this

In the great sea of partisanship that is the seat of federal government, a lone island of nonpartisan calm must always be the United States Census Bureau.

year, it became known that the notorious and largely discredited Association of Community Organizations for Reform Now (ACORN) had received a Census Bureau contract. Thanks to the diligent efforts of my colleagues on the House Oversight Committee, particularly Rep.

Patrick McHenry (R-NC) and Rep. Lynn Westmoreland (R-GA), the ACORN contract was withdrawn, but only after the now-infamous ACORN videos became public.

Washington DC is by its nature a very political environment. In the great sea of partisanship that is the seat of federal government, a lone island of nonpartisan calm must always be the United States Census Bureau. Any effort to colonize it with party loyalists – whether Republican or Democrat – or tinker with the Census results must be stopped if the American people are to have confidence in their government. **RF**

Darrell Issa represents the 49th District of California in the U.S. House of Representatives. He is the Ranking Member of the House Committee on Oversight and Government Reform.

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Answers That Matter.

The CFO ACT 20 Years Later

A Smart Government Idea that is Being Ignored

MAX STIER

Congress passed the Chief Financial Officers Act 20 years ago, hoping to create new systems of accounting and fiscal management that would provide federal agencies with timely, consistent and reliable financial information and assure wise use of public resources.

A number of goals of the act have been realized, with more stringent financial audit requirements and internal controls now in place to keep better track of spending, reduce waste and fraud, and increase accountability across the government.

But many agencies still have not met the full requirements of the law, and the law itself has fallen short in many respects.

In this time of massive budget deficits, scarce resources and a high demand for services, the need is greater than ever for a clear picture of the financial condition, the performance, the future fiscal outlook, and risks for individual agencies and for the government as a whole.

Unfortunately, the mandatory audited financial statements required by the law often have become a political exercise for auditors to get a passing grade from the Office of Management and Budget (OMB) without actually providing useful information to managers, lawmakers or the public.

These annual audit reports are hundreds of pages in length, glance backwards at a moment in time instead of also being forward-looking, and often have little relevance to the business and goals of government agencies. Quite

often, the audit reports are not even read by policymakers, and sometimes come in the door so late they are of no value at all.

One former federal CFO likened the process to a man riding in a hot air balloon that gets lost in a rain storm.



...many agencies still have not met the full requirements of the law, and the law itself has fallen short in many respects.

When he shouts to a passer-by on the ground and asks where he is, he is told, “You are 300 feet in the air.”

The former CFO said this is similar to the annual audits. “They are technically correct, but the information is not very useful, and only provides a false sense of security,” he said. “What

do they do to make a difference for the American taxpayer? Not very much.”

Altering the status quo will require changing the accounting and auditing standards to make the processes better suit the needs of the government.

This will require simplifying the financial statements and making them relevant. It will mean building in measurements for performance, the actual costs of doing business and various risk factors to help policymakers make prudent assessments.

One former CFO said he could produce detailed lists of all grants an agency gave to a particular city or a state, but could not tell the Cabinet secretary whether any of the money was spent properly or produced the intended results.

Another former CFO noted the audited government financial statements parallel the private sector-style balance sheets that seek to measure assets, liabilities, profit, loss, and in effect, the value of a corporation. But she said the needs of the public sector are quite different.

“I used to spend a lot of time on personnel and inventory and real property, getting valuations of worth, like the value of a government building in Montana that we were never going to sell,” said the former CFO. “We spent a lot of time and money producing numbers that nobody needs, but we had to comply with the accounting rules.”

It is time for the government’s financial community and other stakeholders to come together, and

with the leadership from the new administration that is committed to increased transparency, reach a consensus on change.

This change should integrate the government performance measurement agenda to help make each organization work better. That means incorporating the information germane to various parts of each organization such as the IT, human resources and acquisition communities. It also means making sure that CFOs are not just viewed as gloried auditors, but as part of the leadership team.

Another important issue is the way the CFOs are chosen.

Currently, CFOs are nominated by the president and confirmed by the Senate. The process is lengthy, results in CFOs being subject to the political winds, and often means they have a relatively short time in office.

One solution would be to eliminate Senate confirmation but still have the CFOs appointed by the president to increase the likelihood that they will be included in an agency's inner

One former CFO said he could produce detailed lists of all grants an agency gave to a particular city or a state, but could not tell the Cabinet secretary whether any of the money was spent properly or produced the intended results.

circle. At the same time, CFOs should be given fixed terms of perhaps five years to provide more independence and a chance for longer term strategic planning. Under such a scenario, CFOs should be required to appear before

the Senate if the Senate wants them to testify.

There are other issues that deserve attention including human capital—the need for more professional training and leadership development, and the active recruitment of people with the right skills. The financial and audit requirements can be improved, but in the end, the quality of the work will depend on the quality of the people.

The CFO Act has raised the importance of proper accounting standards in government and increased the stature of the financial professionals. Now it is time to move to the next phase and substantially raise the bar by connecting financial accounting to better outcomes in government. **RF**

Max Stier is president and CEO of the nonprofit Partnership for Public Service.

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The Invisible Battleground

Absolute security on the Internet is impossible, but we still have to try to get it right

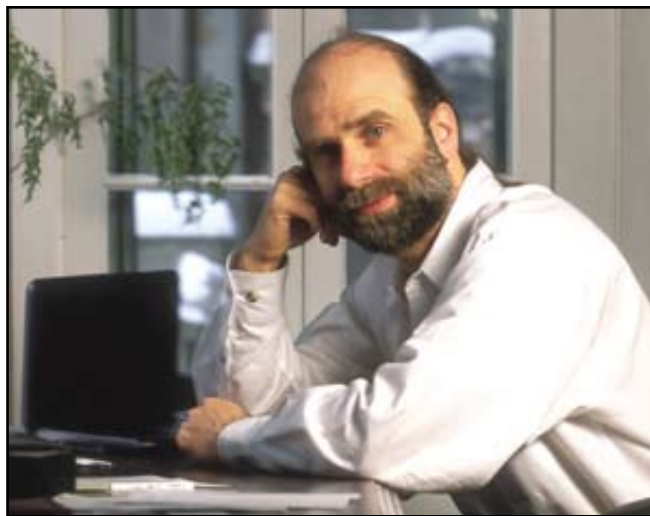
BRUCE SCHNEIER

Security is one of the fundamental building blocks of the Internet. Everything we do on the Internet, from casual conversations to business transactions to our critical infrastructure, requires some level of security. And because we want to do everything on the Internet, and because so much of our nation's critical infrastructure has migrated to the Internet, Internet security is critical for national security.

