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GRANT WOODS, P.C.  
ATTORNEY AT LAW  
BRENNAN HOUSE  
1726 NORTH SEVENTH STREET  
PHOENIX, ARIZONA 85006-2230

December 22, 2009

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
2009 DEC 29 AM 11:04  
OFFICE OF GENERAL  
COUNSEL

Thomasenia P. Duncan  
General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

MUR 6242

Re: Supplement to Complaint against J.D. Hayworth and Clear Channel

Dear Ms. Duncan:

I write to supplement my complaint of December 14, 2009 against J.D. Hayworth and Clear Channel Communications, Inc.

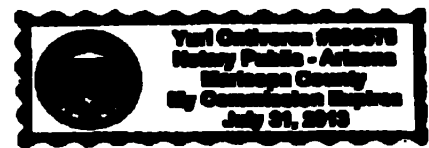
After my complaint was filed, Mr. Hayworth traveled to Washington, D.C. to perform, in his words, "due diligence" in preparation for his U.S. Senate campaign.<sup>1</sup> This is further evidence that Mr. Hayworth is a "testing the waters" candidate, subject to federal law's political contribution limits and source prohibitions.

For the Commission's convenience, I've also attached rough transcripts of KFYI's *J.D. Hayworth Show* for Dec. 16, 2009, Dec. 15, 2009, Dec. 14, 2009, Dec. 11, 2009, Dec. 10, 2009, Nov. 23, 2009, and Nov. 20, 2009. As you can see, Mr. Hayworth spends nearly his entire allotted air time on these dates stoking support for his impending U.S. Senate campaign. Please note that this is just a sampling of the significant amount of corporate-subsidized broadcast time that Mr. Hayworth use to promote is own candidacy.

Again, I respectfully request that the Commission hold Mr. Hayworth, KFYI, and Clear Channel accountable for their violations of federal law.

Sincerely,

  
Grant Woods



My Commission Expires:  
July 31, 2013

<sup>1</sup> Emily Cadell, *Arizona Senate: Hayworth Meets with D.C. Supporters*, Dec. 17, 2009, <http://blogs.cqpolitics.com/eyeon/2010/2009/12/arizona-senate-hayworth-in-dc.html>.

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# **APPENDIX: RADIO TRANSCRIPTS**

**JD HAYWORTH Talk Radio**

**M-F 4-7pm**

**KYFI Radio**

**<http://kyfi.com/pages/podcast-archives.php?name=jdhayworth.xml>**

**Wednesday December 16 2009**

In a half hour we will look back at yesterday's goofy gimmick. Former Arizona AG and failed radio talk show host Grant Woods apparently at the behest of team McCain filing an FEC complaint against me. Just, the reason it is goofy from a couple of different angles 1) the law. Even though I am not an attorney I can explain why. What I believe Woods and Team McCain are hoping to do there and it has more to do with politics than the law and then we will talk some about why what they did was not smart politically.

*30 minutes later...*

Grant Woods goofy FEC complaint one day later, what is he trying to accomplish and what does it bring?

*A few minutes later...*

This is breaking news... it is a fairly provocative headline. The headline on TMZ is "Sarah Palin's McCain Cover Up" for the first time, this is a little rough, and this is from tmz.com I am reading from a website. For the first time ever, Sarah Palin used her head to make a searing political comment- a frontal attack on Sen. John McCain. The failed Vice Presidential nominee took time off from shilling her book to vacation with her son Trig, daughter Piper and opposite sex spouse Todd, in President Barack Obama's birth state of Hawaii on Tuesday. But during beach time, Sarah chose to wear a visor from her campaign - a visor that was emblazoned with the former presidential candidate's name ... that is, until Palin redacted McCain's name with a black marker."

Is this photo-shopped? I need to get a younger set of eyes to look at this, you remember the dark colored, with the white lettering. Well it looks like someone just marked over the white logo and TMZ says that the somebody is Sarah Palin.

On the phone is Kelly with what I guess is some other breaking news

Kelly: Well we are down at his office...and we got a lot of people out here protesting Mr. McCain and we are also doing a candlelight vigil cause it's the anniversary of the Boston Tea Party. So we wanted to let you guys know about that and invite you to come on out. There is even secret service out here watching us. So we thought you might be interested in that.

JD: So you are out protesting what exactly can you delineate your grievances towards the Senior Senator because I am kind of curious.

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**Kelly: Well you know it started, to remind me as they are preparing for their vote, so we are watching how they are voting on it.**

**JD: And this is on the health care? I mean, give him credit; he's been guts up fighting this thing. Let's give him credit where credit is due.**

**Kelly: Exactly. So we want just first of all to tell him thank you for his stance, but that this is not the only issue we are watching. We want to come down here and say thank you but you know 2010 is coming quick and you know, he might be looking for a new job I'm thinking.**

**JD: Kelly, how many people would you estimate are out in front of Senator McCain's office?**

**Kelly: Well we set it early, about 445, and that is just our group's knowledge about it. So we have about 50-100 people at this point., but you know as people start getting out of work they will start filing in and its going to be a lot more people coming in here.**

**JD: Have you talked to anybody in the Arizona office to say that you appreciate the Senator's stance right now on health care?**

**Kelly: Well we called out to Capitol Hill and we were told that he wasn't going to support the current bill as it was but that some changes he would like to see, if they are made then yes he would vote for it.**

**JD: So that concern about gee when they are trying to cut a deal. You're perspective is mine. No deal is better than this mess. There really cannot be any compromise. This bill is so big and so overreaching and so costly and so bad**

**Kelly: And the constitutionality of it as well. And they said that will be taken up in the Courts after. Well you know, I thought that these guys knew what was Constitutional or not that we cannot just pass this bill. That does not make any sense to me; they should not be able to pass the bill if it is not constitutional.**

**JD: Again, you and the tea partiers are where?**

**Kelly: We are at N 16<sup>th</sup> Street in Phoenix; the info is on our website,**

**JD: The web address is?**

**Kelly: [greaterphoenixteaparty.com](http://greaterphoenixteaparty.com)**

**JD: Alright, Thanks Kelly for giving us an on the scene report, and we appreciate your interest and activism and your willingness to call us.**

**Kelly: Thank you. You listeners come on down we need your support!**

**JD: Now Dwayne the cab driver, is in that vicinity**

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Dwayne: It is kind of ironic, I talked to one of our dear Senior Senator's aides today and I told him "You people are so out of touch, with what people- you will be learning what people- and low and behold, you know with the previous caller, and I would like to remind people of the address of McCain's office 5353 16<sup>th</sup> Street which is the SE corner of 16<sup>th</sup> street and Missouri.

JD: And take it from Dwayne the cab driver, he knows all of these cross streets and all of these locations, he is a professional.

Dwayne: I would just like to add that I would like to see more people, I've seen a few cars now where they have the McCain Palin with the star in between the names and I urge people to take a razorblade and just cut off the top part where McCain's name is. Do it along the star line and then you will have a beautiful Palin sticker with the star on top.

JD: Now Dwayne, have you seen tms.com.

Dwayne: No I have not. A lot of people want me to create a website, but I would like to stay more incognito if you know what I mean.

JD: Sure Dwayne, Taxi Cab confessions. Thanks for the call, really do appreciate it. AJ, you have a young set of eyes, do you think the photos are photoshopped? Or does it really look like she covered up McCain's name?

AJ: It definitely looks like she used a sharpie.

JD: Boy, now you are ready to say it is sharpie.

AJ: It looks like it. You can still see the McCain but it's blacked out with something. Here is my question; she is the biggest bestselling author in the country.

JD: Yes

AJ: Why doesn't she just buy another visor?

JD: That is an excellent question. With all of the dough that she is making and the fact that many of these venues tend to be Costco locations like here in Tempe or SLC, that's a good point. By the way... [JD then proceeds to talk about Sarah Palin]

*A few minutes later...*

It appears that Sarah Palin covered over the McCain on her hat. Well, you know what they say: Actions speak louder than words.

When you and I got together yesterday, just as we were starting our time together, about 15 minutes before, I get this breathless call "Hey Grant Woods has filed an FEC complaint against you". The FEC stands for the Federal Election Commission. And now that the dust has settled somewhat, I thought that the best take on this was from the conservative blog seecingredaz.com the bloggers there write in part,

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*Old habits die hard. Grant Woods, who once served as John McCain's first Congressional Chief of Staff, is still doing his bidding. Woods filed a complaint yesterday with the Federal Election Commission, (FEC) accusing KFYI radio talk show host J.D. Hayworth and his employer, Clear Channel, of violating campaign finance laws. Woods claims that Hayworth receives as much as \$540,000 a week in the form of in-kind contributions from Clear Channel while campaigning for U.S. Senate. The fact that Hayworth is not an announced candidate doesn't phase Woods, a former Arizona Attorney General, who should know better. And it matters not that the enormously inflated sum bears no relation to fact. Woods admits that he factors the cost of a 30-second ad and multiples it by the 3 hours that Hayworth broadcasts each afternoon during drive-time. At one time, the former McCain confidant hosted his own radio talk show on KFYI, albeit a short-lived one. Woods was never that interesting. He appears to be back on the air,*

**JD:** Or should we say doing a podcast.  
*He appears to be back on the air, although the call letters are missing.*

**JD:** Now if you check his website, and I am not going to give that out. You see a premiere sponsor at the top of the page, and

*What a surprise! It's none other than Hensley — distributor of Anheuser-Busch products — the company owned by Cindy Hensley McCain.*

**JD:** Now the entry continues, but I am going to stop right there. And I am going to talk a little about this. And Grant obviously knows that the law is not on his side with this thing. So why would he file a complaint like this? Well the possibility the slim possibility that politics might trump regulatory law. And that means if the general counsel of the FEC doesn't leave it up to the FEC commissioners, if she decides to act unilaterally, think of how attractive this must look to the Obama crowd? They've got a chance to sock it to a conservative radio host under the guise of ha ha he is violating campaign regulations. Well there is no violating whatsoever. But you know they have been looking for a way with the FEC, or pardon FCC, and the so called fairness doctrine, here is a way to come at it pardon the pun, out of left field. To use the FEC rather than the FCC bludgeon to remove a conservative talk show host, and at the same time, basically help their favorite Republican or one of them John McCain. Now the other thing going on, is that the and this is really not smart, but I am going to offer free advice: Grant and everybody on the McCain campaign staff and the Senior Senator himself ought to ignore me. I mean really. Stop and think about what is going on here. They did a push poll against an unannounced candidate 8 months before the scheduled primary. Now they file an FEC complaint. It looks like they are in a full blown political panic, and that is exactly what they should not be doing. So, you know if they want to continue down that road that's fine. I don't think it's going to help them out.

**Alan** is calling from Scottsdale and it appears he is going to take me to task.

**Alan:** Here's what I want to say to you, and it is just open advice. You really need to man up on this thing and the reason I am saying that is you have to remember that Americans like two things. The first thing is a good sitcom, right? The second one is what's even better is a good soap opera.

JD: Ok.

Alan: You need to stop with the soap opera. I really think to me, when I sit back and look at what you have said so far. To me, McCain has put another nail in his coffin. What you need to do is turn around truthfully and issue a proclamation to the both reverent and humble McCain and ask him to denounce the shenanigans that Woods is putting out.

JD: Now there's a thought.

Alan: Throw it back in his court. The loveliness is his Merry Christmas...

JD: I think the thing that really bugs him, and I mentioned this yesterday and people really get sick of this but I have to for legal reasons again just state the fact that I am just a citizen, I happen to be a broadcaster, a former office holder who has been asked to consider running again. Now I know it drives people nuts. You see the irony

Alan: Well I can stand that but it does you know do to people like myself, it is the whole American theme is one big soap opera. There are all little levels of soap operas going on, it is the political scene.

JD: Yeah

Alan: I hate to see you get involved in that side of it. I would like to see you really take it to McCain, and see if he cannot man up himself.

JD: Well I would hate to see it, and since you mentioned

Alan: And Woods

JD: Yeah that's a very good point. Since you said earlier that there are two things that Americans like either a sitcom or a soap opera I hate to see this thing segway into a sitcom. We can have fun, but the point I am trying to make is this. Everybody says 'gee you are being timid, you are being coy' the sad thing is, what so called campaign finance reform has done, with all of these rules and regulations. When I would talk to young people when I wasn't even considering running for office again, people would call me and say 'Hey- I am interested in running for Congress, or I am interested in running for federal office.' I had to say to them 'Well, are you prepared to if somebody on your staff makes a mistake, are you prepared conceivably to be charged with a felony?' What McCain-Feingold has done

Alan: I know, I know.

