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YOU CAN RUN . . .



Congressional candidate Kirsten Gillibrand says it's time for incumbent John Sweeney to stop hiding from the issues—and meet her in a debate **BY DAVID KING**

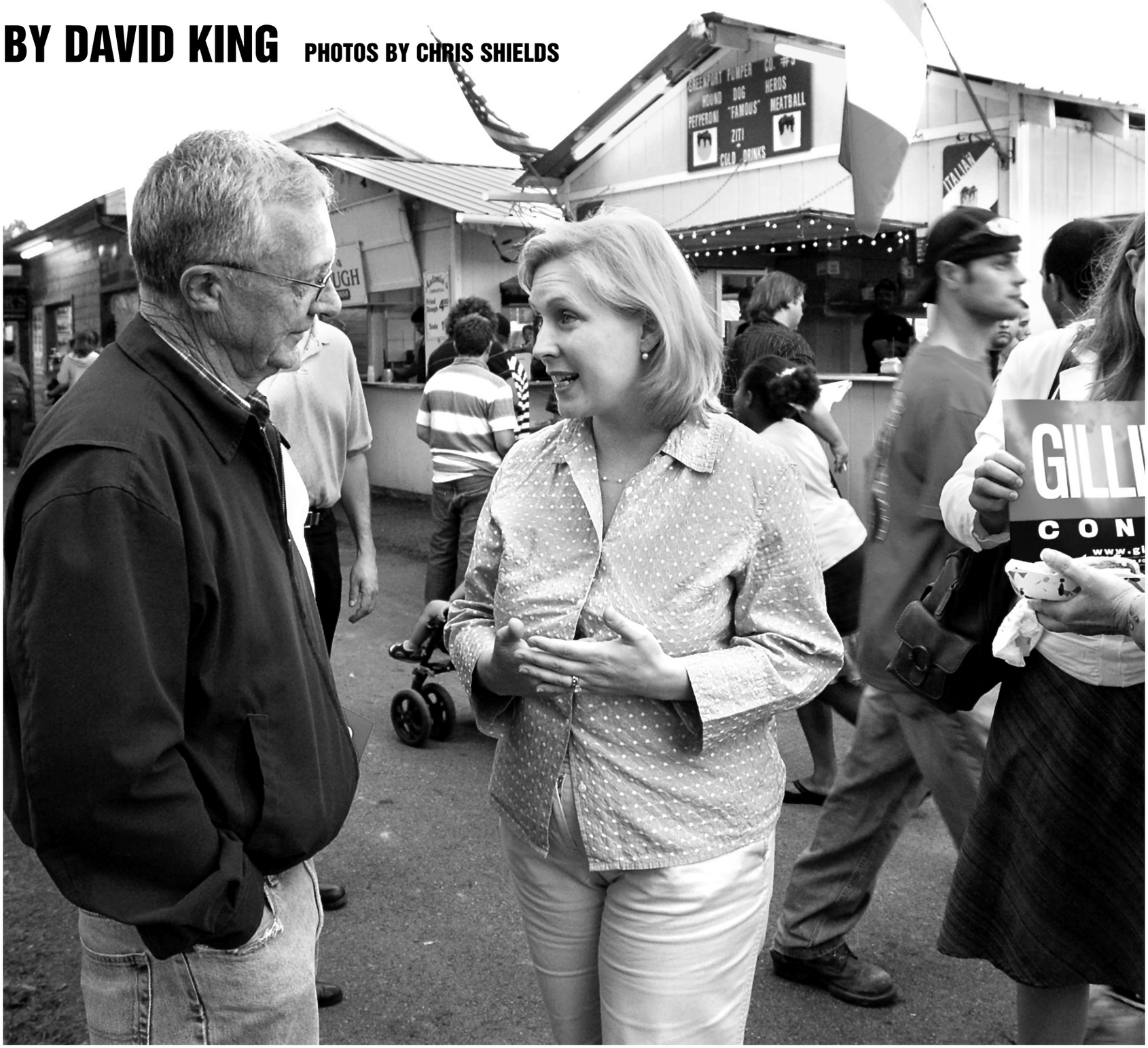
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We Need to Talk

Despite the best attempts of incumbent John Sweeney to run an issue-free campaign, challenger Kirsten Gillibrand says it's time to debate

BY DAVID KING **PHOTOS BY CHRIS SHIELDS**



Pleased to meet you: Kirsten Gillibrand introduces herself to fairgoers.

