

Heller survives contentious battle to retain Senate seat

By Karoun Demirjian, Las Vegas Sun

Sen. Dean Heller rode to a close but safe victory over Rep. Shelley Berkley Tuesday night, earning a public mandate for the Senate seat he was appointed to in mid-2011, and defying both the Democrats' registration advantage and the power of their storied get-out-the-vote machine.

Heller won by slightly more than 12,000 votes – or 1.3 percent – in a race that drew almost a million voters from across the state and took until midnight to finally tally.

Berkley came into Election Day with about a four-point lead in the Senate race from early balloting. But Heller quickly erased it as the precinct numbers started rolling in.



Dean Heller, a supporter of Lake Tahoe issues, retained his Senate seat. Photo/LTN file

Heller's burst of strength came from two sources: High turnout in the rural counties, where pro-Heller ballots outnumbered

pro-Berkley ballots by almost 4 to 1; and crossover voters, who apparently favored Heller over Berkley, even as they favored President Barack Obama over Mitt Romney.

Had Berkley been able to earn the support of every voter that supported Obama, she would have bested Heller handily. But statewide, Berkley fell over 80,000 votes behind Obama's totals.

The difference was starkest in swing-district Washoe County, where Heller drew about 21,000 more voters than Berkley, a difference of about 12 percentage points. Obama had secured the support of 22,000 more voters than Berkley.

As Heller widened his lead in Washoe, he also nibbled away at Berkley's advantage in population-rich Clark County, bringing the race there from a double-digit lead for Berkley to less than 10 percent by the end of the night.

It's an important win not only for Heller, but for the Nevada Republican Party as well. Just a few months ago, they were the laughingstock of the national GOP, splintered and overrun by a rowdy Ron Paul faction more desperate to make a national splash for their sherpa than to use their grassroots heft to shore up the party ticket.

But by keeping their distance, Heller's handlers kept the candidate and campaign on track, maintaining a small but steady lead Berkley from the earliest polls through to election night.

Heller will now be faced with earning the trust of half the people he represents. He'll also be tasked with establishing an identity separate from attack ads and forging a relationship with Nevada's more recognizable senator, Harry Reid.

Because it remained so closely fought, the Heller-Berkley race defied the logic of what should drive an election in present-

day Nevada more often than it was defined by it.

Almost every voter interviewed in the weeks and months leading up to Election Day cited the local unemployment crisis, foreclosure crisis or some other aspect of Nevada's worst-in-the-nation economy as their chief concern in the 2012 elections.

Heller and Berkley understood that, and, at every opportunity, each quickly declared a commitment to creating jobs, jobs and more jobs.

Perhaps ironically, their campaigns focused more on any issue but the economy.

Allegations over ethics, a war on women and attacks on each other's integrity dominated the contest, as the two slugged it out in a mudfight that put questions about the candidates' character before real conversations about the fate of the state.

"I defy anybody to tell me one new idea or one new innovation that came up in this campaign," said Billy Vassiliadis, a Democratic strategist and Berkley supporter. "We're sitting here with folks out of work, houses underwater, and nobody, even my home guys, have proposed a new idea. And I don't know how long the voters will tolerate this."

"I think everybody wants to see how we're going to get at the issues," said Sig Rogich, a Republican strategist and Heller supporter. "But for the most part, this campaign is not too different from every campaign in America. They all get down to personalities, and they all advertise about how somebody's mistakes are a reflection of how they would govern."

Berkley and Heller launched their campaigns in the spring of 2011. Berkley sprang to define Heller early on as someone exclusively interested in serving in Washington in order to serve the barons of Big Oil.

“Dean wants to end Medicare as we know it and give billions more in wasteful subsidies to his big oil campaign contributors,” became Berkley’s main argument for the balance of the campaign, serving as a supplementary answer to nearly every question posed to her in the last year.

But Heller was handed a political gift when allegations surfaced that Berkley had improperly used her congressional seat to lobby other members of Congress and the administration to save a kidney transplant center in Las Vegas and protect Medicare reimbursement rates that benefitted her husband’s medical practice. As allegations spun into an official congressional ethics inquiry, the question took center stage in shifting the tone of the campaign.

Heller didn’t personally play the card on Berkley’s ethics until this summer, but the outside groups around him seized on it, producing a string of accusing commercials that cited not only Berkley’s troubles with the House ethics process but her other near-misses with the moral side of the law.

None of Berkley’s counterpunches seemed to be able to quell the questions about her character. So she started throwing the book at Heller, seizing the opportunity of a congressional vote about funding birth control this year to accuse him of being generally “anti-woman.” She also dug up the seemingly shadier points of his past, like his association with money-lauderer Eddie Floyd.

Six weeks out, Heller lashed back, calling Berkley “the most unethical, corrupt person I have ever known.”

The ad war and related catfight all but drowned out the debate over their competing views on social safety nets, energy policy and immigration – issues that do and will continue to affect Nevada over the next six years far more directly than the attack ads.

But in these and many other areas, the candidates have real

differences.

They supported diametrically opposite approaches to Medicare, with Heller backing the Paul Ryan budget restructuring of the program and Berkley remaining adamantly against. They backed vastly different approaches to immigration, with Berkley supporting a full-fledged comprehensive immigration reform law with a pathway to citizenship. Heller supports the idea only for young military enlistees and has listed enforcement as his chief concern in the immigration arena.

And on matters involving energy, housing and balancing the budget, their philosophies were similarly disparate: Berkley believes in spending government money strategically to influence changes that will grow the larger economy, while Heller believes the road to financial recovery is through strategic cuts to government.

But perhaps the most important question about their differences, at least for the next few months, never even came up: How each one approaches compromise.

Congress has faced down many behemoth bills to avert more fiscal calamity in the last two years, and with a fiscal cliff looming, will have to face down many more.

To date, Berkley has voted for every major deal Harry Reid and John Boehner struck. Heller, however, dropped off around April 2011, adamantly refusing to lend his support to budget deals or debt ceiling solutions. He returned to the conciliatory fold in December 2011, dusting off the banner of bipartisanship in time to advocate for an extension of payroll tax cuts.

With the Senate and House split in similar fashion heading into the taxation and sequestration fights slated for the new year, Nevada's new senator will have to decide when to stick to and when to split from the deals Reid invariably strikes.

At the same time, they will be challenged to craft a Senate persona for themselves that isn't completely defined by Reid's agenda.

Reid has been Nevada's face in Washington since John Ensign resigned amid his own ethics investigation in 2009.

It was his narrative too, that undergirded the Berkley campaign.

After several elections that featured the power of his turnout machine, Reid's earned his claim to in-state political guru status. But there was a problem with that this year: While his turnout machine seemed to work for the president, it seemed unable to perform as well for Berkley, at least as far as statewide polls were concerned.

The Heller-Berkley race swung heavily on the voters of registered independents, and the independently-minded voters who crossed party lines as they made their way down the ticket.

Heller and Berkley both turned out their base out. But they also both snatched some of their opponent's.

Democrats and Republicans even admitted they would need strong support from the other candidate's base – voters whose turnout the parties can't control – if they hoped to win.

"Shelley Berkley is not going to win this vote only with Democrats. Shelley Berkley has been in this community her whole life, basically, and she has significant Republican support," Reid told reporters last week.

"I clearly need the Obama voters to win," Heller told the Sun this week. "There are plenty of crossover voters. ... I see plenty of Obama-Heller voters, but I don't see too many Romney-Berkley voters."