JD: In addition to curtailing 1<sup>st</sup> Amendment rights, it has criminalized politics and so you have to step very carefully not out of timidity or some sort of gimmick but out of prudence. Now your free political advice is very good. Where is the Senator, the guy who is the crusader, the guy who is the straight talk guy, why would he have Grant Woods do this? Does he approve of it?

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**Alan: He needs to denounce it. Senator McCain.**

**JD: Well the beautiful thing is, you just called him out on it. I didn't have to.**

**Alan: There you go.**

**JD: Alan I appreciate the call. Take good care. I know that people are saying 'you gotta just go ahead and get it done.' Well, believe me; we are taking a look at crossing the T's and dotting the I's.**

*A few minutes later...*

**I will be back well after the holidays and no it is not because of Grant Woods, this has been planned.**

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**JD HAYWORTH Talk Radio**

**M-F 4-7pm**

**KFYI Radio**

**<http://kfyi.com/pages/podcast-archives.php?pname=jdhayworth.xml>**

**Tuesday December 15 2009**

**JD: Ha, Well you will not believe this. I am up at 3:30am getting stuff together and to talk to you about. I had so much stuff surrounding the Christmas holiday, and mailing out everything. I thought that we would spend our time on lifestyle issues today, and well, I guess it was first Christian Palmer of the Arizona Capitol Times followed closely by Mike Sunnucks of the Arizona Business Journal. I get an email from Sunnucks that says, "I understand that Christian Palmer wanted to talk". And then I get the phone call, and I said look I am in show prep right now, and they said "Well, you need to know that Grant Woods has filed a complaint with the Federal Elections Commission against you."**

**What? So, let me begin by saying even though like anyone else who is in broadcasting or has spent time in politics, including Mr. Woods, yeah I have an ego. Maybe not quite as large as Mr. Woods, but to have this come about is well it's really kind of funny. And it is with some misgivings that I even address this, because as much as I enjoy listening to Dr. Savage, let's face it. That thing about being banned in Britain? I mean, there were some concerns but every night every night. And really it is not my intent to make this some sort of prospective match up of the possibility of John McCain versus JD show. That is not what I am doing. But you are going to get a kick out of, let me just read you the first paragraph of this letter.**

**To the General Counsel, of the Federal Election Commission in Washington D.C. Regarding "Violations of Federal Law by JD Hayworth and Clear Channel Communications Inc." I will skip the salutation and go straight to the first paragraph. JD Hayworth, a talk show host for radio station KFYI in Phoenix, Arizona is receiving a corporate in-kind contribution of as much as Five Hundred and forty thousand dollars per week from KFYI and its owner, Clear Channel Communications Inc. "Clear Channel"**

**JD Hayworth, a talk show host for radio station KFYI in Phoenix, AZ is receiving a corporate in-kind contribution of as much as Five Hundred and forty thousand dollars per week from KFYI and its owner, Clear Channel Communications Inc. "Clear Channel". In order to launch his campaign for US Senate. This is a clear violation of federal law.**

**Grant, do you think the general counsel of the FEC is an idiot? Grant, you are a lawyer, why don't you try reading the law instead of twisting the law. You know ambulance chasers like you, who in my opinion, stuff their own pockets under the guise of public health on a tobacco seller. You are even lower than some bacterial forms of algae. And that is saying something, and I say this in good humor because what is incredibly funny about this Grant. You know the law. I am not a bonafide candidate. I would have to declare, I would have to have petitions, I am not doing that. I am flattered, when people ask me about it. You can try to carefully cut quotes and**

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words and try to make a case. But, that is just more twisting of the law. And it's sad, it's sorry, and it is all too predicted.

Now, if you have lived in Arizona for a while, you might wonder "Hey wait a minute. What is Grant Woods doing hooking up again with John McCain? I thought those two hated each other's guts." Well that was true way back when, but finally they had a as the French would say "a rapprochement" and I think it came about the time when McCain was going to win the nomination. And Grant said "HmMMM maybe there is a way". My opinion, just knowing how the meter runs by the nano-second, with Grant. "Hm, maybe there is a way I can pack my golden parachute again." And so, they are back together. If you think Grant is filing this complaint out of some Senate virtue, first of all you gotta remember, he is a special kind of lawyer. He is available, in my opinion to the highest bidder and whether it is Harry Mitchell who he endorsed with gusto after defending poor Harry when Harry stole those campaign signs back in the State Senate election. Or now suddenly hooked back up with John McCain. It is all something that Grant believes will endure to his benefit. It ain't altruistic. Ok. Yeah. Grant. Not only is there the small matter of the law which I have not violated there is a little something called the 1<sup>st</sup> Amendment. Now, maybe you've heard of it, maybe in going to law school you might have taken a course on Constitutional law. But you can't abridge my 1<sup>st</sup> Amendment rights. I know that one of the reasons I voted against that so-called campaign finance reform is that is exactly what it does to people. But you can't take away my 1<sup>st</sup> Amendment rights. Now one thing, I wish were true Grant, this complaint you sent to the FEC where you say that I am getting a corporate in-kind contribution of as much as five hundred forty thousand dollars per week. Oh man, that sounds like the weekly salary for Rush Limbaugh. Believe me, I wish that were reflected in my own bank account. But this is just so much bilge, and it leads to yet another question, you, not you Grant, but you, the concerned listener, were sending me emails on McCain's campaign. Groaning about that poll that was featured prominently on the blog on ascentral.com. Remember the headline? Tough GOP Poll puts McCain up by 20 points. It is ironic that basically a shell group, the leading advocate for campaign finance reform, to have a shell group do a poll? That's cool, I understand. Do a push poll at that? Where the information to put it diplomatically is inaccurate? Where you attack my wife? You know for guys who want to clean up politics, that is pretty interesting.

But here is the question, or really the challenge. Grant, I know how you and your newly reconciled former boss believe in full disclosure. So here is what you guys ought to do. Why don't you release the real poll? The real internals of the polls that you guys have? Because just think about what you are doing? To do a push poll 8 months before a primary against a campaign, an alleged candidate, a guy who is not even formally announced his intentions to go in the race. It tells me that there is a high level of concern to put it diplomatically. And then to pivot out of that, to have the Tarrance Group put out a poll, and leak it to the ascentral.com website, and tell everybody how it is a lost cause.

Well hey Grant, if that is the case, what are you guys afraid of? And don't get puffed up and tell me that justice is the principal, Grant you are so unaccustomed to the whole notion of principal. Principals, and Principled leadership, and you wouldn't know it if it came up and bit ya on the back side. And speaking of biting you on the back side, I'm very careful you have not heard one derogatory word from me during

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the past several minutes and on the air about the Senior Senator from Arizona. But I just think Grant, is this is such a slam dunk, what are you guys afraid of? Since the Senator has made principled campaigning, campaign finance reform his signature issue even though sadly it violates the 1<sup>st</sup> Amendment of the Constitution in my opinion. Just release the real polls.

Hey one good thing has happened out of this. I don't know if you heard Barry and Michelle earlier today but John was on, goah what 25 minutes this morning? During their broadcast from 745 to the top of the hour? And then earlier today here was John McCain with Sean Hannity.

*JD plays a clip of Senator John McCain on Sean Hannity's radio program...*

Well, I think that is great. Let Congress hear from you, except if the you is JD Hayworth. And he is doing his job on the radio. You know it is something that at which I just marvel. I guess the bottom line is Grant, if this is such a slam dunk, why are you guys so nervous? Is it because I am just drawing back the curtain and exposing what you euphemistically call the inside game? What others might call sharp elbows? What others still might call unprincipled?

*A few minutes later*

If you are just joining us, just before I came on the air, I got news that Christian Palmer from the Arizona Capitol Times and Mike Sunnucks from the Arizona Times were trying to get a hold of me, and now I see why. Grant Woods, has filed a complaint with the FEC. There is just one problem. I am not an announced candidate for public office. Let's go to the phones, line 1 is Scott

Scott: You got a fear situation here. What you got and you are not a candidate, but what you got to do is level the playing field. Point and fact the Senator will experience the incumbent's advantage, number 1. He can call a press conference anytime he wants. Number 2. His name, his voice and his face are known to the public because he is a former Presidential candidate, he is a leader of the Republican party and he has been around for a while. You on the other hand, if you choose to become a candidate for the Senate, which you haven't done yet, you have 15 hours a week before the public, face recognition, you are invited on national news shows and radio, so the incumbent advantage is completely gone and the playing field is leveled. So you got them scared.

JD: Well, let me say it diplomatically. Thanks for the call Scott, I think there is a lot of concern because to have this happen it is really and look, I am trying to be diplomatic at least to the Senator, maybe not to Grant Woods, but you know they just put out a poll last night saying that the Senator was just beating me up one side and down the other so maybe since the Senator has a reputation of being on the up and up and Mr. Transparency, I would just ask Grant Woods since apparently he is playing a role with the McCain campaign, Hey Grant- come clean now I know that is something that is very tough for you, but you guys just release the real polls. That's all. What has you so spooked Grant?

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More calls are coming in on this; you need to go to kfyi.com and vote. Now this is not a campaign promise Grant Woods, or a solicitation by an undeclared candidate, it is for you to pick the topic from one hour from now, the topic for discussion....

*A minute later...*

This curious action by Grant Woods has taken over our time together thus far today. Here is an anonymous email,

**"JD I am furious. Grant Woods is a BULLY. Boy all in upper caps, I wonder if the Arizona Repugnant, they call me the bully, anyways back to the email, he will work for the highest bidder for sure. After being the Arizona AG for 8 years he went to private practice and spit in the face of law enforcement, and let's not forget way back in the day as Arizona AG before going into private life, and having an afternoon talk show on KFYI, Grant as Arizona AG had himself an afternoon talk show on KTAR. Grant ought to remember his own resume and give himself a woody.**

Well, Grant has so to speak, he is all excited about trying to take away my 1<sup>st</sup> Amendment rights. On and in reference to the anonymous emailer's fact that in their opinion Grant works for the highest bidder. Well in addition to being a lawyer, do you remember back November two years ago? Fmr. Arizona AG Grant Woods was hired to prosecute a border patrol agent accused of shooting an illegal immigrant? Grant did his typical poor job; the jury ended up not rendering a verdict but again, if there is mucho denereo to help out a non citizen, that's right up his ally. What the heck, he wants to deprive me of my 1<sup>st</sup> Amendment rights. But this complaint to the FEC claiming that Clear Channel and KFYI are giving me a corporate in-kind contribution of as much as five hundred forty thousand dollars a week, hey Ill tell you what. That is, why my salary is not that high. Kim from Glendale is on the phone

Kim: Maybe you can tell Grant Woods that one of the reasons why he has to have a talk show is so that the selfless citizens of Arizona and the rest of us Arizonans actually have a voice and can be heard. Because when I called Senator McCain's office, it went straight to voicemail. And if I tried to ask for a person, I get they are busy answer, so I faxed Senator McCain my question, and I have waited for countless hours waiting for him to address this issue, of unprecedented taxes forcing us to pay for health care, or pay a tax. In all of those hours that he has spent on Fox News and Sean Hannity's radio show, I never once saw Senator McCain speak to this issue or any Republican in either the House or the Senate. So it is shows like this where I can actually be heard and maybe Senator McCain's lacking, or Mr. Woods will finally hear my question and get Senator McCain to talk about it.

Well you know Kim, one can only hope. Let's put this under the category of solutions. Here we are, we are giving, you are simply a constituent asking for help. I know Grant, maybe not Grant himself but maybe some of his interns or you know his lackeys, to use your term probably are listening and quoting things out of context. That is ok, there is an electronic record. Let's reiterate this, Jobs and the economy. The best way to stay in office is to be responsive. Kim has faxed, Kim you know what, why don't we do this, call over to Senator McCain's local office, get their fax number and fax them today. I betcha you will get a prompt response. Let's just do that experiment, ok?