ON A WARM AUGUST EVENING ON THE OPENING day of the Columbia County fair, an elderly couple approach Kirsten Gillibrand, the Democratic congressional candidate for the 20th district. As they near, the woman scolds Gillibrand, "Oh, boy, he has wanted to get a hold of you." The man wears a cap with various military medals stuck to it. "You guys just want to cut and run," he says to Gillibrand.

"I'm concerned about our troops. They aren't getting the support they need from their government," Gillibrand responds.

"Well, that sure as hell is true," he answers, and nods his head.

"In my plan for Iraq—" Gillibrand begins before he interrupts: "You ever served in the military? All these people who never served think they know what's best."

"I did not serve," admits Gillibrand, "but when I was putting together my plan for Iraq, I spoke to many men and woman who did and who are soldiers and generals."

"They are turning this war into Vietnam!" the man suddenly blurts out, his eyes watering. "They are gonna turn tail and run."

Gillibrand explains her position on what should happen in Iraq: First, the United States would declare it will not maintain permanent bases in Iraq and will have no claim on Iraqi oil. Then, the Iraqis would be given a timeline for U.S. withdrawal, during which, Gillibrand says, the three major Iraqi political groups would have to "decide their own destiny" and decide whether to compromise with one another. She says that giving Iraqis an interest in rebuilding their own country and the oil it produces will make sure "Iraqis are invested in the fate of their country."

After hearing Gillibrand's ideas, the man says, "It makes sense, but they aren't gonna go for it. No way. But that's the first plan I heard." The man looks down, red in the face, apparently conflicted. "It's just, we gotta get 'em outta there. We gotta get them out."

Watching her work the Chatham Fair crowd, it appears that for the most part, even people who approach Gillibrand ready to dismiss her, assuming they know her and her platform, slowly ease up and compliment her on her ideas. That is, the people who actually let her talk.

A game operator tells Gillibrand, "Gas prices are so bad I have to charge two extra bucks to play the game." A goateed man walks by with a NASCAR hat shouting: "You here to tell us how you gonna get us out of this mess? Well, you can talk to someone else about that! 'Cause I love George Bush." Fairgoers within earshot of the man pause, look at each other and break out in awkward giggles.

Gillibrand thinks it's important for residents of the 20th district to know where she stands, and she enjoys talking to them about her positions, but she insists the best way to show them is a back-and-forth with her Republican opponent, John Sweeney, who has held the seat for eight years.

AS MORE AND MORE AMERICANS LOOK unfavorably upon the Iraq war, Democratic candidates have seized on the issue and made it central to their campaigns, while some Republicans have sought damage control by distancing themselves from Bush. And whatever the reason, Sweeney's public position on the war has evolved over the last couple of months. According to the *Times Union,* at an Aug. 22 appearance with Rudy Giuliani, Sweeney demanded, "Finish the job!" and described Bush as "a determined leader who is absolutely right to say the troops will be there until we achieve our objective." On Sept. 20, Sweeney told *Newsday,* "I think the notion of having a loose federation ought to be at least considered. There's not a simple, direct answer. It's an evolutionary process."

The Sweeney campaign did not return multiple calls for this article.

Gillibrand openly questions whether Sweeney has a plan on Iraq. "I don't know what his plan is; I've not seen his analysis. I don't know what kind of bill he would propose. In a debate, we could talk about what our different thoughts are. But he never stood up to President Bush on Iraq, and he was in favor of his stay-the-course strategy. I don't think he has a proposal. He hasn't brought anything to the table."

At the fair, Gillibrand spends the afternoon shaking hands with fair patrons who carry fried dough in one hand and push baby strollers with the other. She meets them as they rush to catch the demolition derby, or as they slowly peruse booths of arts and crafts. Discussions of foreign wars and health care are overwhelmed by the sound of smashing metal and the screeching engines of stock cars. The breezy, bright afternoon gives way to an uneasy twilight that is sporadically pierced by the flashing lights of Ferris wheels, the bleating calls of game operators and bumping hip-hop music pulsing from cart rides. For now, her conversations on policy with fairgoers will have to do, but she is hungry to debate Sweeney.

"They say they won't debate until after Labor Day," Gillibrand says of the Sweeney campaign in a tone that sounds a little bit hopeful, a little bit disbelieving.

Now it is early October, and still there are no signs that there will be a debate.

GILLIBRAND HAS BEEN THE LOCAL FACE of the new Democrats—the determined Democrats, the ones who say they are going to capitalize on the nation's dissatisfaction with the Bush administration and Congress.

The national numbers might suggest the race is Gillibrand's to take—numbers like those from a recent *New York Times*/CBS poll showing that only 25 percent of Americans approve of Congress. A Sept. 14 Pew research poll indicated that 50 percent polled said they would vote Democrat in the midterms, while 39 percent said they would vote Republican. However, local polls have shown Sweeney with a sizeable lead, although not as strong a lead as would be expected for an eight-year, popular incumbent.