Absolute security is impossible. There's no way to eliminate the risks of fraud, identity theft, espionage, or malicious attack. But that's okay — it's no different than the real world. We make security trade-offs all the time, finding acceptable levels for risks like privacy loss, theft, large-scale financial fraud, and even terrorism. The dangers on the Internet are really no different than those in the real world.

But there are differences, and they trip us up again and again. We understand how the real world works, so we try to apply that understanding to the Internet. We want to prevent copyright infringement, so we try to make bits so they can't be copied. We want to know where data comes from, so we try to enforce attribution.

We think we can design computer voting machines because we know how mechanical voting machines work. We build electronic banking systems that mimic the brick-and-mortar bank branches they've replaced, and social networking sites that try to capture all the richness of human interaction.



...as more and more of our critical infrastructure moves to the Internet, we need to start getting it right.

But these things don't work as we envision, because the world of bits is unlike the world of atoms — and the same rules don't apply.

This isn't to say that Internet security is impossible, only that we tend to go about it all wrong. But as more and more of our critical

infrastructure moves to the Internet, we need to start getting it right.

First, two observations.

One: details matter. There are lots of serious issues that we have to tackle: data privacy, data sharing, data mining, government eavesdropping, government databases, use of Social Security numbers as identifiers, and so on. It's not enough to get the broad policy goals right. We can have good intentions and enact a good law, and have the whole thing completely gutted by two sentences sneaked in during rulemaking by some lobbyist.

Two: the Internet is global, and any security solutions have to take that into account. One of the reasons anti-spam legislation has so little effect is that most spam comes from overseas. Laws attempting to regulate anonymity will fail for similar reasons.

Now, four concrete policy recommendations.

1) The government needs to secure its own networks. This will take money, and it will take coordination. We need a cybersecurity coordinator, and he needs to have budgetary authority. This should be done openly, with commercial products, and not behind classified doors. Despite

what the NSA might say, we should not weaken security by building systems to facilitate eavesdropping. We're all safer if information technology is more secure, even though the bad guys can use it, too. And the NSA should not be in charge of this in any case—these are common problems with common solutions, and secrecy doesn't help.

2) The government should use its immense buying power to improve the security of commercial products and services. Most of the cost of these products is in development rather than production. Think software: the first copy costs millions to develop, but subsequent copies are essentially free. Additionally, the government has to buy computers for all its employees, and secure all its networks. It should consolidate those contracts, and include explicit security requirements. This will motivate vendors to make serious security improvements in the products and services they sell to the government, and everyone else will benefit because vendors will include those improvements in the same products and services they sell commercially.

3) We need smart legislation to improve security in places where critical infrastructure is in private hands. We shouldn't make the mistake of thinking the market will magically solve Internet security. There are lots of areas in security where externalities cause security failures. For example, software companies that sell insecure products are exploiting an externality just as much as chemical plants that dump waste into the river. Good laws regulate results, not methodologies. A law requiring companies to secure personal data is good; a law specifying what technologies they should use to do so is not. Mandating liabilities for

software vulnerabilities is good; detailing how to avoid them is not. The government should legislate for the results it wants and implement the appropriate penalties, then step back and let the market figure out how to achieve those results. That's what markets are good at.

4) We need to invest broadly in security research. Basic research is risky; it doesn't always

The government should legislate for the results it wants and implement the appropriate penalties, then step back and let the market figure out how to achieve those results.

pay off. That's why companies have stopped funding it. Bell Labs is gone because nobody could afford it after the AT&T breakup. But the root cause of its demise was a desire for higher efficiency and short-term profitability—not unreasonable in an unregulated business. Government research can be used to balance that desire by funding long-term research. We should let the NSF and other funding agencies decide how to spend the money with minimal micromanagement from Congress; the same with the national laboratories. Yes, some research will sound silly to a layman. But no one can predict what will be useful for what. And compared to

corporate tax breaks and other subsidies, this is chump change.

Security is both subtle and complex, and — unfortunately — it doesn't readily lend itself to normal legislative processes. The legislative process is used to finding consensus, but security by consensus rarely works. On the Internet, security standards are much worse when they're developed by a consensus body, and much better when someone just goes ahead and creates them.

The point is that we won't get good security without annoying some lobby — be it the information broker industry, the voting machine industry, the telecommunication companies or some other group. In the current political climate, I don't know if this is possible. **RF**

Bruce Schneier is an internationally renowned security technologist and author. For additional writings on cybersecurity and terrorism, please visit his website at www.schneier.com.

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- Privacy and the Internet**
<http://www.schneier.com/essay-253.html>

by MICHAEL O. LEAVITT



The Unbridled Growth of Federal Power and the Complacency of the States

Health care reforms being considered by Congress constitute another massive expansion of federal power. Washington has become a runaway train.

The legislation perpetuates and accelerates a century-long emaciation of state governments. The legislation also expands a relationship where string-laden dollars are “given” to states (and the people) in a manner that makes Congress a federal puppeteer who names the tune and calls the dance.

Our nation’s framers envisioned a federal government with supreme powers, but limited and enumerated duties. Operation of the health care system (like so many other areas Congress now controls) was not one of the enumerated duties.