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**Kim: Alright, I will fax the letter.**

**JD: I got a funny thing that you are going to hear from them. This is under the guise of solution. I am not a candidate for anything. I am not a bonafide candidate. Call us back Kim if you get an answer.**

**Now look, as I said when you and I began our time together today I don't know why they really ought to be very careful with this, because they will hit the briar patch. It doesn't hurt me, but these old days of thinking that you can play the inside game, or bully people or scare corporations, see I am not trying to be negative. I am just reporting what I am hearing from you. When you called me last week and said that a push poll was going on, I didn't start that. You let me know. And sure enough as I told you, they had the push poll; there it was on sscentral.com about how McCain leads me by 20 points, and then when they insert information, that is false stuff about me and my wife. Well wow look at the margin. Well if that is the case, what are you worried about? If you guys have this in hand Grant Woods, you don't need to help me, because that is what you are doing. But these days of having kind of a dual role where someone is portrayed as the paragon of virtue and the one upholding genuine reform, ah, and then when all of this other stuff is going on, all we are doing is pulling back the curtain and saying "here's what's happening". And, you know it is just it really is it really is funny and kind of sad. Back to the phones here is Bill.**

**Bill: First off, we realize that Mr. McCain and the other Congress people don't actually read 90% of their mail because it gets screened for what is important enough to take their time. But, I was in Iraq in the army, and uh, had sent an email because I was having problems staying there and I got more or less a form email back telling me why I should support the war. Apparently, the people that screen it don't even read what they got.**

**JD: Well, you know there are problems, and this is something that everyone has to be fair with their staff. So you sent them an email and someone in their staff mis-interpreted the email, while the staff works for John. I wouldn't hold him accountable. Look, I just want to be fair about this. The one thing that I tried to do, I couldn't personally answer every letter. What I tried to do during my time in office, I would have the constituent's letter attached to my response.... And I always tried to personalize the letter and to sign it personally. Just here at the radio station the other day, one of the employees said "hey, you know I have those letters you sent me". I don't know if she agreed with me on the issues or not, but I said "yeah I signed those." And she kind of thought it was, I would try to actively sign it, and then take a look at what the staff answer was to the constituent to try to eliminate that kind of problem. Now it doesn't happen all of the time, but I will give John the benefit of the doubt on that and I appreciate your call.**

**Bill: You know what. Can I say something to you?**

**JD: Sure**

**Bill: I called before and said that he doesn't visit the veterans and you came back with well he goes to the hospital in Bethesda and Walter Reed. And I just want to make a comment, that shows your character and your honesty instead of agreeing with me**

that Hey McCain is wrong, you actually stuck up for him. You don't tell half-truths or ignore what you know that would you know, you are truthful and honest, and I appreciate that.

JD: Bill, I appreciate you and thank you for the call. Another email comes in:

"Hey JD, what is the difference between you and John McCain and Grant Woods? We respect and trust you, those other two not so much"

One correction, I was mentioning some reporters earlier, but as I am scrolling down my email, do you remember the gentleman we had in here the day when the Rasmussen poll was the big news? Howie Fisher. I let him come in and interview me, I mentioned a couple of other reporters earlier, but let the record show that the first guy to try to contact me via email was Howie Fisher. But I just want to make sure that you know, not to diminish the other guys, but just to get it accurate, Howie emailed me first. I hope Howie is listening, so he can get the response he needs, or someone can tell him about the podcast.

Other emails coming in. If you are just joining us, what took over this afternoon was really a frivolous complaint that Grant Woods has filed, with the FEC in an effort to try to intimidate me and more accurately, try to bully Clear Channel and KFYI thinking they are going to take me off the air. Now, again, let me just caution you. The holidays are coming up, I am going to be spending time with my family, but don't think especially since a guy like Grant Woods who plays so fast and loose with fact, don't think that because I go off the air, AH HA they have knuckled under. It is just Christmas time, but I thought it was important to mention that. Meantime, Joe sent me an email he calls it "Grant Woods Rinoplasty".

Joe: Grant Woods is the perfect example of how the RINO types are continuing to ruin the Republican Party. If I am around with their Democrat counterparts will use their use tactics. To smear and eliminate all opposition to them, they cannot win with their tactics. Especially when they shift or change their views for political expediency. Time to take our party back and give guys like Grant Woods a new D for Christmas, a place that the RINO label that hides within their false R.

JD: Well, I don't know, but I thought that the D that stands by Grant Woods name in this case of the frivolous complaint stands for Dumb.

*A few minutes later*

You can go to kfyi.com and you have a chance to vote [for the topic of Tuesday's 5pm discussion] and I don't know if Grant Woods is going to write the FEC about this.

*A few minutes later...*

So, I am doing the thing, Dad's Taxi... So I hear Barry and Michelle with our friend John McCain on the radio, for the better part of a half hour...

*A few minutes later...*

Again one of my big disagreements with McCain a few years ago had to do with campaign finance reform, not only with 1<sup>st</sup> Amendment rights, but also because it appeared that he was so eager to get a bill out that he accepted the Washington definition of bipartisanship which is of course Republicans giving up important stuff to them, maybe even abandoning their principals, caving in to what the Democrats and their cheerleaders in the Washington press corps want to see done.

A few minutes later...

Caller named Al says, "Thanks Senator"

JD: Let me add for Grant Woods, that is Al talking I have not made any formal announcement about running for the Senate. If you are just joining us, and I know that I spent the first hour on this, but when you hear people talk about that, it is just so fun. And the Arizona Capitol Times has it on their blog; they got the headline that Grant Woods was hoping for—*Woods: Hayworth, KFYY violating law*. That's a bunch of hooy. I am not an announced candidate for any office, now you and I have been talking because quite frankly the McCain people and Grant Woods have been trying to play what we diplomatically call the inside game, what some might call to continue rhetorical diplomacy, a sharp elbow politics, doing push polling, calling people bullying them, and since I've got this microphone I am able to shine a light on it and they don't like it that much. So, Grant Woods filed an FEC complaint against me, claiming that I am using KFYY and Clear Channel in an illegal, in-kind corporate donation. And as I said earlier, Hey Grant, you are a lawyer why don't you read the law instead of trying to twist the law. It's our pal Dwayne the cab Driver somewhere in the Valley

Dwayne: [Dwayne first discusses bonuses for gov't employees] Grant Woods and his little experts over there, Mr. Woods, you are a lawyer, why don't you ask Terry Goddard, about whether he made an announcement in Sun City asking for donations, why don't you ask a lawyer Mr. Woods, as a former attorney general, why don't you ask Mr. Goddard to step down for asking those people in Sun City...

JD: Yeah because there is strictly state law, there is a resign to run rule.

Dwayne: Why don't you go after people who have actually broke the law Grant Woods? Instead of people who are not even in the race yet?

JD: Well Grant is, you know, there is no secret he is doing the bidding of the McCain campaign.

Dwayne: That's true, that's true.

JD: Well and I will just renew it. Last night about this time, I was pointing out a poll that the McCain people got over to the blog at Arizona Repugnant saying Wow McCain is beating JD by 20 points. Well, that's cool. A) I am not a candidate. SO, why would they have to do as someone told me, they are out doing push polling 8 months before a primary when you are not even a candidate? SO you know it is real simple to me, and if it is such a slam dunk for Mr. McCain, and heck I am not a candidate anyway,

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what should really happen is A) Why are they up in such arms? And B) If it is so great for them they ought to release their internal polls. Because apparently that thing from the Tarrance Group, and look I've known Ed Geas for years, I don't doubt his methodology. I just think that it was interesting to note that on the polls they released amidst great fanfare, the push poll people called me about with false information about me and my wife, and all of these discredited allegations, you know if they have got such great numbers, why don't they release their real polling?

Here is the problem with the poll done by Tarrance? They say likely Arizona Republican voters, well that's cool but they left out one word: primary voters. If they had likely Arizona primary voters, they might be getting somewhere. But everything they are doing when they react this way against a guy who is not even a candidate there is some, to be diplomatic, there is some concern. They are always talking about being open and this campaign finance reform and all of this great wave of idealism. Here is the ultimate expression of idealism, "release the real polling you have about a possible primary". Again, I stress that I am not a candidate, but Dwayne I will tell you the actions of Grant Woods and the McCain people show me that, to put it euphemistically they are concerned.

Dwayne: I'm back. As crude as my polling is, I'm out on the street, I'm with Joe the Plumbers, I'm talking to average ordinary, working class people here in Phoenix. When people are stopped for gas, I'm out asking people what their thoughts are. These pollsters, these politically correct people, don't have a clue. And if I can address the people that are listening to my voice to get motivated, we need more actions in the party, we active people who are sending emails, and let's tie up their phone lines and fax machines, let's let it be known that we are tired and not going to put up with it.....

JD: Thanks Dwayne, I appreciate the call. Coming up Bob is on the line and he has something to say in defense of Grant Woods.... You and I began our time today talking about this stunt by Grant Woods, filing a complaint with the FEC about me. Claiming I'm a candidate, well I am not. Bob has a word of praise for Mr. Woods, Hiya Bob.

Bob: Hello Sir. I don't want to talk good or bad, I am just recalling that during the various smackdowns years ago, he and (I couldn't make out the names) went on the show and he certainly got into a lot during smackdown.

JD: Yeah, well I guess as Bob Hope would say Thanks for the memories. But uh,

Bob: Exactly:

JD: Esp. the reference to Grant Woods. I think what stinks in his crew is that he had the chance to be on air here and he just didn't have the numbers necessary to stay on the air.

Bob: That's true but it is good for public relief.

JD: That's true. If you are having a couple of pops at a smackdown, and watching guys like Grant and Mo go at it. Yeah that must have been interesting. Thanks for the call. In fact Gordon wrote in:



**Gordon: Let me just set you straight with the whole thing about Grant Woods and why he is trying to get back in on McCain's good graces. Grant Woods lasted a few months on KFYI. You were a Congressman running every two years since the mid 1990s and you are still a major factor in Arizona politics, no change there. And now a lot of people hope you will run for the Senate, in the mean time Rush has been #1 for years and poor Grant Woods is a footnote**

**JD: Well Gordon, he is a footnote who bills by the millisecond, or the nanosecond. But I guess that puts it in perspective. To be fair to Grant and anyone else who runs for public office, anybody who does that has a healthy dose of self esteem. It goes double for us who have been in politics and broadcasting, you know last night at this time I was wishing my mom a happy birthday...**

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**JD HAYWORTH Talk Radio**

**M-F 4-7pm**

**KYFI Radio**

**<http://kfyi.com/pages/podcast-archives.php?aname=jdhayworth.xml>**

**Monday December 14 2009**

Oh, you are gonna want to go to kfyi.com. Remember last week when I told you that I got that call from Adam Nagourney from the New York Times? I went ahead and called him back, actually I tried to get him to come on the show and interview me but he was a bit reticent. It's kind of funny because Greg Patterson today, an espresso pundit said "wow this is a role reversal. JD is talking to the NYT and John McCain isn't." At any rate, if you go to kfyi.com under sights and sounds the last item is the NYT article that mentions JD. Well it does more than that actually, there are a couple of quotes. And you can check that out, the reason I mention it, ok I am a little narcissistic for purposes of full disclosure, but in one half hour, it's back! The amnesty bill will be reintroduced tomorrow in the US House of Representatives.

Here is yet another battle for amnesty.... You may recall back when I was there fighting against it. It was McCain/Kennedy in the Senate.

To make sure that I was correct, I went to both the federal websites of Jeff Flake and John McCain. I did not see anything heralding a new piece of legislation on comprehensive immigration reform. But, I did find in the, under the category of news back on June 25<sup>th</sup> Cong. Flake urges Congress to pass Comprehensive Immigration reform this year.

On John McCain's website I can find nothing about comprehensive immigration reform. Now they have that under the issues "Homeland Security & Immigration". I see nothing there but of course you will recall, let's go back, now over a year ago. Senator McCain returns to Arizona, the last time we had seen him was in his concession speech at the Arizona Biltmore, and it was kind of like "let me get re-acquainted with Arizona and get back to work as a US Senator. And that time during that press conference, November 25 2008, what was John McCain calling for? With the incoming President? And the Homeland Security designate? Well, you can hear it again:

*JD plays clip of Senator John McCain discussing comprehensive immigration reform.*

So there you have it. That was McCain last year saying, "I remain committed to comprehensive immigration reform", now if you go to kfyi.com you will see the last item there, and it links to the NYT article which I was interviewed for by Adam Nagourney. If you recall you and I were talking about it. And, the NYT is talking about McCain and what's going on there, and it's kind of a make-good for John McCain, since the NYT wanted him to lose and now they are trying to prop him up. The headline is, "McCain distanced from race, raises Senate voice".