Gillibrand, like many other congressional hopefuls, has been running a campaign against President George Bush, tying her opponent, John Sweeney, to Bush's legacy, insisting that Sweeney has supported the botched war in Iraq every step of the way, supported Medicare Plan D and not told his constituents his position on Bush's push to privatize Social Security.

This is the campaign Democratic congressional hopefuls are running across the country. However, some local pundits wonder if Gillibrand has the right man in her sights. They say that, in the Republican-heavy 20th District, Gillibrand needs to run directly against Sweeney and the scandal and ethics questions that have plagued him for the past two years. In fact, national publications like *The New York Times, The Wall Street Journal* and *Chicago Tribune* have steadily addressed Sweeney's myriad ethical dilemmas stemming from such matters as his ski-trip vacation paid for by lobbyists, his yacht-based fund-raiser sponsored by lobbyists and followed by legislation that favored the boating lobby, his red-faced visit to a frat party at Union College, and his wife's company, Creative Consulting, which has taken at least $80,000 this year from the Sweeney campaign and political action committee for assorted campaign work.

According to *Poughkeepsie Journal*: "U.S. Rep. John Sweeney, sponsor of a bill that would give tax breaks to boat manufacturers, has been one of the top recipients of campaign contributions from the boating industry's largest political action committee." The article goes on to note that Sweeney "received use of a yacht on July 20, 2005 to host a fundraiser." The Sweeney campaign insisted at the time that the legislation was tied to the capsizing of the Ethan Allen on Lake George in September last year.

Sweeney's ethics also were challenged by two assemblymen who accused him of improperly handling invitations to the annual Congressional Winter Challenge, an event organized by the Olympic Regional Development Authority (ORDA) and the New York Power Authority. According to the investigation conducted by the assemblymen, 50 lobbyists, a great number of whom were active Sweeney campaign contributors, were invited to the event. The report concluded that the event was "subject to undue influence and the personal political goals of outsiders [namely, Sweeney] and must be substantially reformed." Sweeney refused to take part in the probe, but afterwards his chief of staff, Sean Maloney, told *The Hill*, "Congressman Sweeney's efforts to bring federal funds to an important economic engine for the North Country and the surrounding area will continue, as will his commitment to supporting the Olympic movement."

So far, Gillibrand's ads have not focused on some of Sweeney's more notorious scandals. But just exactly what kind of race Gillibrand is in and who she is running against all depends on whom you are talking to.

WAMC president and *Legislative Gazette* publisher Alan Chartock, a frequent critic of the Bush administration, has surprised many local observers with his apparent enthusiasm for Sweeney and his belief that Gillibrand has no chance. In the Sept. 11 *Legislative Gazette*, Chartock called Sweeney "one of the brightest lights in the Republican delegation." Chartock proposed in the article that Democrats might consider voting for Sweeney so he can serve as an independent watchdog to keep the Bush administration in line.

"While I can well understand all those who want to see a Democratic House for the same reasons will support Democratic candidates," the article continued, "there is something to be said for picking Republicans like Sweeney who is comfortably ahead of his opponent and supporting them to show the political world that Republicans who demonstrate independence will be rewarded for that spirit."

To the Gillibrand campaign, John Sweeney is anything but independent of George Bush. In fact, the congressman and Bush are so tight that Sweeney has earned himself a nickname: Congressman Kickass. He reportedly earned the moniker during the 2000 elections by leading a riot against a Florida polling station to stop a recount. He reportedly shouted, "Shut it down!" Also, records show that Sweeney has voted with the president 80 percent of the time.

"Do I understand the passion that so many people feel for changing the House of Representatives from Republican to Demo-

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"How dare you flat out refuse to debate when you are sucking down a publicly funded salary? How can you dare to say no, I won't debate? You have a responsibility to the people to let them know where you stand."

crat?" asks Chartock rhetorically. "I certainly do, and therefore the people who are involved in Gillibrand's campaign are passionate about the prospect of her winning. One top Republican, I mean one *top* Republican, said to me, 'If this district goes, they all go!' *The New York Times* first said Sweeney was in the fight of his life. Then a couple polls came out over a couple months showing a 20-point lead for Sweeney and no movement for Gillibrand. Gillibrand's camp released an internal poll showing Sweeney the lead at only 8 percent. Give me a choice over what a candidate says and what respected people like Siena and Marist are saying, and I'm going with what the independent pollsters are saying."