The drafters of our Constitution knew that left unchallenged, the federal government would slowly but surely become more and more intrusive. I wonder if they could have imagined that the federal government would someday have a Health Choices Administration,

or mechanisms to decide who gets care, where it can be provided, or how much it will cost.

They provided a safeguard by encouraging the strength of the states. In fact, as a condition of ratification, the 10th Amendment was inserted which specified that powers not specifically granted to the federal government

would remain with the states and people. During debate over this Amendment 300 years ago this past summer, James Madison said, “...the state legislatures

Rather than the strong political counterbalance to the federal government, states have become anemic supplicants, going to Washington with their hands out, pleading for more federal tax money.

will jealously and closely watch the operations of this government and be able to resist with more effect every assumption of power than any other power on earth can do.”

The history of the states’ slow constitutional atrophy since that time has been well documented. They have become a shadow of the full-players envisioned by the founders. Rather than the strong political counterbalance to the federal government, states have become anemic supplicants, going to Washington with their hands out, pleading for more federal tax money. Without steady counter pressure from unified states, the momentum of Washington’s budget, influence and arrogance will inevitably grow.

An Outrageously Bold Plan

There was a moment in 1993-1994 when states showed at least faint signs of a constitutional pulse. The anti-Washington energy pulsing from the health care debate at that time built upon frustration about entitlement programs and other federal mandates. States were frustrated and felt they were losing control of their budgets and their freedom to act.

An unusually bipartisan movement began to organize among elected state government officials. They concluded to convene a Conference of the States which would be a means of formalizing their discontent and advancing an agenda to rebalance the distribution of power.

Under their plan, each state would, by resolution, pass in their state legislature a resolution appointing delegates to attend this first ever Conference of the States. At the meeting, delegates would devise a set of proposals which might have included proposed constitutional amendments or federal legislation that would slow the one way flow of power and money to Washington.

Once the Conference of the States had devised a bill-of-particulars, called a “states petition,” each state would be asked to ratify it. When 34 states had done so, the states would collectively gather in Washington to formally present their demands. The confrontation, it was thought, would force the people to engage.

Looking back, it was an outlandishly bold plan. But how else could the momentum of federal expansionism be altered? How else could Congress be made to hear unless there was an unmistakable expression of the people’s will?

Ben Nelson, then the Democrat Governor of Nebraska, and I, the Republican Governor of Utah, chaired the effort. Jointly, the National Governors

Association, the National Council of State Legislatures, Council of State Governments and the State Legislative Leaders Foundation formally approved the plan.

State leaders met regularly to strategize and organize. The emergence of this movement was covered widely by national, regional and state media. In December 1994 the Washington Post wrote about the discontent felt among the states and the formation of the Conference of the States. It said, “Instead of complaining, the governors and legislatures want to come to Washington with the power to bargain. The project is on a fast track.”

Organizers anticipated it would take two years for enough states to ratify the proposal so that the Conference of States could then pull the trigger. The first year many states passed it through both houses of their legislature. Others passed it through one chamber but awaited action in the other.

As more states debated and passed the resolutions, media attention grew. A genuine organized protest was beginning to take shape. The movement had legs.

Naturally, opposition began to grow as well. In the summer of 1994, two things happened to alter the movement’s momentum. An unlikely coalition of groups from the far right and far left began to actively oppose enabling resolutions in state legislatures. Groups with a far right philosophy argued (without factual basis) that the Conference of the States would

morph into a constitutional convention. On the left, labor unions seized on the same rhetoric and began claiming the meeting would result in all types of constitutional mischief like outlawing abortion, etc.

This unholy coalition reached legislative hearing, loud and controversial. State legislators, up for reelection in November of that year, became weary of mobilizing a new group of opponents.

The most significant momentum shift came with the Republican takeover of Congress in the 1994 mid-term elections. Ironically, the election was a direct expression of frustration with the direction of the federal government.

The sweeping power shift brought about by the 1994 election made the Republican Governors Association meeting in Williamsburg, Virginia a historically significant event. Just ten days after the election, Speaker-Elect Newt Gingrich and the new Senate leader Bob Dole brought their respective leadership teams to the conference to meet with Republican Governors.

I was made chairman of the Republican Governors Association at that meeting. It had been my duty to organize the meeting and six months earlier, in keeping with my work on the Conference of the States, I made

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the decision to theme the conference on the need to rejuvenate Federalism.

At that meeting, in that historic place, returning power to states became a primary theme of the party's governing agenda. Republican governors were asked by the new Congress to become their partners in retooling the nation's welfare and Medicaid systems. The plan was to devolve power to the states.

As the new legislative agenda unfolded, those of us who had organized the Conference of the States could see momentum had shifted in a direction we approved of, but in a fashion different than we had anticipated. We recalibrated the Conference of the States effort into a far less grand vision, wrapped it up, and focused our energies on legislative proposals which would return more control of the nation's welfare system and Medicaid to state control.

Two years later, welfare reform had passed. Medicaid reform was jettisoned in a compromise to get welfare reform. Later, Congress also passed unfunded mandate legislation. With those modest outcomes, the resurgence of federalism quietly returned to hibernation.

Federalism for the 21st Century

Since the Conference of the States movement shot across the evening sky of history, I have spent ten more years as Governor of Utah and five years in the President's cabinet. Both experiences intensified my view that a strong but limited federal government is needed. It has also made me absolutely sure that states are a vastly superior place to conduct most of the domestic affairs of government.

Looking back on the Conference of the States, I occasionally wonder what would have occurred had efforts to make long term structural change not been interrupted by the sweeping change of the 1994 election. Welfare reform was good policy and an important victory, but it was a modest and short term resurgence of federalism. Rebalancing will require more than legislation. It will require structural change brought about by a determined citizenry.