JD reads the following from the article:

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**WASHINGTON — Much of the old presidential campaign gang has moved on. The governor he made famous — Sarah Palin, his vice-presidential pick in 2008 — is the one exciting crowds these days. He is facing the possibility of a primary challenge at home, one more reminder of his uneasy relationship with his own party.**

**Yet at the age of 73, one year after his defeat by President Obama, Senator John McCain of Arizona is trying to make the most of the platform where he has always been most comfortable, the United States Senate.**

**JD: Well I will spare you the rest of it, I was quoted twice in the article, and as I pointed out that Greg Patterson the Espresso pundit earlier today blogged that "wow isn't this is a role reversal. JD is talking to the NYT and John McCain isn't." Yeah, well, and they are talking about the changes, a little bit, they go into the guy who got beat to be the Arizona Dem. Chair and the other guy who is down in Tucson, couldn't hitch a ride or ride his bicycle up the interstate, he was given the job again, Bivens, "oh he was taken a hard turn to the right." I will just make the point that I made earlier, you know John is, and we certainly, people can change their minds, he has been consistent against government run health care, and Fox just ran a big piece on that understandably. But when it comes to other items like cap and trade he was actually championing a bill that he and Joe Lieberman and Lindsey Graham had worked out, what was it? Last year? A couple of years ago he was concerned about global warming, but now he is backing off of that. He was serving on the Ways and Means committee and actually writing, helping to write the bills that gave us broad based tax cuts. He was against that.**

**Stood up on the Senate floor and used the rhetoric, Tax cuts for the wealthy. And you can basically name the issues that now he takes to task this administration. For bringing the 9/11 enemy combatants to New York to stand trial, it was John McCain among the first who said that Gitmo ought to be closed. Now they quote me twice in the NYT article, I think that I was fairly diplomatic. I said, "I'll leave others to interpret what some might call a campaign conversion." And this is the thing, what Arizonans are going to have to decide, whether it is me or somebody else they determine ought to be the primary challenger to John McCain, and we are still looking at it. But is it a deal where we are going to believe him this time? He will come home and run as a conservative and then what happens if he gets another six year term? And defines courage as taking a sharp stick and poking Arizona conservatives in the eye. This has led to some very interesting stuff in the blogosphere. If you are out driving, you better hold the steering wheel with both hands.**

**You may recall that during his days as a columnist for the Arizona Republic, John Talton wasn't exactly one of my kindred spirits. But he blogs today in his feature "Rogue Columnist", he titles it "McCain Agonistes" and he says, he picks up this NYT article, by quoting it "there are few glimpses of the winks, wry smiles and one liners that were once a critical part of his character the Times laments. Why McCain was once in favor of climate change legislation, immigration reform, etc before changing his position. They note that he faces a primary challenge from JD Hayworth which is forcing their hero to tack hard to the right" Maybe, and then he talks about McCain off-times, well his term is being erratic, And then here is the real surprising thing, again if you are driving, hold the steering wheel tight. "As for the Senate election,**

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Saint Janet has said that she will not run, that is probably wise. Her moment in Arizona has passed. For my part I will support Hayworth" [JD laughs]

Now he has got his reasons that are somewhat backhanded, but when I saw this today from John Talton, who we do not agree on everything but I like him, I was going "wow", and John subtitles his column as the rogue columnist, and then warmed up in hell? I don't know John, if you are endorsing me, hell has frozen over.

*JD plays clip of Senator John McCain talking about comprehensive immigration reform*

That was John McCain, a little over a year ago. His first post Presidential press conference, back home, kind of part of his getting reacquainted for Arizona and preparing for a Senate campaign coming up next year. But here is the problem. We got a whole lot of unemployed, legal citizens. And, to talk about amnesty or well we will use their term although you and I know it is amnesty: comprehensive immigration reform now which will be introduced in the House tomorrow, it is exactly the wrong thing at the wrong time for the wrong reasons.

An hour later...

You and I talked about it last week, more accurately you emailed me, and the blogs talked about it, the push polling done by the McCain people to get the results that they need. You know this poll that came out before Thanksgiving that has me in a statistical dead heat with McCain, there was no way that they were going to let that hang on. Believe me. And so, you might find it interesting, first of all, if you were contacted last week and you were told that the poll was for a group in Utah, something having to do with parents? Well that is not really the case, this poll was done by the Tarrance Group and it was sponsored by an organization called a Foundation for a Secure and Prosperous America. A lot of McCain people have been part of it. And this poll was conducted last week when you were emailing me, a group of 600 registered Republicans, and they are saying "oh it is all over, McCain is over JD by 20 points" and then when they start the push polling, McCain is up 62 to 29. Now this shows up in a blog at ascentral.com by Dan Nowicki. Well, I will just point that out.

A couple of things to note. 600 registered Republicans. Seems to me, if you really wanted an accurate picture, this is how you need to understand polling, you would have likely Arizona Republican Primary voters, so your universe if you are just taking Republicans in general, sounds to me like you are being, now don't get me wrong, everybody should come out and vote, but you know and I know that primaries esp. primaries held in late August, only truly committed primary voters show up. That's number 1. Number 2, turns out that they were asking, their informational questions were playing fast and loose. I guess this crowd is being bipartisan in one way. They are definitely taking all of the false charges that the Democrats ran campaign ads on about me in 2006 and doing it all again. And for good measure they went after my wife Mary, and they threw in an editorial, if I am not mistaken co-authored by this blog entry, Dan Nowicki. I believe it is Dan Nowicki and Doug McKeckert, who in my opinion kind of went over the top in attacking me in that ad-homonym attack, making sure they endorsed my opponent. We see how well that has worked out for the country.

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So, just to let you know, it is out there, and I figured if they got the numbers they wanted, they would be trumpeting it. So they are out there. Now just another word, for everybody who thinks that I am simply just going through the motions and this is some sort of a script from WWE. It is not. And it takes a lot more than a poll in which the methodology is suspect and the intent is clearly malicious to scare me off. But it is amazing isn't it? The venom and vitriol that John is concentrating against me. Just imagine if he had shown the same type of anger in the Presidential campaign against Barack Obama. But then again, what does that tell you? Apparently McCain and his associates reserve their scorn for honest to goodness conservatives, and lavish praise on those on the left.

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**JD HAYWORTH Talk Radio**

**M-F 4-7pm**

**KYFI Radio**

**<http://kfyi.com/pages/podcast-archives.php?pname=jdhayworth.xml>**

**Friday, December 11, 2009**

**You and I begin with the power of radio and what I call the first truly interactive medium, talk radio.**

**Another example of the power of radio is the fun we had yesterday on kfyi.com. In fact the link is still there at kfyi.com under "Sights and Sounds" you will remember this thing, it says vote. The *Arizona Guardian* asks JD or McCain. In the brief time that I mentioned that yesterday you responded. MAN, how you responded. In fact when we left the air last night I was up by a landslide proportion, and I joke leaving the air that McCain campaign staffers would be spending a sleepless night. That was intended as a joke. Apparently there is truth in humor. Listen to this email sent to me by Mimi.**

**Mimi: Hey JD, just want to give you a heads up on the *Arizona Guardian* Poll. I actually monitored it for several hours last night after voting. Things got closer, and at one point you registered 248 votes and McCain registered 228. You led continually up to this point in the poll. Then five minutes later I check back and low and behold McCain registered 257 and you dropped to 230. 19 votes for taken away from you. From this point on, McCain leapt anywhere from 5 to 26 votes every few minutes. I was checking back every minute or so until 1:30am and McCain's votes kept leaping up 6 to 10 votes a minute. Perhaps McCain's McCainiacs found a way to get around the cookies [that's the little safeguarding thing where on a computer you only get one vote] because there is no way this poll had that many people hitting it that time of night. I emailed the *Arizona Guardian* and told them about the 18 votes that were deleted from your total and also told them that they lacked all credibility with this poll being skewed in obvious favor of McCain. I told them to respond to me, and tell me how votes once registered could have disappeared from your total. I have not heard back from them and do not expect to. I just wanted to let you know not to allow this Guardian vote to sway you because it's very misleading. I will let you know when I hear back from the Guardian. But know that the poll was tampered with.**

**JD: Mimi, you are on the job and that is fine. Now a couple of things you should know. First of all, this kind of computer thing is not scientific. Secondly, McCain has got millions of dollars in the bank, and he has got a full-time campaign staff, and internet staff, and everybody over there is nervous. Why are they nervous? Well because of the real, sound, scientific poll that Rasmussen put out a couple of weeks ago that has John and I in a statistical dead heat for the Republican nomination for the US Senate in 2010. Now, that was followed by the push poll of a couple of nights ago, and apparently that push polling continued for three nights. Here's what Paul writes in:**

**Paul: Hey JD, I got a call this evening from a pollster in Utah. He began by asking questions about how I thought McCain or Arizona was going politically. I answered that I thought it wasn't going too well. He asked questions on McCain, I responded**

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negatively about McCain. I think he has been in Washington long enough we need to bring him home so he can help Al Gore sell credits for something that doesn't exist. I told the pollster that McCain was for amnesty and illegal's, and that is why I will not vote for him again. I also told him that one of the biggest problems here in Arizona is illegal aliens. Later, I was asked if I would vote for you or McCain. I told him you. Then he began to ask obviously slanted questions about you and a Washington lobbyist. I stopped and told him that I thought the questions were biased against you. He told me that he did not make up the poll and if I would continue. The very next question was slanted against you. I told him I would not answer his questions and hung up. The dirty politics has begun. I will vote for you and encourage all of my friends and associates to vote for you. We have had enough of McCain. It is time for a change. We need to return this country back to its roots.

JD: Well Paul, thanks for your email. A couple of notes Paul, when you hang up, it may invalidate what you said before... But we know what is going on here. Again, it is amazing. The guy who sets himself up as the champion of campaign reform and ethics is doing this stuff. Look politics aint beat. But there is the thing that is funny. I have made no declaration of candidacy. Now it is news, and you send me this and I am covering, but it is really funny to think that Mr. Campaign Finance Reform would have his mccainiacs on the internet doctoring a poll. Now there it is just a non scientific poll. But it kind of makes you wonder, if they do that on the computer- might they do something at the honest to goodness genuine polls?

*A few minutes later...*

It is interesting: the push polling conducted on the telephone across the state apparently with areas of high propensity Republican voters. Where if responders say nice things about me, then the questions come out of all of the kind of garbage that was thrown at me last time and proven to be false. On the phone is Kevin from Tempe.

Kevin: Just wanted to say that about the push polling, my first thought was it seems like he has taken a page out of Harry Mitchell's play book.

JD: [laughs] well he has not gone as far as to buy television time and put me in the crosshairs of a sniper scope, but you know what is amazing is, there are so many positive things John McCain could poll about his resume, a lot of other things, I guess that I think a columnist put it best the other day. They talked about "McCain-fatigue". And when and if, if I should get into a campaign, the lesson I did learn from that unpleasant experience with Mr. Mitchell, yeah you can fight back the same way but maybe it is better to focus on accomplishments and on vision. If we decide to get into a campaign, that's what I will do. That's what I told Bryon York from the Washington Examiner. Should I run for the United States Senate and not against John McCain.

Kevin: Understood and I agree. I believe McCain is ka-put

JD: Well, it could be. Thanks for the call. We have more stuff you are sending me on this. One of my Congressional Colleagues basically calls out Mr. McCain in an op-ed piece in the Washington Times. You know it is surprising that the Republican Primary, the polls won't open until what- a Tuesday in late August, but now all of the opinion

polling is going on, the Rasmussen poll that apparently has our Senior Senator somewhat concerned. Then this push polling, and seeing-red-AZ says that The Parents Group in Utah is the group doing the push polling against Mary and me. If we ever did do this, I will not attack Cindy McCain; just want you to know that. These other guys cannot say that, they are already digging on Mary. We may hear from the Guardian people today. On line 1 is Dwayne the Cab Driver.

Dwayne: Hey Mr. Senator How are you?

JD: Just JD is fine. And if I ever get back into politics, I don't mind being called JD. But what I do mind is when people call me the three initials that rhyme with JD. That's when we have trouble. We are glad to have you on.

Dwayne: I have been talking to 127 people and 27 said they did not care. 30 for Mr. McCain and 67 for you and 3 for Harry Mitchell.

JD: Hahaha How about that?

Dwayne: On the same note, most people feel inclined that they would like to have a Sheriff for the whole state.

JD: Well how about that.

A few minutes later...