State Assemblyman and historian John McEneny, on the other hand, says he is encouraged by the polls. "To know her is to vote for her," says McEneny, pointing to a Gillibrand campaign poll conducted by Global Strategy Group that shows Gillibrand leading Sweeney 56 percent to 36 percent among voters who are familiar with both candidates. "It's only a matter of time," says McEneny. "There are those that said if Humphrey had another week, Nixon wouldn't have been president. So it's a matter of time and whether there is enough before the elections for Kirsten to make sure enough voters know her."

In the August issue of *Esquire,* Sweeney reportedly said, "I think the whole state's in play." Later, after the release of the Siena Poll that showed Sweeney with a 13-point lead, Sweeney spokeswoman Maureen Donovan told the *Times Union* that the buzz surrounding Gillibrand was "misguided and premature."

WHATEVER THE POLLS SAY, BOTH PARties seem to think the race is some sort of a battleground, as they both have committed their heavy hitters to the race. Laura Bush was scheduled to attend a fundraiser for Sweeney earlier this week. Senator Chuck Schumer endorsed Gillibrand on Tuesday, and Senator Barack Obama is scheduled for today (Thursday). Assemblyman McEneny insists that it is important not to lose sight of the main goal: "gaining Democratic control of Congress." McEneny believes too much has been lost by the 109th Congress for voters to be distracted by either Sweeney or Gillibrand.

Gillibrand's campaign has not, as of yet, satisfied the bloodlust that exists in the blogosphere, where there are frequent calls for the notorious pictures of Sweeney, walking through a frat party, apparently drinking, to be splayed over TV screens across the district.

"If you sling mud," says McEneny, "you are going to get dirty. The focus should be on the issues."

Gillibrand makes it known she would much prefer to run against Sweeney's congressional record, not against the version of John Sweeney that is wracked by scandal and ethics questions. And yet according to Price, the scandals Sweeney faces have followed him back to Washington and haunt him there.

"How many bills do you see him sponsor?" asks Price. "The fact is he's a loose cannon, and he has no leadership responsibility because of his bad behavior, he will have even less power when the Democrats win the midterms than he has now with a Republican majority."

Nonetheless, Gillibrand says it does a disservice to the voters to focus on scandal rather than issues. Gillibrand says too much is at stake this election season to focus on scandal.

She says she wants to face an opponent who can intelligently debate the issues, an opponent who is willing to tell the public where he stands and where his allegiances lie. Assemblyman McEneny agrees: "Things like the frat-party photo, anybody can take a bad picture. That sort of stuff distracts from the big picture, from the real issues that need to be discussed."

Sweeney's campaign has falsely insisted that Gillibrand is not a resident of her district (a district Sweeney did not live in during his first run for Congress). In fact, Gillibrand, like Sweeney, grew up in the Capital Region but outside the 20th District; Sweeney in Troy, and Gillibrand in Albany. Gillibrand's ties to the area are fairly well known: She is the granddaughter of Albany political icon Dorothea "Polly" Noonan.

She also attended the Academy of Holy Names in Albany and Emma Willard School in Troy. Although Gillibrand did leave the region for college, and later served as an attorney under Andrew Cuomo in the federal Department of Housing and Urban Development, she returned to Hudson and has lived there for two years.

McEneny says the Sweeney campaign's tactic of painting Gillibrand as an outsider smacks of desperation. "Sweeney has this glib press person who likes to paint Gillibrand as a foreigner, as a limousine liberal from Manhattan," he says. "This same person rode the same school bus to grade school with Gillibrand every day, and it just smacks of hypocrisy."

Allison Price would not confirm that Gillibrand and Maureen Donovan rode the school bus together, but noted, "Maureen and Kirsten went to Holy Names Academy in Albany, where Kirsten was good friends with one of Maureen's brothers. Kirsten went to school there for eight years."

The Sweeney campaign has also called attention to a stock Gillibrand's husband Jonathan owns in BAE, a British arms company. Gillibrand responds that this is a stock her husband earned while working on the factory floor of the company. Furthermore, Sweeney's campaign has received $2,000 in contributions from BAE.

The core of Sweeney's campaign lies in class politics. He insists Gillibrand is a wealthy Manhattanite. One Sweeney commercial features maids and chandeliers when referring to Gillibrand, and a tractor when referring to Sweeney.

Gillibrand says she is convinced that the voters already have Sweeney's indiscretions on their minds. "The fact that he was named one of the 20 most-corrupt congress people in Washington says something about his ability to lead and his judgment," she says. "There is just an undercurrent with everything he does. The fact he won't engage in a debate undermines his ability to lead. The fact that he won't stand up to the president on Social Security undermines people's confidence. With each issue that's come up, the fact that he doesn't take a stand and won't participate in a debate undermines people's confidence in him as a leader."