We live in an era where speed and innovation are a requirement of leadership in a global economy. A 21st century version of federalism would be a dynamic form of government. In such a government, for example, universal access to health insurance could be achieved more quickly than it will be at the federal level.

Congress would establish national standards and the needed tools. States, within a specified time period, would accomplish the task or suffer loss of federal financial support. Different states would go about it in different ways, but the outcome would be more in line with the attitudes and beliefs of the American people. States are closer to the people.

Yes, our country is again engaged in a debate over health care reform. When Congress went home for its August recess, they were met by angry citizens. How angry? Will there be a watershed shift as there was in 1994? If there is, it will not be because of health care reform. Rather, it will be because people are wary of Washington having too much control.

Rebalancing the division of labor between the state and federal government will require more than legislation. It will require a determined citizenry and bold leadership from the states. Will there ever be a Conference of the States, or some other organized effort to jolt the federal government back into

place? It is hard to know.

However, if there isn't, our national government and its unbridled debt will continue to grow. Water will run uphill before Congress will voluntarily give up power. The founders of our country knew that, and we should too.

RF

Michael O. Leavitt served as Secretary of the U.S. Department of Health and Human Services from 2005 to 2009, and as Administrator of the U.S. Environmental Protection Agency from 2003 to 2005. Prior to that, from 1993 to 2003, he served as the Governor of Utah.



Water will run uphill before Congress will voluntarily give up power.

Right-Sizing Government

The example being set in one small state

DONALD L. CARCIERI

I have been Governor of the State of Rhode Island and Providence Plantations for just over six and a half years. We are a small state, with a population of just over one million, but during these difficult economic times our fiscal challenges rival those of much larger states.

For over 70 years, one party has dominated the Rhode Island General Assembly. Under Democrat control, social service programs - primarily Medicaid - were consistently expanded, while at the same time eligibility criteria for these benefits were significantly lowered. As a result, Rhode Island experienced a steady rise in program participants while the General Assembly raised taxes to fund these overly-generous programs and the staffing to support them.

At its peak and prior to my administration, there were over twenty thousand state employees serving less than a million people in a state thirty miles wide by forty miles long. Once you add all of the municipal workers and teachers, government becomes the largest employer in the State of Rhode Island. The Democrat-dominated legislature has been a friend to public employee unions. The balance between those depending upon government and those supporting government was beyond the tipping point.

No one questions the need for social service programs; the issue is more of where you set the bar, how efficient you can be, and how much the taxpayers can afford. When times are good, government programs glide along on auto-pilot. But when the times get difficult, like now, you have but two choices – throttle back on the spending or raise taxes. Rhode Island doesn't need higher taxes, it needs more taxpayers. It needs an expanding economy, not an expanding government.

How large should government be? The simple answer is that government should be the size the taxpayers want and can afford to maintain. Rhode Island's problem was that government grew at a rate far outpacing the taxpayers' ability to support it. The result: taxes continued to increase, and both individuals and businesses no longer found our state to be an affordable place to live, work or grow a business.

I understood this when I first ran for Governor. In the first years of my administration, we were able to establish tight budget controls and streamline many state government processes. Through my Fiscal Fitness Program, we revamped state purchasing, tightened revenue collection, consolidated "back-office" functions among the departments, and encouraged government transparency. In the first two years we saved hundreds of millions of taxpayer dollars.

It's my belief that most taxpayers want a government that is more efficient, less expensive, and easier to engage.

However, there is strong resistance to these sorts of money-saving practices primarily from those who benefit from the status quo. Even common sense process-improvements that are based both on sound management practices and social responsibility can be difficult to achieve.

Today, the fiscal challenges in Rhode Island, as in nearly every other state, have grown exponentially. These challenges demand a profound and immediate transformation of how we fund and manage government. Forecasts of future budget years do not signal relief, only a worsening financial situation. There is no time to waste.

My administration has been focusing on the three major



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areas of state spending: Personnel Costs, Social Services, and Local Aid to Municipalities. Each of these areas possesses its own set of cost drivers, legal and political considerations.

In the personnel area, a large percentage of the state and local government workforce in Rhode Island belongs to unions. On the state level, with each new labor agreement, personnel costs have been reduced, particularly through new health insurance agreements and increasing workers' shares of health insurance costs. Major changes have also been made in state employee pensions and retiree health insurance benefits by gradually raising retirement ages, minimum years of service, as well as requiring retirees to pay a fair share of their retiree health insurance costs.

Recently, our state employees agreed to a pay reduction plan that will save taxpayers nearly \$40 million over the next two fiscal years. In addition to the pay reductions, the plan also defers a formerly agreed upon pay increase for an additional six months. By agreeing to these concessions, our public employees at the state level are working cooperatively to solve our fiscal problems. Further, we are currently operating state government with 12,800 people, the lowest level in recent memory.

The second area of spending is for Social Services, particularly Medicaid, which has ballooned to more than one-third of the state budget. In response, my administration proposed a first-in-the-country initiative to contain Medicaid costs using a comprehensive waiver from federal rules to design a consumer-driven, community-based service system. Our Choices program will provide consumers a greater range of options, and better care at a much more affordable cost to the taxpayers. The nation will learn a great deal from Rhode Island as our Choices program holds great promise for those in need and those who pay the bills. The goal is to provide more appropriate, better care at lower cost. Reducing the heavy reliance on long-term nursing home care, and shifting to more at-home support for seniors is key.

Beyond Medicaid, we have also had encouraging results in both improving social service outcomes and in controlling related costs. For instance, we have made changes to our TANF programs to link up the efforts of our Department of Human Services with Workforce Development initiatives. It's about getting people off of public assistance, getting them the job skills training they need and placing them back into the workforce more quickly. Our Work-First approach is allowing Rhode Islanders to become independent faster.