I told you before the break that my old Congressional colleague Todd Tiahrt from Kansas penned an opinion piece for the Washington Times. You need to hear some of this. It is entitled, "Time to Build Anew not reshape the Old." Congressman Tiahrt writes, "Like most Americans I am grateful for John McCain's heroic service as a fighter pilot, a POW, and for nearly a generation a member of the United States House or Senate. But I am troubled by reports in the recent weeks that McCain has been as Politico put it "working behind the scenes to reshape the Republican Party in his own center-right image". And has emerged as a political God-father to moderate candidates including my opponent in the race for the Republican Senate nomination in Kansas. In that spirit, I would like to like Mr. McCain an offer that he shouldn't refuse: let a new generation of conservative, innovative, and people focused leaders determine the future of our Republican party. Our nation has been thrust into a fierce debate into our countries direction, a battle of ideas playing out at town halls and tea parties. And a discussion that goes to the very heart of what America is all about and what government is for. As Washington spins out of control the American people are finding their voice and making it abundantly clear what they think government isn't for. Not for tossing out hundreds of billions of dollars to bailout banks and Wall Street firms that played fast and loose with investors funds, not for controlling large shares of the auto industry, not for wasting millions of dollars in the cornucopia of liberal projects under the guise of stimulus, not for bankrupting our country, in the name of questionable science, decidedly not for bringing one-sixth of our gross domestic product under federal authority, and inserting Uncle Sam into health care decisions now made by doctors and patients and their families. This is a conversation America could have, and should have had during last year's election campaign. As our parties standard bearer, Mr. McCain had a once in a generation opportunity both to present

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and live out a new vision of limited but effective government for the twenty-first century. In Sept 2008 Sen. McCain suspended his campaign to return to Washington, had he as part of that dramatic gesture, joined forces with the House Republican opposition to that monster bailout bill, perhaps he would have ignited and claimed for our Republican party the prairie fire that ultimately became the tea party boom. Instead Mr. McCain blinked. The self proclaimed foot soldier in the Reagan revolution left the mission and meekly joined his Opponent in a reckless intrusion in the markets. All in all, Mr. McCain's passive campaign of halfway steps and compromise measures allowed the most liberal, least experienced Presidential candidate ever to post a decisive victory and deprive our nation a far reaching discussion about the size shape and sculpt of government. And now Senator McCain is meddling backstage trying to recast the Republican party in the pale pastels that led to that crushing nation-wide defeat. Not only for his ticket, but for our {radio cut out}. In the celebrated words of Sarah Palin, "Thanks, but no thanks." Now is not the time to build moderate fiefdoms eager to make alliances with the party of Obama. Rather we must restore the meaning of Republican to that identified by our parties first President. Government of the people. Any numbers of bright, conservative, principled leaders are ready to take up that bold colored banner. Instead of further diluting our message, Mr. McCain should clear the way for us to build a new people focused party for a bright and prosperous American future.

JD: The words of Congressman Todd Tiahrt in an opinion piece in the Washington Times. Julio is on the line from Glendale.

Julio: It seems to me like you are not quite sure you want to run or maybe trying to make up your mind. I want to urge you to run; I think that the state and country needs it. And I became a committee chairman for district 4, and I went to my first meeting, and candidates were passing around clipboards and one was for a hot potato, it got passed along really, really fast. When it got to me it was the one for John McCain. And no one in that room signed his petition for him to run. That indicates to me that people are waking up and realizing what happened in the last election. And why we need someone like you, someone that can change the direction of the party as a whole and as the people of Arizona. I don't feel that McCain is doing that. I am a fighter pilot as well, I respect the man, I respect what he has done for the country. I think it is time for you to be in there, and time for him to resign.

JD: Thanks for your call. And what you are telling me, I have heard from a variety of precinct committeemen and legislative district meetings. ... Believe me; we at the Hayworth household are taking this very, very, very seriously.

We, listen, we are in the process of considering how best to proceed. You see the irony is, since so called campaign finance reform, has criminalized politics, and as there are certain folks who [laughs] want to suggest things about my character. Here's the irony. For all of these outlandish accusations to be made, we would check things, double and triple check them. When it comes to politics, you know that old expression, "it is easier to ask forgiveness than permission?" That is not true. Believe me we are taking a very careful look at this, but since campaign finance reform has actually led to the criminalization of politics, believe me I am checking things from every angle. Crossing the T's and dotting the I's.

*A few minutes later...*

Back to the phones. I have got to admit that it is kind of interesting that I am part of this story, all of the push polling going on, and the hi-jinks apparently on behalf of our senior Senator. Let's go to Dede in Gilbert.

Dede: I just want you to know, if you do run that you have the votes from my family household. I used to be a hardcore Republican, and I am a conservative and independent. I am looking at the Republican Party now and there is really not anybody there that has shown any leadership that has moved people, moved boulders, and I am a little concerned coming up to an election year that we may win some seats. We need some strong candidates, who share the same conservative values that we have. Right now looking at the party, top to bottom, there isn't really anybody that has that leadership.

JD: Well, exactly what you said: top to bottom. Here's the great thing, and you are seeing the situation from the bottom up, from the grassroots forward, we are going to see... thanks for the call. Now Kelly is calling, she is the President of the Phoenix Tea Part.

Kelly: Hi, how are you doing? We want to let you know that next Wednesday outside of John McCain's office we are getting together a rally to remind him how he is voting on this health care bill is what we will be thinking of in 2010.

JD: Ok, now what day?

Kelly: This coming Wednesday. It is the anniversary of the Boston Tea Party, and we wanted to find a good way to celebrate that, and we thought of an event outside of McCain's office and we want everyone to come to down. Can I mention our website?

JD: Sure

Kelly: Greaterphoenixteaparty.com and you go to events and click on Boston Tea Party Anniversary and click on that, and that gives you details. We want to get out there, get our signs going, we really do want to remind him,

JD: Thanks Kelly. Now wouldn't you know on the phone is Dennis Welch from the *Arizona Guardian*. This will take some doing; Dennis ought to be flattered; we will actually postpone the start of Weenie of the Week to talk to Dennis Welch about that unscientific poll.

*A few minutes later...*

JD: Now to review... the poll is on kfyi.com and yesterday we talked about it. It is a lot of fun. The *Arizona Guardian* is probably pumped up getting all of the web hits.... And Mimi checked in saying that there were curious things going on with the poll saying that at one point Mimi said 18 votes were taken away from me. You go to it now, and it is huge for McCain, but that doesn't worry me because I think with a fulltime staff of computer experts who can play fast and loose with cookies that may have gone on.

Any rate, kind enough to call is Dennis Welch from the East Valley Tribune, now the Guardian.

Dennis: Hey thanks for having me. And I gotta tell you man, I am very honored that you are postponing the Weenie of the Week.

JD: I did not do a cheap kind of transition. Can you fill us in? You gotta be happy with all of the hits you guys are getting on the poll.

Dennis: Hey man, it is great for business, I love these polls. It has always been interesting how seriously people take these polls. They are definitely not scientific; they are just something we put up for our readers to have fun with. Definitely you put McCain and your name; it attracts attention, and gets a lot of hits.

JD: And then we saw it and said 'hey you guys'.... What about web security on this thing? Of course it is not like actual voting. Someone could probably go in and beat the system if they so choose.

Dennis: I am not a computer wizard. Before I called up I spoke to our IT people and what they told me is like the strip down laments terms, we work on an operating system calling Juno. We don't even have a whole lot of control over the numbers. Does that say that someone can't mess with the numbers or the cookies? I am not going to say no. Heck, we have all heard the stories of people who have done this with other polls; I will not exclude our site from being impenetrable from that kind of stuff. It is what it is.

JD: Just one thing that I am dying to ask. It is fun to turn the tables.

A few minutes later...

JD: Thanks so much for your time, is there anything now that I can answer for you?

Dennis: I actually do. I have been listening to your show, even more closely lately, because you have been talking about running for Senate, and I have been talking to folks, who say that JD has been acting within the law, within the FEC regulations, and everything like that. Being on the radio show and you have not formally declared. What would you say to people that say to you, 'is it right that you should be on every night for 3 hours having this huge forum out there basically campaigning against a potential opponent.

JD: Well Dennis, here is the way I look at it. If it is not, really in the news, I try to talk about what is in the news. And this stuff started really this week with the robo call and then apparently the push poll. And it is news, so I do talk about it. I will let you know that if people think this is some sort of script, like something out of WWE where I am toying with something publically like a Hamlet thing that is not the case at all. But here is what I am, what I will do. I absolutely, and it is a point I have made quite a bit. I will follow the letter of the law in everything we do. We always have despite false reports to the contrary, and political attacks, and sadly even some questions in a push poll that has been going on. But, but, we will follow the law and we've got attorneys

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taking a look at what is permitted and what is not and personally how we will handle it if we transition, if we decide to run a formal campaign.

Dennis: One other thing too before we go, did you buy the domain name hayworthforsenate.com?

JD: [laughs] Ha! No I haven't, but I am flattered.

Dennis: If you go on there right now, if you punch in that url address you are re-directed to your personal website.

JD: REALLY? Nope I didn't do that man.

Dennis: Do you know who did?

JD: I don't have an idea, who did. Maybe they will call up and, wow you talk about the ultimate interactive medium, maybe whoever did that will call up and tell us.

Dennis: Ha Ha. If you could, just between you and I,

JD: Ha, this is a Connie Chung question, just between you and me

Dennis: Don't worry I am a journalist. When are you going to run, and are you running?

JD: We are taking a look at everything now and a look at the calendar and a look at the law, and there is a lot to decide, so I could not give you a time table right now  
Dennis.

A few minutes later...

[JD is nominating weenies of the week]

JD: Remember yesterday when we got this call? We were discussing the push-polling done by the McCain campaign? And I, somebody called and said 'You know that is the Anthony who works for McCain, the Anthony who called.' And I said 'Nahhh' he would change his name. Now apparently it is true, now I am not calling him a weenie, but I thought it would be fun to play the audio again.

*JD plays the audio of Anthony...*

JD: Now if Anthony had just told us that he worked for McCain and was the legislative director for district 20, which is what [www.seeninsredaz.com](http://www.seeninsredaz.com) says. This is the guy who is the Chairman of LD 20, on the McCain payroll! Just one final note about it. Hey Anthony, if you are suggesting that losing a campaign for public office somehow invalidates your eligibility, you may want to go talk to your boss. The last campaign he was in, he lost.

A few minutes later...

JD: What is really cool is that on line 3 is Anthony. Now, I like Anthony and I was a little incredulous, we got a call last night from Sandy saying wait a minute, he works

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for Anthony and he is the Chairman of LD 20. Well to his credit he has called in on line 3.

Anthony: Hey JD, how are you doing?

JD: Is this really you?

Anthony: Yeah, I am not one to hide from my name, the God given name that my mother gave me.

JD: But just for purposes of full disclosure, you could have said 'hey you know me, I'm the chairman of legislative district 20, and I happen to work for Senator McCain and here is the way I see it.'

Anthony: First off, I am the chairman of district 20. I am a Republican, and I do not work for the Senate office of Senator McCain.

JD: Oh, I apologize. You work for the campaign then. Can I ask this? Do you work for the campaign office?

Anthony: This is the...

JD: You are not answering my question. Do you work for Senator McCain's campaign office?

Anthony: I called you, you didn't call me, can I ask the question?

JD: No, first you have to answer this question, cause I asked you and you said that you do not work for the federal office, so I am asking if you work for the campaign office.

Anthony: I do not work for Senator McCain.

JD: DO you work for the campaign?

Anthony: I do not work for McCain.

JD: Do you work for one of his campaign vendors?

Anthony: What do you mean a campaign vendor?

JD: I mean, maybe the internet guys or the mail guys. Because someone told me that you work for Senator McCain. There are two divisions underneath that. One of course is the official, the office of US Senator John McCain, or McCain 2010.

Anthony: Ok, now answer my question. I am organizing a walk with my precinct, on Jan. 30, and we are going to register 200 conservative Republicans and do early balloting. My challenger for you sir, is why don't you come go door to door with us?

JD: Hey, one of my favorite things is going door to door.

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**Anthony: meet at the Walmart at 9am.**

**JD: Ill tell you what**

**Anthony: We are going to register over 200 conservative Republicans.**

**JD: I will tell you this. I will check with Miss Mary,**

**Anthony: Everyone will come. We will register in Tempe, and fill up all of the precincts.**

**JD: Well stay in touch, and call back again...**

*A minute later*

**JD: I still don't have it straight. I guess he doesn't work for McCain's official office, but did he ever answer? I'm sure that someone will fill us in.**

*A few minutes later*

**JD: Gitmo should never be closed, which is another way I disagree with John McCain**

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**JD HAYWORTH Talk Radio**

**M-F 4-7pm**

**KYFI Radio**

**<http://kyfi.com/pages/podcast-archives.php?name=jdhayworth.xml>**

**Wednesday December 10 2009**

I have tried to be pretty even handed about some of the disagreements I have with John McCain. It doesn't absolve us of the disagreements, but wow, I just have to tell you in all candor, the phone calls that some of my friends have been getting, and some people around town have been getting from McCain supporters and McCain staffers about this possible primary challenge, you know Mary and I were talking informally a couple of weeks ago saying 'well, he must be worried', and then the Rasmussen poll came out, and apparently he is really worried.