Taking aim: Gillibrand takes a break from talking turkey.

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(Sweeney was named one of the 20 most corrupt members of Congress this year by the Citizens for Responsibility and Ethics in Washington, a progressive watchdog group. Although several Democrats made the list, the Sweeney campaign has insisted that CREW is a partisan group dedicated to smearing Republicans.)

McEneny says he believes Sweeney's campaign strategy is to avoid a debate while trying to paint Gillibrand falsely. McEneny notes that politicians of all political stripes, from Hillary Clinton to Jerry Jennings to George Bush, have avoided debates as a strategy, instead relying on TV and direct mail. He recalls a time when there were 50 debates for Albany County Executive. He says the new strategy of avoiding debates does a disservice to voters, who should know their candidates and their positions. "How dare you flat out refuse to debate when you are sucking down a publicly funded salary? How can you dare to say no, I won't debate? You have a responsibility to the people to let them know where you stand."

Gillibrand wants more than one debate. "I'm hopeful we will at least get one," she says, "But I think the district deserves 10: one in each county. The constituents deserve it."

Listen to Gillibrand talk to people on the street about hard issues and it becomes clear why she believes debating Sweeney would be to her advantage. Critics have accused her of being inexperienced and out of her league, but she doesn't sound that way when she is talking policy. Her tone of voice lowers from happy-to-meet-you soccer mom to passionate, almost obsessed policy wonk who knows her issues inside and out.

GILLIBRAND WOULD LIKE TO DEBATE Sweeney on her plan for health care, which would allow anyone to buy into Medicare, allow the government to negotiate with pharmaceutical companies on drug prices, and improve service in rural areas.

Back at the fair, Gillibrand approaches an elderly man dressed in a dirty white undershirt, sitting on a bench, tubes tangled up into his nose, a battered tank of air sitting at his side. He feebly reaches up and shakes her hand. He cups one hand around his ear apparently having trouble hearing her. They exchange smiles, and then Gillibrand says, "This has to change. People really need help and the current system is not helping them."

Gillibrand has spent a great deal of time talking with constituents about the prices of gas. "A lot of dairy farmers have a problem with affordably getting their product to market," she says. "And the entire fuel costs for homeowners to heat their homes this winter are going to be very expensive. Commuters who drive 20 to 40 miles to Albany for work are affected. Gas prices affect absolutely everyone."

Regarding reports that gas prices would fall by election day, Gillibrand says, "That will certainly help the election. That shows how easily the prices are manipulated. When I'm elected, I'm going to ask for an investigation into this. We need to make sure they are not taking part in price fixing or market manipulation. They [the prices] will be at $2.50 a gallon by election day, and it's evidence of market manipulation. We should be very concerned the oil industry is not playing fair."

Gillibrand adds that the voters she speaks to are not fooled into thinking the oil industry has their best interests at heart. "They roll their eyes," she says. 'Yeah, it will go down.' "

With six weeks left in the race, the question still remains in a lot of people's minds, 'How contested is the 20th district?'

According to Chartock, "There is a reality to this race. This is a Republican district by over 100,000 votes, and you know there are other, more contested districts than this one."

For his part, Chartock insists his *Legislative Gazette* article was not an endorsement of Sweeney, and that he does not speak for Sweeney. Says Chartock, "I happen to think the race is in a heavily Republican district. I happen to think Sweeney separated himself from the president of the United States. I gotta call 'em like I see 'em."

McEneny, again, sees things differently. He points to areas like Saratoga and Bethlehem that were once Republican strongholds but are now controlled by Democrats. He feels there are a great number of Rockefeller Republicans in the 20th district who are not happy with the way the 109th Congress has operated. "If the theory is a candidate who has not previously held public office can not beat a powerful incumbent, then Paul Clyne must still be the Albany DA."

According to some pundits, no matter what plans Gillibrand has, the biggest specter looming over Gillibrand's campaign is pork—the pork that Sweeney brings back to his district in the form of development projects and funding. "He brings home a tremendous amount of resources to the district, no question about it," says Chartock.

But Gillibrand insists that pork is not on the minds of the voters she speaks to. She says voters are smarter than that and have much larger concerns. "When I talk to voters door-to-door, they want to talk about the war in Iraq, prices of health care, middle-class tax cuts that help them, not the wealthiest Americans. People in our district do not support him because of [pork]. You can't change the issues that people are concerned most about. It's not about the pork he brought home yesterday. It is about, 'How am I going to pay for college?' 'How am I going to pay for the medicine I need?' He is trying to change the discussion."

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