Having achieved successes in reining in personnel and social service costs, now my administration is focusing on the third major area of state expenditures - Local Aid to Municipalities. Last year, I proposed reducing state aid to cities and towns in my supplemental budget, but also included

needed relief from unfunded state mandates. Additionally, I recommended an array of management tools that would help our municipalities better manage their budgets through these challenging financial times.

I also proposed a BRAC-like commission to focus on consolidation and regionalization of services at the municipal level. Unfortunately, the General Assembly failed to act on this comprehensive plan to provide more options and flexibility to our cities and towns.

How do we deliver education, public safety, infrastructure and other government services more affordably? Many of the actions we have taken on the state level will have to be echoed in local government efforts to reduce spending. Again, public employee unions will play a large role in crafting future government operations along with municipal officials. The new fiscal world we live in sets boundaries everyone will be forced to accept.

In late August, we formed a Fiscal Stress Task Force to ascertain the financial vulnerability of our 39 cities and towns. Coincidentally, it was announced that several of our cities and

towns were coming together to discuss regionalizing police, fire and public works services. I was pleased to see that we are gaining traction, and perhaps the political will, to finally take a serious look at re-establishing the frameworks for smaller, effective and efficient government.

Legislators and policy makers may create programs and increase government obligations out of

good will or a desire to expand their power by making more people obligated to the government, but, in the end, reality will win out and the state will run out of money, projects will be abandoned and promises broken. No state can afford to let that happen. In Rhode Island's case, with a lower than average revenue capacity in relation to the rest of the country and a higher than average revenue effort (i.e. we are already taxing people too much), government has overreached.

They say necessity is the mother of invention, and so perhaps, with states dealing with severe fiscal constraints, the opportune time has come to re-shape our state and local governments. After first grounding themselves in new fiscal realities, elected officials can then raise questions of priority, urgency, and whether or not government ought to be doing what is proposed. Better government does not mean bigger government. Active government does not imply spendthrift government. Government schooled by fiscal reality will yield a practical wisdom that makes prudent choices in the how and why of government growth and spending. **RF**

Donald L. Carcieri is Governor of the State of Rhode Island and the Providence Plantations.

Rhode Island doesn't need higher taxes, it needs more taxpayers. It needs an expanding economy, not an expanding government.

A Radical Solution for California's Intractable Woes

STEVEN HILL

“Are you ready to put on your white wigs?” That is a question I have been posing lately to many everyday Californians, as the Golden State considers if a constitutional convention composed of regular folks might hold the solution to California’s ongoing political and budgetary woes.

California used to be known as a place of innovation and forward-thinking policy, but today it is known as a state that issues IOUs to pay its bills. With state government in Sacramento seemingly frozen in place, a group of California leaders formed RepairCalifornia.org to propose a constitutional convention as a way to address the state’s deeply entrenched structural problems.

But this would be no ordinary convention. Approximately 60 percent of the 500 or so participants would be “citizen delegates,” everyday people who have been scientifically selected to convene a broad cross-section of California. The other 40 percent would be delegates appointed by local government officials. This innovative hybrid would attempt to bring together into the same room both the expertise of those with policy knowledge and political experience as well as the values of regular people who are not concerned about their political careers or partisanship, but instead can focus on what’s good for their state.

Over two dozen “town hall” meetings have been held throughout California with each event filled to capacity with hundreds of Californians concerned about the future. When I have asked them, “How many of you think YOU would be

a good delegate to the convention?” typically 90 percent of the hands in the room shoot up. While Californians have lost faith in their government and their elected leaders, opinion polls consistently show that Californians trust themselves more than they trust the “experts.” Thus, this kind of People’s Convention could be well-suited to California’s culture that has relied for decades -- often to its detriment -- on popular referendums and initiatives.

The California state constitution is the third longest constitution in the world, having been amended over 500 times. Many of the amendments have come as a result of

an initiative process that has been captured by big-money interests that can buy their way onto the California ballot with their pet project. This has happened over and over in California, to the point where the constitution has become a disjointed hodgepodge with things like golf courses, gill net fishing and other unconstitutional matters embedded into the Constitution. Some of the previous amendments have dedicated state revenues for funding pet projects to the point where they have tied the hands of the legislature to craft a sensible budget. This in turn has led to a

structural deficit where California spends more money than it takes in.

Repair California, the umbrella group that is spearheading this effort, is led by the Bay Area Council which represents 275 of the largest employers in the Bay Area, including Google, Oracle, HP and many others. Other



With state government in Sacramento seemingly frozen in place, a group of California leaders formed RepairCalifornia.org to propose a constitutional convention as a way to address the state’s deeply entrenched structural problems.

organizations who have endorsed a constitutional convention include Common Cause, the Los Angeles Times and other local newspapers. The convention would be a "limited" one, with a mandate narrowly tailored to those parts of the Constitution that deal with the structure of government.

The four areas in which the delegates would be empowered to propose reforms would be in governance, elections (including the initiative and referendum process), budgetary and revenue rules, and the relationship between local and state government in terms of revenue sharing. Social policies and potential wedge issues such as gay marriage, gun control and education would be off the table. Proposition 13, the law passed by voters in 1978 that reconfigured property tax laws, would dance around the edges of the convention, which would be allowed propose changes but not to legislate any tax increases. The convention is not designed to be a parallel legislature, but rather to update and modernize the rules that define government and its powers in California.

If California voters approve of a ballot measure that will be on the November 2010 ballot to call the convention, the convention will meet beginning in the spring of 2011 for approximately eight months. The delegates would be paid for their participation, and would hear from experts from all political sides. The convention also would hold a dozen public hearings throughout the state, as well as use all of the modern technologies available today -- the Internet, e-mail, live webcasting, instant polling and more -- to engage Californians and bring them into the conversation. Utilizing these techniques, California could mount a constitutional convention the likes of which has never been seen. It has the potential to stimulate a badly needed civic dialogue that has been missing not only in California but all across the United States. The convention would have the power to place their proposals directly on the November 2012 ballot, where their fellow Californians would vote up or down on the proposed reforms.