Now Listen, I am trying to be as best as I can. I don't want my temper to get the best of me. I was goaded in a recent campaign and it was not helpful. So, how can I put this? Well maybe the best thing to do, oh yeah, how about this? I will say a couple of complimentary things about McCain. You and I talked about it yesterday, the fact that he was making robo calls to Arizona republicans, talking about how he was fighting a government takeover of medicine. The fact that he and Tom Coburn held that big press conference against pork... so, there I am being complimentary.

Now, the other side of the coin is this. Trudy has sent me this email, and she entitled it, and these are her words, "McCain Smear Campaign".

Trudy: "JD you may already know about a survey being conducted right now, but in case you didn't I wanted to relay some info to you, two nights ago I received a telephone call requesting that I answer some questions, at first I thought it was a Republican survey, and I was happy to let them know how disappointed I am with lots of Republicans esp. John McCain. But as the questioning went on, I realized it was about you. When I told them I would vote for JD against John McCain, and I would be voting in the primaries I was asked if I would still feel the same knowing various things. They had a list of about five things, about a certain Washington lobbyist, and they even mentioned your wife. I told them that would not change my mind in the least because I have already conducted my own investigation. And that they were propagating lies since you have been exonerated. Then I said, 'Oh I get it, you are calling for John McCain. The surveyor, the person conducting the call said that 'he did not know, he just worked there'. You may have to continue to set the record straight. We sure need some true conservatives in Washington who understand what America is all about. You are honest and you actually know the Constitution.

Well Trudy, thanks for the heads up. Other emails have come through, but lets go to the phones. Here is Marty.

Marty: I think you got McCain running. I got a phone call last night, and like Trudy I

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thought it was just a standard Republican survey, and then they got down to the nitty gritty. They asked are you familiar with Jan Brewer, and John McCain and Jon Kyl, and then they mentioned your name and I said, Ok, its not going to be so good for these guys. Then they asked the question 'If there were a primary would I vote for John McCain or JD Hayworth'. At that point in time I was smart enough to leave the room because I am very passionate about my McCain stance, and my wife came in because well they started asking about that certain lobbyist, they drilled me down about 5 or 6 questions, and I told the guy, and I guess I got a little bit loud. I said, 'you do not understand, I do not like John McCain. I do not like his stance or the way he flip flops, he is selling us down the river.'

JD: Well look, you let him know with no uncertain circumstances. And what he is doing is called push polling. And it indicates, and look, I would really like this to stay on the issues. I have learned from experience, the last time my name appeared on the ballot, I am to blame, I was short on offering solutions, and pointing out some flaws on the other guy, while they were accurate they did not amount to a hill of beans with the electorate. Now if a campaign does develop, I would really like, and again we do not know, we don't know if it is going to come to pass or not, and I am not trying to be coy, but there is a lot we gotta deal with here, we are trying to walk through this thing. It is a little different when you have a private life, and a family you are dealing with here, and public job, not in office right now, but as a broadcaster. We are trying to get this straight but it is just unfortunate. I cannot envision, ever doing a poll, if I were to run, and put a list of questions in about Cindy McCain. I will just leave it at that.

Marty: Well JD, I just want to offer that everybody thinks we need you, and like, I want to echo that sentiment that now more than ever we do need a shining light in Congress, and it is just my honest opinion that I think you would provide a great shining light.

Well Marty I thank you for both your kind words and quantifying the fact that yeah this poll was apparently run all over the state. I'm not sure what the MO was, but your words to me, and I want to thank you for taking time to call in.

Another emailer:

...Please run for the Senate, we need more men like you to keep us safe at home. I will serve our nation abroad in its wars to keep our freedom safe. Please serve from within....

I do not want to mention his name because given what we have seen with phone calls in town and around the state, I don't want one of our bravest facing recriminations for expressing his support for me as a citizen.

Dwayne the Cab Driver is on the phone...

Dwayne: Hey JD, tomorrow I will have my poll to share with you [Dwayne polls the people in his taxi about the Gov. race and Senate Primary] but I do need to point out, but Senator John McCain was pointing out all of the money he has saved with ant research. But you know, I am very very upset that he didn't have or his staff did not have the thought to review was getting in terms of the stimulus.



JD: Well, it was an effective press conference. In the broader sense, it would be nice to vociferously fight every step of the way that goofy stimulus package. Rather than a press conference after the fact.

My friend Don Goldwater is on the phone now,

Don: Hi JD. I'm doing good. I sure hope that you will run, and I just wanted to remind you that if you are catching flack you are over the target. Both you and I have had a long time association with the Senator and you know there are points in everybody's life where it is time to sit down, and I think it is time for a new United States Senator.

Don Goldwater, I thank you for your call and your support. We are taking a look at it, believe me, we are taking a big look at it.

A few minutes later...

So, John McCain is out doing push polling, huh? Well let me give you a gentle nudge to a poll you can take at [KFYI.com](http://KFYI.com)

If you go to [kyfi.com](http://kyfi.com) you will see a poll from the Arizona Guardian that asks "JD or McCain". It says JD was part of the Arizona Guardian's home page poll question today. Cast your vote!

It is a webpaper, it used to be the Tribune.... There are three headings there, John McCain, JD Hayworth, Don't Know.

If you got a chance to vote, you can also check the results. As I check the results, because a lot of McCain staffers earlier today must have been tipped off to this thing, he has a lead. Thus far, not a lot of people have taken this poll. He is up to 88, which I guess is really the count of his staffers, both official and campaign. We don't have a campaign going, so I have 59 votes and it will kind of be fun. It will kind of be fun, to see if this is an object lesson of the power of this medium of talk radio. So, I don't want to push you, I'm not going to come on the air and say a bunch of complimentary things about John McCain, and cite discredited reports, heaping scorn on him or on his wife or family. Apparently in stark contrast in the push polling he has been doing around the state according to your emails. I read one earlier from Trudy. And here is one from Prescott from BJ.

BJ: Hey JD, I was part of a telephone poll last evening. It was for Arizona Republicans, I swear it was sponsored by McCain because there were several nasty questions about you and some Washington lobbyist, some claims about not paying back some debt. I hammered McCain in the questions, I was very positive about you. I will never again vote for John McCain. Just wanted to give you a heads up that he is out there undermining you.

JD: Well thanks BJ. And again, understand. Polling is a part of it, even push polling. I think it is unfortunate that John's people are using demonstrably false charges. It is called push polling, and I can give you the final analysis on why they are doing it right now.

- a) They want to see if these kind of false attacks are effective and will move numbers because they are very worried about that Rasmussen poll that came

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out a few weeks ago. And you and I talked about that story that Byron York had written. Well it even showed up as a link on [michaelsavage.com](http://michaelsavage.com).

Chris Stegall was in last night for Michael Savage, and I don't know if you heard it, and here is what he said

Chris Stegall: Another interesting story is "Can McCain be defeated in Arizona?" You will see the article on [michaelsavage.com](http://michaelsavage.com) the article from the Washington Examiner. Arizona Politics buzzing the last couple of weeks, there is a new Rasmussen poll out there suggesting that McCain might be vulnerable in a primary fight. Well, you know John McCain has a lot of explaining to do, does he not? This is one of the guys along with Lindsey Graham, and his buddy back in 2008, who were in lockstep with Al Gore on global warming; now he has been made to look a fool. I have not heard what John McCain has said since the climate gate emails were exposed, but he, look let us not forget. Back in 2008 we were given Barack Obama and a military veteran who may as well have been Barack Obama. He only had a tremendous resume of service, and a tremendous sacrifice for country, the man's sacrifice for country is the only thing that separates, and it is not a small thing, but it is really the only thing politically, that separates him from Barack Obama. So let's not be under the delusion that had John McCain won last year he wouldn't be in Copenhagen today because he believes in this just the same. Man made global warming. Now he has got a problem because it is snowing in his home state. That is what explains the Rasmussen poll. Can McCain be defeated in Arizona at [michaelsavage.com](http://michaelsavage.com)

JD: Hey Chris, I mentioned your name Why wouldn't you mention mine? At any rate, let me again pull the curtain back on politics, what McCain and he's got a full blown campaign going. And I am not announced for anything, but what John has going here is an effort to give him an edge by push polling. If it is favorable he will announce it and he will say, there is nothing to the Rasmussen Poll. But it will also let him see if the attack strategy will work. So the idea is to put a little distance between John and me in that statistical dead heat that everybody has been reading about that Chris Stegall was talking about last night while filling in for Michael Savage. Now again, I am not pushing you, I am just suggesting that you go to [kfyi.com](http://kfyi.com) and follow the links to take part in that Arizona Guardian poll; I am not saying bad things about John. You have a choice to make, either John or me or you have not decided or have no preference.

Here is Tom from Chandler:

Tom: I got a little clarification, apparently in the political process if you bound by laws you must abide by, if you never enter well you kind of don't have to pay attention to the laws. My question is, I want to write your name in for Governor and Senator and my question is, if you were to be the winning nominee, would you still have responsibilities?

JD: Well I have to abide by the will of the people. But let me pull back the curtain a little bit. The last write-in guy to win in the US Senate was Strom Thurmond; it was a historic thing... If we decide to do this Tom, I am not going to be cute and clever and stay out of it forever. There will come a point where I will make a decision, but there is a lot that goes into it. And I am not trying to trick people or tantalise people, it is not a

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ratings stunt, there are certain considerations we have to make in terms of just taking a look at this awesome responsibility.

While I am flattered that you would write me in, I appreciate that, I don't think you are going to have to do it that way, if I decide to do it.

Tom: My point is, that maybe other listeners will hear that I can write you in and they will write you in too.

JD: Well, I sure appreciate you for your commitment, but I don't think it is going to come to that. I sure thank you for your support, take good care. Now I want you all to hear this, this is one of the rhetorical tricks that is utilized during the course of a campaign or a town hall. It has typically been used by the left. But we say that and welcome Anthony from Phoenix. Hi Anthony.

Anthony: I want to ask you a question. For one I inherit the responsibility for taking our Harry Mitchell from my district. What are you going to do about that? The only thing you want to do is jump down Senator McCain's back. You lost your seat to Harry Mitchell, what are you going to do to help me take that back.

JD: Now, Anthony, you are calling, so you are running for Congress?

Anthony. No I did not say that. I inherit the responsibility to taking Harry Mitchell out of his seat.

JD: Well first of all,

Anthony: Well what are you going to do to help me? The only thing you can do is jump down on Senator McCain, and I want to know what you are going to do.

JD: [laughs] Well Anthony, I thank you for the call; you make a couple of misstatements. First of all, that was not my seat any more than it was my seat any more than it is Harry Mitchell's seat. It belongs to the people of Arizona who live in Arizona's 5<sup>th</sup> District. And here is what I would suggest Anthony. You take a look at the candidates running. Republicans, Independents, and Democrats.

Anthony: No. I want to know what you are going to do to help me. All you can do is jump down on Senator McCain, and I want to know what you are going to do to help me.

JD: Anthony, Anthony, Anthony, with all due respect you are not making a lot of sense. I will be happy to answer your question about what am I going to do to help you take out Harry Mitchell. Like this guy is not a Mitchell supporter or a McCain supporter, understand this, we all make choices, we all have the awesome responsibility of the franchise if we are citizens registered to vote. And for Anthony or anybody else, you take a look at the issues, you take a look at the candidates and you decide, but it is not up to me to quote help Anthony with his choice of the 5<sup>th</sup> District, and that strange kind of deductive reasoning, that because people have asked me to run for the Senate, I am abdicating some sort of responsibility to the 5<sup>th</sup> District. I am not a candidate for public office now, in any circumstance. You get a little insight to

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the storm and the fury and the non issues that develop when these battles are joined whether officially or unofficially.

Oh! This is kind of neat. Just in the time we have mentioned the poll from the *Arizona Guardian*, and you found the link at *kfyi.com* guess who [laughs] is winning that poll? Special thanks for that.

