

The Miami Herald

Posted on Mon, Oct. 05, 2009

NY's junior senator treads a political minefield

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Mike Groll, File / AP Photo

FILE - In this Jan. 23, 2009 file photo, Rep. Kirsten Gillibrand, D-N.Y., left, and Gov. David Paterson, speak at a news conference in Albany, N.Y. Paterson keeps sinking in the public's opinion, and the junior senator he appointed is stuck in the middle.

New York Gov. David Paterson keeps sinking in the public's opinion, and Sen. Kirsten Gillibrand is stuck in the vortex: She has to avoid getting sucked down by the governor's historic low ratings without appearing ungrateful to the man who picked her to replace Hillary Rodham Clinton.

Gillibrand, a little-known second-term congresswoman before Paterson named her in January to her powerful new job, is unique among New York Democrats because she can't easily distance herself from Paterson, as have many Democrats in the state Legislature, Congress and even the White House.

minority. In the Senate, they have only the 60 votes needed to ward off a Republican filibuster - so a damaged Gillibrand worries the leadership.

Despite Republican vows to go after the freshman senator, no GOP candidate has emerged. Many in the party, including new state chairman Edward Cox, want to see former New York Mayor Rudy Giuliani run against Gillibrand - but he says he is considering a run for governor. A Sept. 22 Siena College poll shows Giuliani beating her 46-38 if the election were held now.

Gillibrand stopped short when asked Monday whether she would endorse Paterson if he ran in 2010.

"I support the governor, and he said he's going to run, and we are all focused right now on this election cycle," she said at an event at which she and fellow Democratic Sen. Charles Schumer were endorsing Bill Thompson in his bid for New York City mayor.

Schumer also wouldn't endorse Paterson.

"As for elections, let's stick with this one today," he said.

Top Democrats have encouraged Paterson, who assumed his post after former Gov. Eliot Spitzer resigned amid a prostitution scandal, not to run for election next year.

He has been criticized for failing to quickly end a chaotic summer deadlock in the New York state Senate, but his political plunge can, ironically, be traced to the Gillibrand appointment: When presumed favorite Caroline Kennedy, daughter of slain President John F. Kennedy, pulled out at the last second, ugly repercussions alienated the Kennedys and left Paterson looking indecisive and his administration mean-spirited.

As for Gillibrand, "Paterson plucked her from relative obscurity ... so she owes him a considerable debt of loyalty," said James Campbell, political science chairman at the University of Buffalo. "But, if Paterson runs, her chances of being elected to the Senate seat will be significantly diminished."

Brian Walsh, spokesman for the National Republican Senatorial Committee, said Republicans definitely plan to use Paterson in their strategy against Gillibrand.

"When you consider that the top two things most New Yorkers know about Kirsten Gillibrand are her appointment by a deeply unpopular governor and subsequent flip-flops on key issues, that's not an auspicious beginning to a statewide run," Walsh said.

Some political analysts said Gillibrand can shed the taint if Paterson drops out and, while he has adamantly defied calls to quit, many political watchers predict he'll pull out. The question of whether to support him publicly could be an extra challenge for Gillibrand as she prepares for her first Senate run.

"I don't think she can, or should, embrace his candidacy, but I would advise against piling on," Gerald Benjamin, a political scientist at the State University of New York at New Paltz. "Historically, U.S. senators try to protect their own interests politically, rather than the intrastate dynamic."

Washington Democrats, though, have sent clear word that Paterson should step aside for the popular Attorney General Andrew Cuomo. When President Barack Obama was in New York the day after that message leaked to the media, there were tea leaves aplenty regarding his much more enthusiastic greeting for Cuomo. Paterson has said Obama never directly asked him to step aside.

And that opened another tricky passageway for Gillibrand to tiptoe down. As much as she owes her job to Paterson, she's indebted to Obama and Vice President Joe Biden after they used their muscle to help clear the field of any primary opponents.

After the bungled Senate pick, things got worse when a Paterson operative leaked unsubstantiated rumors about Caroline Kennedy in an attempt to show she was ill-suited. They got no better when New Yorkers - especially in the more liberal and vote-rich New York City - got a look at Gillibrand's conservative positions on gun rights and illegal immigration.

"Persons appointed to the Senate office in their first run for re-election are unusually vulnerable, regardless of how or who appointed them," said Robert McClure, a political science professor at Syracuse University's Maxwell School. "For deep underlying reasons, she's got a problem."

An appointment is not always a ticket to a full term. Sen. Jean Carnahan, a Missouri Democrat appointed in 2001 to succeed her late husband, lost her election bid that year.

Some appointees have had more luck recently, including New Jersey Democrat Robert Menendez, who was appointed in 2006 and elected to a full term later that year. Wyoming's John Barrasso and Mississippi's Roger Wicker, both Republicans, were appointed to the Senate in 2007 and elected in 2008.

A Sept. 17 Marist College Poll found 26 percent of people surveyed thought Gillibrand was doing a good or excellent job. That compared with 9 percent who thought she was doing poorly and 27 percent who weren't sure how to rate her.

The Paterson problem also could hurt some of New York's rookie congressional Democrats. Reps. Dan Maffei of central New York; Scott Murphy, who took Gillibrand's seat in a special election; and Mike McMahon of Staten Island all are considered vulnerable first-term incumbents.

The Siena poll questioned 792 registered voters from Sept. 13 to 17 and had a margin of error of 3.5 percentage points. The Marist poll was a phone survey of 805 registered voters from Sept. 8-10 with a margin of error of 3.5 percentage points.

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