While opinion polls show that Californians very much support reform and want change, nevertheless many previous efforts at political reform have failed. Initiatives have been voted down in recent years to extend term limits, enact a "top two" primary, public financing of campaigns, election day registration and other reforms. Only recently did Californians barely approve a measure to create an independent redistricting commission, after numerous attempts. What is clear is that Californians often don't trust the proposers of reform, especially when the Legislature puts a measure on the ballot. The Legislature has little credibility at this point, nor do others who are perceived as political insiders or even so-called experts.

That's why a constitutional convention composed

mostly of everyday Californians is being viewed as crucial to success. The convention itself in essence would be an ongoing focus group in which the proposals and reforms would be vetted by a large pool of people who would be just like the voters who eventually will decide whether to enact the proposals of the convention. There have been numerous examples in the United States and abroad showing that the citizen-as-delegate model has worked well in a range of circumstances.

For example, in post-Katrina New Orleans, 4,000 citizen delegates scattered in 21 cities were simultaneously convened to decide how to spend scarce rebuilding dollars after federal and state authorities grossly mismanaged the recovery. In California and other states, citizen delegates have been used in a range of forums involving hundreds of people to advance solutions to contentious issues such as tax reform, health care, housing and regional development. The delegates are provided with professional staff and facilitators, and undergo a thorough education process, hearing from a range of experts about the problems and potential solutions. By the end, the delegates themselves have become experts.

Says Steve Rosell, a deliberative democracy practitioner from San Diego-based Viewpoint Learning, "Many people enter these events with strongly held political beliefs, but usually they are far more interested in

finding workable solutions than in adhering to a particular ideology. As a result participants' conclusions often have a common-sense, practical quality."

This aspect of citizen delegates -- a focus on what works instead of ideology, partisanship or career self-interest -- is exactly what California needs. With California grappling with a crisis of historic proportions, many people feel it is time to draw upon the genius of what has always been the Golden State's greatest resource -- Californians themselves.

If the convention works in California, it may initiate a wave that could sweep the country. Inspired in part by California, already Rudy Giuliani has called for a constitutional convention to be held in New York. So as you ride the bus or freeway to work tomorrow, ask yourself: Can the person seated next to me, or driving past me, be trusted with the job of redesigning the basic political and budgetary rules?

Are everyday Californians ready to don the white powdered wigs to become the Founding Mothers and Fathers of a new California?

Stay tuned.

RF

Steven Hill is Director of the Political Reform Program of the New America Foundation and author of "10 Steps to Repair American Democracy" (www.10Steps.net).

KEYS TO A REPUBLICAN RESURGENCE IN THE NORTHEAST

CHARLES F. BASS

Leading up to the 2008 general election, the conventional wisdom in America was that the Republican Party was dying in the American Northeast.

After the results came in, and the GOP was left without a single seat in New England, the conventional wisdom was no longer that the party was just dying in that part of the country. Most people thought that the party was dead.

And yet if we are going to become the majority party again in this country, we must rise like Lazarus in the Northeast. Of course, recognizing that we need to spark a Republican resurgence in this region is a far easier feat than figuring out exactly how to rebuild a party whose image has been devastated among New England voters.

The good news is that I do not believe that the seismic shift in favor of Democrats over the last few cycles in the Northeast is a permanent one. The better news is that the core message of the Republican Party – a message that attracted voters across the region for decades – can still resonate today. So how do we do it?

First, we as a party need to recognize that one-size-does-not-fit-all when it comes to campaigns. It shouldn't be an earth-shattering revelation, but the fact of the matter is that the type of candidate and campaign that can win in Alabama is not going to be the same type of candidate or campaign needed to win in New Hampshire. Voters in the Northeast

respect political independence and expect their elected officials to focus on finding solutions to the challenges facing the region and our country, not just on red meat rhetoric. We as a party must be politically pragmatic enough to recognize this fact and run campaigns that reflect it.

Second, we need to emphasize



...if we are going to become the majority party again in this country, we must rise like Lazarus in the Northeast.

those policies and positions that unite all Republicans – rather than focus on issues that divide us. It was Ronald Reagan who pointed out that someone who agrees with you on 80 percent of the issues is a friend, not an enemy. Unfortunately, instead of emphasizing those issues that unite us, the Republican

Party of today has spent far too much time focused on divisive social issues. Worse, elements of the party have not only pushed for our party to focus on these divisive issues, they have pushed for a party where only those who agree with each other on 100 percent of issues are pure enough to be a part of our party today. The party that cannot embrace the voter who agrees with them 80 percent as a friend and an ally, is a party doomed for the permanent minority.

Third, we need candidates who reflect the values of the people of their district and their state. Our party needs to recruit and promote candidates who understand their electorate and who will reflect their values – and then support them as vigorously as they would others with whom they might be closer to philosophically. Some issues are universal, while others are distinctly regional. While fighting for lower taxes may be universal, issues like health care reform, energy and the environment, job creation and countless other issues effect different parts of the country differently. We need candidates who not only understand those differences, but who understand

that the first obligation of public service is to represent those who you have been elected to serve – not to the national party or the talk radio crowd. We need candidates who are courageous enough to be decisively and proudly Republican when in agreement with our Party's leadership on an issue, but courageous

enough to be decisively independent when in disagreement.

Finally, we need to make a serious investment in recruiting good candidates, supporting their campaigns, and building vibrant state and local parties. Our party's national leadership needs to understand the importance of a Republican resurgence in New England and invest accordingly. Important in this investment is the recognition that the party wasn't decimated overnight, and its revitalization will not occur overnight either. Investing in state and local parties, as well as candidates up and down the ballot, will reap some immediate results, but more importantly, such investments could pay impressive dividends in the future.