*A few minutes later...*

According to that poll how am I doing? 11 percentage points ahead of McCain? That's good. Sandy is calling from Sun Lakes:

Sandy: I just want to let you know that I know Anthony, and he works for Senator McCain. And his questions were somewhat of a ploy I guess.

JD: Now do you think that is the Anthony working for McCain? [laughs]

Sandy: Mhmm. Yup

JD: That could have just been a coincidence. That is the same gentleman that I believe is from legislative district 20, right?

Sandy: Yes. That's the one.

JD: He wouldn't call and use his real name; he would change his name to something like Dwight, or something.

Sandy: Ha Ha, Nope I don't think so.

JD: Well, you know, it was a curious line of questioning. Whoever was calling. We will just leave it there Sandy, and I appreciate your call.

*A few minutes later...*

Memo to the McCain guys recording this, you think you are going to use aid and comfort of the enemy against me? Well, let me tell you, you got another thing coming. Because the judgment of closing Gitmo, and assigning to enemy combatants who are not even signatories to the Geneva Convention, of all the rights and privileges of International Law of the Geneva Convention, I will say it this way McCain recorders, "It is misguided".

*A few minutes later...*

Caller named Bill:

Bill: Hey JD, I work at the VA Hospital and I am a veteran. About three years ago I was in the nursing home talking politics with a patient and they said that they've never seen McCain there, and just the other day I was talking to a fellow employee and he said that he has been there 30 years and the only time he has seen McCain at the VA hospital in Phoenix was when he was looking for votes for President.

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**JD: Well Bill, I will tell you that I know Senator McCain many times goes to Walter Reed Hospital in Bethesda, and I think that is a responsibility of all of us to go check on those who have gone into harm's way. I appreciate your assessment of the situation. Perceptions at time can overcome reality.**

*A few minutes later...*

**If you go to the KFYI website, you will see a poll that asks JD or McCain. And during the span of time that you and I have been talking about this, as we are preparing to leave the air, we are up by a landslide. 63.2% to 35.1% for Senator McCain. Now I don't know if it will be the same way tomorrow, but if you have not voted yet you can go ahead and do that on kfyi.com.**

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**JD HAYWORTH Talk Radio**

**M-F 4-7pm**

**KYFI Radio**

**<http://kfyi.com/pages/podcast-archives.php?pname=jdhayworth.xml>**

**Monday November 23 2009**

My friend John McCain was here this morning on the nearly famous Barry Young show. And apparently the nearly famous one, were basking in the afterglow of the wedding they just went to, and started talking about what they were talking about on Friday. Certainly the McCain folk wouldn't lay down ground rules, and make them ignore the obvious question, so that is what I have to assume happened. Of course the Rasmussen poll has me in a statistical dead heat with John McCain for the Republican nomination for U.S. Senate in 2010. It's eventful times for John McCain. We will hear him ironically cite one Rasmussen poll.

*A few minutes later...*

It almost seems that as a pre-condition of having John in the studio that they couldn't talk about it [the Rasmussen poll] but, nahhh, it had to be the wedding that Barry Young attended on Friday.

*A few minutes later...*

There is suddenly a lot of speculation about the Senate and me! Now this is just a little weird. Now you and I have talked about the fact that anybody who runs for public office, when I get those emails about Barack Obama and narcissism. I mean, let's face it. I don't care how a guy tries to act like he is humble, and a servant of the people. People want who want to run for public office, it takes a certain amount of the old term, "gumption" to stand up and run for public office. So imagine my surprise when we get a call Friday that says 'dude, you are in a statistical dead heat with McCain for the Republican nomination for the US Senate', and I said 'well I am not running' and the guy says 'exactly'. And this weekend was really wild because the speculation continues. Even in the midst of that health care debate, and that unfortunate vote to invoke cloture.

I got an email from Laurie asking, "When is JD Hayworth's next speaking event?" Well, I guess she means other than the time I spend on the radio, and what is his position on the health care act. Well Laurie, I think it is horrible. And had I been in the U.S. Senate I would have conducted basically a filibuster by staff. I would have made the Senate clerks read the entire bill. Tom Coburn said he was going to do that. No sooner does he roll back on that promise then Harry Reid says 'look here we got the votes for cloture. Why look, Mary Landricu from LA, we are going to entice her with 300 million dollars of spending in Louisiana.' But of course look. Can I tell you what really goes on

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down there in Washington? There is a nickname for it in the cloak rooms of both the House and the Senate, "Jetfumes" Because basically now we have a commuter commerce. This goes for both the Senate and the House, you stay there as long as necessary to cast the votes, and then boom you are back out there in the district, and now with Thanksgiving coming up, these guys figured 'we may, because this bill is so horrible, we cannot filibuster, we may yet pick off some Democrat votes.' I think that still is a risky strategy, but to answer Laurie's question, the health care act is so bad that if I didn't have the numbers to reserve the Senate's tradition and unique role in our Constitutional Republic of protecting the ultimate minority, a minority of one, by utilizing the filibuster, then I would have essentially have defacto filibuster by making the reading clerks read the bill all weekend, and then have the vote today. As it was, given the clubby atmosphere in the Senate, and the fact that we are not going to hear the Republicans and their conference ,we just don't have the numbers, so let's go home for Thanksgiving, ta da they are home for Thanksgiving. One of the things that our Junior Senator Kyl did was hold a press conference...

*A minute later....*

When John McCain, sensitive to his ex-staffers feelings in the wake of the campaign, he first emerged to talk about who might be the next Republican President, he pointedly left out Gov. Palin, his running mate last year off of the list, and his big surprise mention was Jon Kyl. And so the mutual admiration society, and it is not just mutual admiration. When you are in party leadership, you stick up for the incumbent, especially when the guy is also from your state, and when he happens to be the former Presidential nominee. So here is Jon Kyl this morning, and he happens to be talking about me!

*(JD plays clip of Senator Jon Kyl)*

JK: My answer is no I do not think that John McCain is vulnerable in the primary, and no I don't think that JD Hayworth will run. He has a radio program that I understand is very popular, a lot of folks listen to it. My guess is that he will continue to carry on his political activity in that venue. And I will be happy to, uh, I guess it is illegal to bet on the outcome of the election, but uh, I'll just predict that John McCain will have another six years representing the people of the state of Arizona in the U.S. Senate after the next election.

JD: Alright, not especially backhanded, not particularly brutal, but Senator Kyl, you understand that I have a popular program? Well Jon you are always invited to listen to it, you know I bet he hasn't listened. He got a little bit chafed at me when I blew that whistle on the amnesty deal, because that was going to be where he earned his Senate stripes, like McCain, go in there listen Ted Kennedy, with Lindsey Graham alongside, not like a bobble-head going 'sure, we will make a deal. Cheap labor for our money guys, and cheap votes for the Democrats'. That was just a debacle, it was a disaster, and you and I were able to stop it. In terms of being pretty circumspect today, Kyl was ok. Now, I know one thing for a fact. Barry Young did not ask that question of Jon Kyl, because I am sure at the press conference which is going on, when John McCain was here in studio on the Barry Young show. Of course, Barry didn't John McCain about the poll either, to my knowledge. You know I listen to everybody here while I am running "Dad's Taxi", but like everybody here you come and go, and I didn't hear it.



But chances are maybe you didn't hear it either. One of the reasons, I am usually working out in the morning, so I catch parts of Barry's show.

*A few minutes later...*

Later we will hear John McCain on the Rasmussen poll, no not the Senate race Rasmussen poll, something on health care...

*A few minutes later...*

So someone was channel surfing and came across MSDNC's Rachel Maddow discussing me, and the poll.

<http://www.msnbc.msn.com/id/26315908/>

JD: Well Rachel, nice impersonation. Vocal tember really more like Janet Napolitano. Bless your heart. We are going to have to work that in (Rachel's impersonation of JD) into a new entry. Well nevermind the fact that Rachel said a couple things that might be actual, but then again, I am a public figure so I guess I can handle it. How does Miss Maddow play out in Peoria? Lets find out from Bill.

*A few minutes later...*

The Due-diligence scale had been down around 2, but then I got a certain phone call and now it is in excess of 9.5.

A phone caller, "JD I am going to write in your name on the ballot."

JD: There actually was one man elected to the U.S. Senate by write-in vote, Strom Thurmond was elected from South Carolina on a write-in... we will see what happens though, we are actually taking a good look at this thing, so you might actually not have to write me in, but that's a decision we are going to have to make.

*A minute later*

Now, earlier in this very studio, John McCain stopped by and again I guess that Barry and Michelle were basking in the afterglow of the wedding they went to last week, and nothing came up about the Rasmussen poll. Speaking of Rasmussen polls, following news at the top of the hour, Sheriff Joe will join us, discussing the poll that has him in the Governor's race. Sheriff Joe would flat out whoop Terry Goddard for Governor. We will see if that poll may have changed his thinking, like the Senate poll, well, the Senate poll has worked on me and others of us at the Hayworth hacienda. At any rate, John McCain was in this morning and the topic was, actually Rasmussen, Just a different Rasmussen poll, having to do with that horrible procedural vote in the Senate to invoke cloture and go to debate to debate on this horrible health care bill.

(JD plays a clip of Senator John McCain)

JD: And John, we are glad that you are changing your point of view, glad you have always been against socialize medicine, that is a great thing, but, one of the conservative blogs here in town had a quote from Senator McCain. This is dateline Des Moines Iowa, March 17<sup>th</sup> 2007. This is what McCain told the *London Telegram*, "In an

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interview with the *Telegram* McCain said that he would act quickly to restore the international reputation of the United States if he becomes President, he said that would include shutting down the terrorist camp at Guantanamo Bay, and taking quick action on global warming 'it is a very disparaging situation, and I know we have to work hard to improve it'. McCain interviewed on his Straight Talk Express Bus, during a visit to Iowa. Again, to quote McCain, "I would immediately close Guantanamo Bay, move all of the prisoners to Fort Leavenworth and truly expedite the judicial hearings in these cases; I would reaffirm my commitment to address the issue of climate change and greenhouse gas emissions. I know how important this is in Europe in particular."

Now one thing that wretched Madcow (referring to Rachel Maddow) had right was that McCain was big on global warming and is offering his own version of cap and tax with Joe Lieberman. Well it looks like John has had a campaign conversion. He was mad now at that bill. It just goes to show you that someone like wretched Madcow, intentionally coming after me, actually made a valid point about John McCain.

But to immediately close Guantanamo Bay and move them to Fort Leavenworth? Again, if you are so intent on moving them to American soil, take them out to the Aleutian Islands. The fact is they should have been tried in Gitmo, and unfortunately it is indicative of what John does. You can't have it both ways John. You cannot tell us 'lets immediately close Gitmo', and then have a press conferences about how bad this administration is hauling these guys into NYC. People are going to notice that you were one of the guys leading the cap and trade effort and now suddenly, with a campaign moving, and some interesting poll numbers out there, suddenly you are changing your mind. Of course you have a right to change your mind, but just a helpful hint. This next campaign, I don't think you want to call your bus the straight talk express, and maybe you want to leave out anything like zig-zag express because they might think you are for legalizing marijuana.

Caller named Anthony: JD, you are killing us. You have to run for Senate or Governor.

JD: Well, you know this thing is uh, it is well the polls are coming out and we are taking a VERY, very serious look at this thing. And boy do I hear you. I do not know what we will end up doing, but boy between the polling, and your phone calls, it is getting us, well we are VERY seriously talking about this now.

Anthony: Well either way you have my vote.

JD: Well Anthony, thanks so much for the call, I appreciate you call and that you listen every afternoon. Now we have a caller on the line named Ken from Phoenix.

Ken: Thanks, JD. Now listen, I don't want you to feel too bad for John McCain. I heard if he loses he is going to run for Arizona's 15<sup>th</sup> District.

JD: Hahah, oh yes that is right. Courtesy of where all of the stimulus money went. It went to the 15<sup>th</sup> district, and who could forget the 9<sup>th</sup> Congressional District that does not exist either.

Ken: I heard he is driving around this weekend trying to get some votes, so he is feeling the pressure.

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JD: well, you know now, to be fair to John, he is doing a town hall meeting with doctors, and that is, hey look, John is going to work hard. Look, John is a guy, as I told TIME magazine, I think we all respect John as a historical figure, I think there is no doubting certainly he has, to go through what John went through in the Vietnam War, we all owe John McCain a debt of gratitude. But as we start to have serious policy disagreements, the American Way is to discuss those policy differences, and that's what campaigns are about. John is on line 2 from Phoenix, Hi John!