A generation ago, New England was the base of the Republican Party. In Franklin Roosevelt's Democratic landslide victory of 1944, only two states – Maine and Vermont – cast their electoral votes for the Republican

nominee for President. Neither of those two states has voted for a Republican for President since George H.W. Bush's run in 1988. In the late 1940s, Republicans were elected to represent 21 of 28 House seats. After Chris

...the fact of the matter is that the type of candidate and campaign that can win in Alabama is not going to be the same type of candidate or campaign needed to win in New Hampshire.

Shays' loss in Connecticut in 2008, not a single Republican represents a New England House district in Congress.

I am not suggesting that New England or the Northeast in general will be the regional base for the GOP in the future. Indeed, much has changed

in the region in the last generation. I am suggesting, however, that the Republican Party can compete and win in New England, because while much has changed in the region, much remains the same.

The electorate in the Northeast still values political independence, still treasures individual liberty, still expects government to live within its means, and still respects tradition – which, when you think about it, are not only values most Republicans also respect, but ones the party should stand behind today. **RF**

Charles F. Bass represented the 2nd District of New Hampshire in the U.S. House of Representatives from 1995 to 2007. A Board member and former President of the Republican Main Street Partnership, he recently announced the formation of an exploratory campaign committee to possibly run for his old seat.

Party Affiliation, Members of the U.S. House of Representatives from New England, 1980 - 2008

	Republican	Democrat	Independent
1980	9	16	0
1982	7	17	0
1984	10	14	0
1986	9	15	0
1988	10	14	0
1990	7	16	1
1992	9	13	1
1994	8	14	1
1996	4	18	1
1998	4	18	1
2000	4	18	1
2002	5	16	1
2004	5	16	1
2006	1	21	0
2008	0	22	0

Note: includes Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont

Of Memoirs and Malcontents:

Why the easy thing is not always the right thing to do

JOEL SAWYER

Sex, lies and an ethics investigation.

With all the ingredients present for a political tell-all novel about my time as Governor Mark Sanford's communications director, I've had a number of people ask when the book is hitting the shelves.

Most are a little surprised when I tell them it was never something I gave serious thought to, though it wouldn't be true to say it didn't at least cross my mind. After all, an inside-perspective novel after a public implosion is just as much a part of the formula these days as the scripted public confession alongside the wronged-but-supportive spouse. Incidentally, it doesn't look like any of those conventions will end up being followed in the Sanford case.

So as much as I would love for people to associate me with the picture from my book jacket rather than the picture of me literally pulling my former employer away from a podium and a media scrum, that's going to have to wait.

Simply put, I fundamentally believe it isn't appropriate for former aides to cash in by writing kiss-and-tell novels. I don't mean to indict or condemn those who have written these books, but I think it's a trend that should end for a few reasons.

Why does the desire to tell people "the whole story" only hit once someone has left an administration or a campaign? Pardon the cynicism, but I have a hard time buying the high-minded talk of transparency and openness from many who've



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written such projects.

Any political organization is a team effort, and decisions are made every day about what parts of those

inner workings will and won't be discussed publicly. If you don't like the decisions, you leave, period. But when authors later recount episode after episode worth telling to the public years after they occurred, it leaves the impression that the only reason they stayed as long as they did was to accumulate anecdotes.

Obviously, an enormous caveat to the above would be revealing evidence of wrongdoing or malfeasance. But there again, is a highly-publicized novel the appropriate venue for revealing such, and are you really acting in the public's best interest by doing so? More likely, the motivation is moving up the best seller list. If you know of potential legal breaches, you have an obligation to report them when they happen, not when it is most profitable.

As old fashioned as it sounds, I also believe in the idea that you ought to treat someone how you would want to be treated in similar circumstances. If someone places their trust in you, you're faced with a clear choice of either validating or violating that trust.

A critic of this rationale would say that the ultimate trust placed in a staffer is that of the taxpayer who is providing their salary. And that is absolutely true. But taxpayers elect officeholders, not

staffers. By serving that officeholder, you are fulfilling the role the taxpayers are paying you to fulfill. If those same taxpayers decide that they're not happy with what decisions are being made and how those decisions are being made, that's what the ballot box is for – and it's the responsibility of a free and strong press to give voters the information they need to hold officials accountable. It's not up to a single staffer to unilaterally veto the decisions made by the team he or she was a part of. Most professional athletes would lose their credibility in similar circumstances (see Jose Canseco).

But perhaps the worst part of this trend is the degree to which these books have contributed to the tabloidization of American politics. Let's face it – these novels typically

aren't weighty discussions of policy nuances, and instead bear a closer resemblance to airport fiction.

It's undeniable that there's been a marked degradation of discourse

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surrounding government and politics. Average people from my generation couldn't tell you three substantive policy accomplishments of the Clinton Administration – but they could tell you heck of a lot about Monica Lewinsky.

I'm certainly not laying the blame for that at the feet of tell-all authors. I'm a free-market guy, and it's clear that these books are filling a demand in the marketplace.

But just because you have a right to do something doesn't make it the right thing to do, and these authors ought to ask themselves whether their work is serving to elevate politics in this country, or diminish it in the eyes of those it is intended to serve. **RF**

Joel Sawyer is the former Communications Director to South Carolina Governor Mark Sanford. He owns a communications consulting and public relations firm, New Level Strategies, and can be reached at joel@newlevelstrategies.com.



The Rise of Value Voters

LOU ZICKAR

This past September, the Family Research Council held a “Values Voters Summit” for conservatives in Washington, DC.

It was the fourth year the group had held such an event. As in years past, a host of Republican leaders appeared. Also as in years past, some of the media’s coverage of the event was negative.

Even before the event started, for example, some commentators were gleefully pointing out that South Carolina Governor Mark Sanford had, for obvious reasons, been disinvited from the event. Additional biting commentary was also heard from others on the far left edge of the political blogosphere.

While this was to be expected, it was also a shame. The vast majority of those who attended the Values Voters Summit were not the mean spirited caricatures some portrayed them to be. They were honorable individuals whose interest in the future of America was – and is – driven less by their political ideology than their personal beliefs. For the media to cover them with scorn was unfair.

Yet they were not the only ones wronged that weekend. Republicans were also done a disservice as a result of the summit, because one of the storylines that emerged was that the GOP needs to run to the political right in order to return to political power. Clearly, the appearance of so many party leaders made this story an easy one to tell. But that didn’t make it one

that was in the best interests of the party as it heads into the mid-term elections next year.

Make no mistake – the conservatives who attended the Values Voters Summit are the foundation of the modern Republican Party. They are the ones who stuff the envelopes, staff the phone banks and show up for rallies when everyone else is sitting on their hands. It was not only politically smart that party leaders showed up to thank them for their loyalty and hard

To reach independents, Republicans not only need to tap into the frustration they have over the growth of government, but tap into their desire to make government work.

work. It was the right thing to do. But it is also important to remember that while a political party is built with its base, general elections are won in the middle.

And if recent polls are to be believed, that part of the electorate is growing.

Just last month, ABC News reported that 43 percent of the American people consider themselves to be independents -- the highest number ever. Unfortunately, as the political

center has expanded, Republican support among this key voting bloc has shrunk. Independents have voted overwhelmingly for Democrats in Congress the past two elections. They were also a crucial part of the coalition that elected Barack Obama last year. Over the past several weeks, though, amidst rising concerns about the growth of government and the amount of new spending that has been proposed, support for the President’s policies among independents has appeared to slip. If this erosion continues, Republicans have to be ready to win their support.

A roadmap to accomplish this goal might be found in a series of focus groups held at the end of August with independent voters. Sponsored by the GOP advocacy group Resurgent Republic, the focus groups revealed two important things about independents. First, while they share with Republicans a basic mistrust of big government, they also believe that limited government does have a role to play, particularly in situations where individuals are up against forces beyond their control (such as hurricanes, terrorist threats, and financial meltdowns). Beyond this, the other thing the focus groups revealed is that independents are growing frustrated. They feel they went to the polls and voted for better government last November, but have gotten only bigger government instead. In short, they are beginning to wonder whether they were sold a false bill of goods.

To reach these voters, Republicans not only need to tap into the frustration independents have over the growth of government, but tap into their desire to make government work. To be sure, the GOP's reputation in this regard has suffered in recent years. From the chaos after Katrina to the mismanagement of Iraq to the failure to regulate speculators who peddled bad mortgages and gambled with IRAs, Republicans have not exactly proven themselves to be competent managers of the bureaucracy. (Of course, neither have the Democrats.) But times change, and the party is under new leadership. George Bush is clearing brush in Texas, while Tom Delay is dancing with the stars. It is critical that Republicans develop a message for independents that shows they have turned the page, as well.

For this reason, in addition to talking about values like they did at the September summit, the GOP would

also be well-served to begin talking about value. More specifically, they should begin talking about the fact that when people send their money off to Washington, they want to know

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they are getting something of value back in return. This is especially true during tough economic times when household budgets are tight. Whether it is the incomes taxes coming out of their paychecks or the 18.4 cents per gallon in federal gas taxes they are paying at the pump, Americans want to know that the dollars they earn and then turn over to the government are

being wisely spent.

As the recent focus groups made clear, independent voters have real concerns as to whether that is actually the case. In the words of a woman who participated in one of the groups, "We don't know where the money is going and where it is coming from." If the Republicans want to compete in the middle, they must be able to respond to these kinds of concerns.

Not with partisan outrage that paints all government spending with the broad brush of socialism. But with substantive solutions that explain to independent voters how their tax dollars could be put to best use.

Doing so will put the party in a better position to win not only the support of independents, but next year's elections, too. **RF**

Lou Zickar is the editor of The Ripon Forum.

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October 28th - Breakfast with Frank Wolf

November 4th - Breakfast with Joseph Cao

November 5th - Breakfast with Robert Goodlatte

December 9th - Breakfast with Kevin Brady

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Ripon Profile

Name: Jason Chaffetz

Hometown: Alpine, Utah

Occupation: Congressman, Utah's Third District

Previous Jobs: 16 years in the local business community; Small business owner; Chief of Staff for Governor Huntsman (Utah); Trustee, Utah Valley University

Individual(s) who inspired me as a child: My parents, Ronald Reagan, and my 6th grade teacher, Mr. Kobiashi

Historical figure(s) I would most like to meet: Abraham Lincoln, George Washington, Benjamin Franklin, and Winston Churchill

Issue facing America that no one is talking about: Prison reform is one of them. The lack of personal respect, civility, and accountability is another major issue facing America that no one is talking about.

What the GOP must do to recapture its congressional majority: Return to our true conservative principles such as a strong national defense, limited government, accountability, and fiscal discipline.





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The railroad industry talks a lot about fuel efficiency per ton. Unfortunately, being fuel efficient in a straight line doesn't get food to grocery stores, supplies to businesses, or life's essentials to the home. Trucks connect our homes, businesses and industries with the timely movement of food, freight and commodities essential to our economic well-being and way of life.

80 percent of American communities rely solely on trucks to deliver life's essentials to local hospitals, schools, homes, factories and grocery stores. Since no other mode of transportation — rail, ship or air — gets things where they need to go, it is critical that we rebuild and maintain a world-class highway system that matches American dependence on trucks.

When we need it, where we need it.



TRUCKS BRING
Life's Essentials

**“PART OF BEING A REVOLUTIONARY IS KNOWING
THAT YOU DON’T HAVE TO ACQUIESCE TO THE
TIRED OLD IDEAS OF THE PAST.”**

**Ronald Reagan
1985**



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