John: Hi JD, I am an independent... if you run for Senate I will change my party affiliation just so I can vote for you for the primary.

JD: John I am honored and humbled, and we will see what will go on in this thing. Again, this polling came out of nowhere. We had no idea. We did talk Friday morning, Mary and I, I had spoken the day before at State Republican party Headquarters, and some of my old friends who happen to back John McCain were there, and I understand that the McCain staffers have been calling people around town to give them a hard time. And I said to Mary, 'Gee, his internals, his polling must not be so great', but we had no idea that Rasmussen was going to issue a poll that had me in a statistical dead heat with John. So, John, I thank you for the call, it means a lot to me, and stay tuned.

Coming up, Did you see the McCain home is up for auction? It can be yours if the price is right. You send me so many different emails, point well taken. Thanks so much. Here is an email from Lee...It is interesting, and I do not know if it will make the print edition of the Wall Street Journal tomorrow but, online at wsj.com in a political diary, Alicia Finley talks about the new Senate Rasmussen poll.  
<http://online.wsj.com/article/SB10001424052748704779704574553892531703298.html>

We ought to post this article on the KFYI website. At any rate, it is fairly even handed. At the end she writes that, "Mr. McCain has to worry, though, that 16% of Republicans still don't know enough about Mr. Hayworth to venture an opinion about him. And Mr. Hayworth has to worry about Mr. McCain's massive war chest -- some \$12 million already raised for the 2010 election."

JD: I thought his report was like 5 million? And then I found out about that 20 million from the presidential campaign, and apparently he cannot touch it. Maybe that is why there is an auction going on and just listen to this:

(JD plays the Price is Right music)

JD: Live from the Price is Right. A minimum bid of \$5.9 million dollars, you can own the luxury estate home and personal property of former Residents Senator John and his wife Cindy McCain. Think of this, it's an 11,500 square foot main home, a 1,890 square foot new guest home, and who can forget that 1,658 square foot pool guest home. Yes, you too can enjoy your time. And hey, what about the furniture? Hey, it is a two day auction event! Over 1 million dollars in inventory, sold separately on Friday December 4<sup>th</sup>. The home itself on Saturday December 5<sup>th</sup>. It can be yours if the price is right, again a minimum bid of 5.9 million dollars, so what the fictional guys paid for

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Lee Majors, the 6 million dollar man back in the 70s? That's what you can buy this home for. And maybe that will go towards the campaign. I don't know. I don't know the legality of it. But I guess it could be true.

*A few minutes later...*

So Friday Morning, it's the Rasmussen poll that has me tied with John McCain, a statistical dead heat. But, there is another Rasmussen poll out there dealing with Sheriff Joe.

Joe: Well congratulations JD on your poll.

JD: Well it pales in comparison to this new one that says you could be governor.

*A few minutes later...*

Joe: Well, I am looking at it, just as I hope you are looking at the Senate Race.

JD: Well I am. We are taking a very serious look at it.

*A few minutes later...*

JD: Well if you decide, you can come here.

Joe: Well if you decide too, you can come here!

JD: Hahahah, I wonder what the legalities are of a joint press conference. One guy running for the state, the other guy running for federal office. In either event, it would make news.

*A few minutes later....*

JD: Based on current polling, Miss Mary and I have a lot to talk about. And I'm coming home.

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**Friday November 20 2009**

JD- Mary and I go to work out and then there's a text message on my phone. The guy says 'hey dude you're tied with McCain for the republican nomination for United States Senate' and I replied 'but I'm not running' he replied 'exactly' So it has been a rather interesting day to watch the blogs, and the different news accounts. And speaking of that... In studio from Capitol Media Services, dressed not only for our studio webcam, but for purposes of full disclosure to go tape Horizon at Channel 8. It is Howie Fisher. Howie welcome to KFYI.

HF: Glad to be here JD.

JD: now we turn the tables. You actually get to interview me. Now for purposes of full disclosure, tell the folks briefly about your first radio gig.

HF: I have been a newspaper baby my whole life. You know black ink, binders, and I had an opportunity to do radio in Bisbee Arizona. Let me tell you about Bisbee... there is only one radio station that comes in. nothing else comes in.

JD: Media dominance in that market. Saturation.

HF: I know that JD would kill for that kind of saturation up here in the Valley.

JD: Yup.

HF: I got to work for the pricey sum of \$750 a month at a station that sold \$3 radio ads. That is what kept body and soul together. It was a fun time in a wild market. You can see why I left radio.

JD: And it is always a wild ride. And again for purposes of full disclosure, Howie, you know we saw the gubernatorial press conference as we love to hear Howie's questions. He is in today not to be tongue-tied, but instead to interview me.

HF: Well, as you mentioned at the top of the hour. There is a new Rasmussen poll out that said among 570 registered Republicans who are likely to vote, 45% would vote for John McCain, and 43% would vote for a certain radio talk show host. So, are you running? Is there something you would like to tell all of us out here?

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JD "Well I appreciate the question. it is more than a topic of conversation at the Hayworth hacienda but we've not made a decision yet. You know what's interesting to think about kids Howie, as they get older they actually get more expensive, so with the kids of a certain age, and Miss Mary and I at a certain age now, it would be a big step to come back into the public life but at the same time it was very gratifying and very humbling to see what is in essence a statistical dead heat in this race'

HF-Well, I guess if I were going to be a cynic, you know I would never do that. (hahah) I would suggest that you are already putting yourself back in. I was at a certain rally at the capitol a couple of weeks ago that you MC'ed. You are doing an event with Joe Arpaio, to raise a little bit of money.

JD: Yeah, and there is a country fundraiser tomorrow night.

HF: So tell me how you are not in politics?

JD: Well again. I have always been active as a public figure. Both in and out of office, and I did not stop being a Republican just when I finished second in a race for Congress in 2006. I have remained active, and will remain active whether I choose to become any office or not. People have asked me to come speak, and I have taken some of those invitations up, and tried to help and much as I possible could.

HF: Ok, let me play used car salesman here: what would it take to get you into this campaign?

JD: Now that's interesting 'let's do business today' I remember that whole thing at the car dealer. By the way, if you are just joining us Howie Fischer, Capitol Media services, turning the tables here to interview me, in light of the Rasmussen poll that puts your humble host at a statistical tie with John McCain for the Republican nomination for the US senate... What would it take? Well we have certain things we need to get in order, there's some debt that remains and just really getting a handle on our future you know? I think there's a tendency of some people to view this as if it were a sport, and it's not. There are a lot of everyday normal concerns that a family man, and a family collectively has to address before you make a decision to transition out. Obviously I've been remarkably blessed, I have been able to be a broadcaster, and I had the great honor of serving in the U.S. House of Representatives for 12 years then to come back to broadcasting. I'm not to the manner born. Gee it would be neat to win the lottery, but thus far that has not happened. So, there are obviously concerns we have as a family, and we would have to get our house in order to do that.

HF-Well let me ask a question to that point. Whether it is you or someone else, Last time I looked John McCain had something like 27 million sitting in his little piggy bank, what would it take for a Republican in a Primary in Arizona to undo a guy that is almost a household name?

JD- Yeah, well today's poll was certainly gratifying but you're right, John McCain has access to 27 million dollars. Now, by conventional standards that pretty much sums it up. But with the internet and with the changes in campaigning and with vigorous discussions of public issues that could be very different, but you're right it is a very large sum of money, ironically for a leading proponent of campaign finance reform.

HF- We still haven't answered the question. So what would it take do you think whether it is you or somebody else, I know Simcox is nosing around out there, there are others who might emerge. What do you think it would take to wage a campaign against a guy who maybe given by virtue wants to go on ABC morning news get to go on ABC morning news and gets all of that free publicity?

JD- Yeah, but I have KFYI, well I won't if I declare for office. Well actually the bona fides, I believe technically, now I have not checked with the legal guys, but my understanding is I could remain on the air until I am a certified candidate, petition signatures and all of that, if I decide to go that route. It would be an expensive proposition. It would be multi million dollars. I could not give you a figure today, I could recall in the late 1970's when the networks clucked clucked about Jesse Helms being the 6 million dollar man, in his first reelection in 1978 against Johnny, obviously the costs of waging a campaign are high, but with new technology and levels of interest and activism we are seeing here, it could be done. Obviously it would have to be done for a lot less cheaper than 27 million. So...

HF: So what is more powerful? Being a talk show host here on Clear Channel's KFYI, or being a US Senator.

JD: Well here,

HF: Hahah, Maybe your boss is listening.

JD: well there is no doubt that, and I believe that Lee emailed me saying "you know that you do a town hall Monday through Friday, 3 hours a day. And so there is that give and take, there is that daily contact that is very powerful within the community, talking about issues, and explaining issues. However, when you are 1 of 100 U.S. Senators, and I will talk more about this immediately following the news, the health care bill. I think one of the problems in the U.S. Senate, quite frankly, some of my friends in my Party, don't hang tough. I was surprised to see that Tom Coburn backed away from his commitment to ask the Senate reading clerks to read the bill in its entirety. Now we get word that Ben Nelson is going to be the 60<sup>th</sup> vote to invoke cloture. If for no other reason, we need to make Americans aware of the huge size of this bill, 2,000 pages. Regardless of the "club" type atmosphere. As a United States Senator, I would say, I object until we have the bill read completely.

HF: Well that raises the premise that length somehow makes something bad, doesn't it?

JD: Well it does raise the notion that people should have a chance to hear what is exactly in the bill, and if we are going to have 1/6 of our economy maybe a greater segment, effected by this, the sheer magnitude of the bill, it should get people's attention.

HF: What do you think will be the larger issue a year from now? Is it going to be immigration, or is it going to be health care?

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JD: Immigration is related to every other issue. Really it is going to be jobs, but that again ties into immigration, as does the whole health care issue. Everything is really interrelated, and what we are dealing with to pay costs of health care to non-citizens, we are losing jobs, and now the unemployment in Arizona is 17%. The bottom line is Jobs for Arizonans. It ties into those factors.

A few minutes later...

HF: Well, if there were going to be a decision, and I realize that you are not ready. How soon would somebody have to make a decision? It is an August primary, and you have the name ID of this station, and soon would you have to make a decision?

JD: well I have not put a decision on that, but I think August in contrast to some other states gives you enough time to really get to the first of the year, if you are really serious about lining up and getting this done. I guess it is safe to say that we are in the due-diligence phase right now. In terms of that due-diligence, if the scale was down to 2, this morning, before we got a certain phone call this morning, that due-diligence is now a 9.5. I will take a very serious look at what we will do.

HF: Well we expect to see Sarah Palin in here with the McCain for Ex-Senator Campaign? No, I would expect Governor Palin will work on her book, and we always welcome the chance to talk to her about her experiences, and I would not presume to ever try to, I think she is a very impressive person and I would welcome the chance to interview her, but I am not out actively seeking endorsements for a race that I am not entered in.

HF: Have you read the book?

JD: I have not started it yet.

*A few minutes later...*

JD: We will discuss this with the family, and see.

*A few minutes later...*

JD plays a clip of Rush Limbaugh.

Rush: I do not think that JD has announced yet that he is going to run. Has he? But there is a new Rasmussen poll out there he is only two points behind McCain.

JD: and El Rushbo, and not that I would correct you because afterall you have talent on loan from God, but with a margin of error, it is stastically a dead heat. Well that was surprising news to be informed of this morning. On line two it's Jim Deakin, a declared candidate for Senate.

Jim: Well JD, I was just listening to your program, and you are an expert at not answering questions.

JD: Ha HA. Don't waste any time, peel off the bark baby. Well I don't have a figure set up yet, as to what it would cost. As we have talked about this before, the people who help you along the campaign trail, who work very hard, I know you have experienced



that. I have seen you and your lovely bride at events, trying to get signatures, and I know Chris Simcox is trying to do that as well. And of course I am not announced for anything, but I'm flattered that you fire a rhetorical shot right off, and we are pleased to have you on.

**Jim:** Well my birthday was Wednesday, and I would love as a birthday gift to have your support for my candidacy.

**JD:** Well I would be disappointed if you did not ask for it Jim, but we will have to wait and see how it goes. We have a few things to discuss at the Hayworth Hacienda.

**Jim:** I know you do.

*A few minutes later (discussing the health care bill)...*

**JD:** Let me tell you. If I were there, I would demand that the bill be read in its entirety, because it should be public record. It should absolutely be part of the public record. And we should get this figured out right now. In fact if they do have 60 votes, they cut off the filibuster... I sure as heck would stand up and demand that the bill be read. The American people deserve no less.

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