

SALAZAR AD: "CONE" :30

SCRIPT:

[V/O]: Ken Salazar still works weekends at his family's ranch.

His wife, Hope, runs a Dairy Queen.

Their values run deep: work, faith, family.

THE FACTS:

➤ **FACT: When it comes to Colorado values, Ken Salazar is one of us.**

DP: Salazar Was "The Genuine Article" And Has Family Roots That Predate Colorado Statehood

According to the Denver Post, "unlike some newly arrived politicians who affect brand-new Stetsons and cowboy boots to show they belong, Salazar belongs. He's the genuine article: a farmer and rancher from the San Luis Valley with family roots that run so deep they predate Colorado statehood." According to the Ft. Collins Coloradoan, Salazar and his seven siblings grew up poor in the San Luis Valley. (DP 11/8/1998, FCC 9/18/02)

Salazar Grew Up On San Luis Valley Ranch That Raised Alfalfa And Cattle

Salazar grew up on a 220-acre family ranch in Los Rincones ("the Corners") in the San Luis Valley. The ranch, which has been in the Salazar family for 150 years, was where the Salazars raised cattle and alfalfa. Ken grew up farming and ranching at the homestead. (AP, 4/3/04; RMN, 5/31/04)

Hope Salazar Owns A Dairy Queen In Suburban Denver

Ken Salazar's wife, Hope, owns a Dairy Queen in Westminster, CO. According to the Rocky Mountain News, "Ken Salazar was already into politics when he and his wife realized they'd never get their daughters back to the ranch. Salazar grew up farming with his parents and siblings in the San Luis Valley. Then he was in Denver, the state attorney general, and his two daughters were hitting their teens. He wanted the girls to work alongside their parents, like he had. He and his wife, Hope Hernandez-Salazar, bought an urban approximation of the ranch. As a bonus, it serves dipped cones. 'It was a Dairy Queen or a Grease Monkey,' Hernandez-Salazar explains. 'And with teenage daughters, a Grease Monkey didn't appeal.'" (RMN, 5/31/04)

As our Attorney General, Ken Salazar has fought to protect our land, water and people.

- **FACT: As Attorney General, Ken Salazar Started the first Environmental Crimes Prosecution Unit for the office. And he's used it to crack down on some the most notorious polluters in Colorado's history, and pushed to hold the state's biggest polluter, the federal government, to the same tough standards.**

Salazar Established Environmental Crime Prosecution Unit

According to the [Ft. Collins Coloradoan](#), during his first term as AG, Salazar launched a number of important programs including an environmental crime prosecution unit. ([FCC](#), 10/22/02)

May 1999: Thoro, Exec Newman Convicted of Illegally Storing and Dumping Solvents: Newman Gets 14 Years Plus \$850K Fine To Him and Thoro, Salazar Calls It One Of The Longest Sentences For Environmental Crime In US History

In May 1999, Thoro and executive Richard Newman were convicted of illegally storing solvents and dumping them on plan grounds for three decades, from the 1950s to 1984. Thoro was also convicted of criminal mischief. He was sentenced to 14 years in prison: six years for illegal storage and eight years for illegal dumping. Thoro and Newman were also slapped with an \$850,000 fine and a ten year probation term. When the sentence was announced, Salazar claimed it was one of the longest environmental crime sentences ever handed down in the US. ([AP](#), 10/16/03)

Salazar Won 17-Year Prison Term, \$100K Fine For Dry Cleaning Waste Polluter, Toughest Environmental Criminal Sentence In Colorado History and First Environmental Racketeering Case In Colorado History

On July 8, 2002, Salazar announced that California businessman Hormoz Pourat, 44, was sentenced to 17 years in prison and fined \$100,000 for illegally dumping hazardous dry-cleaning waste collected from more than 240 dry cleaners in Denver and Lakewood over a five-year period. Specifically, Pourat and his brother Homayoun were convicted of mislabeling containers of the liquid solvent perchloroethylene, a chemical known to depress the central nervous system and cause liver and kidney damage in humans and animals, in order to allow it to be buried rather than incinerated or distilled, as required by federal law. The chemicals, sent to California for recycling, were then relabeled and shipped back to Colorado before being sent to hazardous waste landfills in Idaho and Nevada, filling possibly

thousands of cardboard boxes with the solvents threatening to eat through the protective lining and leak into groundwater. Salazar said it was the toughest sentence ever imposed for an environmental crime in Colorado and the longest prison term in CO history for an environmental crime, and one prosecutor in the AGs office noted that chemical's corrosive nature and risk of it getting into groundwater made it "a ticking time bomb." The sentence exceeded by three years the 1999 sentence handed down against Thoro executive Richard Newman, which at the time was thought to be the longest in state history. Pourat also plead guilty to racketeering, which Salazar noted made the case the first environmental racketeering case in Colorado history. (Denver Post, 7/9/02; RMN, 7/9/02; AP, 7/8/02, 10/16/03)

Salazar Opposed DOD Effort To Exempt 24M Acres From Pollution Laws

In an April 19, 2004 letter to the US House and Senate, Salazar and 38 other state AGs argued that the Department of Defense's request to exempt 24 million acres of bombing ranges and training facilities (including the Rocky Mountain Arsenal, Lowry Bombing Range and Pueblo Chemical Depot) from major federal pollution laws was unwarranted. Salazar noted, "Today the federal government is the largest polluter in America," and called the proposed exemption "a step backward in protecting the states' authority to require the federal government to clean up its own pollution." (Denver Post, 4/20/04)

- **FACT: As Attorney General, Ken Salazar has fought to make sure that Colorado's water stays right here, in Colorado.**

1998: Kansas Sues Nebraska For Violations Of 1943 Republican River Compact, CO Joins To Protect Entitlement

In 1998, Kansas sued Nebraska over a Republican River compact from 1943 providing Nebraska 49 percent of the water, Kansas 40 percent and Colorado 11 percent. Kansas accused Nebraska of breaching the compact when it allowed the development and use of thousands of water wells linked to the Republican River and its tributaries. Nebraska countered that groundwater use was not covered by the compact. (AP, 10/28/03)

Salazar Announced A Partial Settlement To The Three State Dispute Over The Republican River

On August 28, 2001 Salazar announced that a dispute over the Republican River was partially settled. According to the Rocky Mountain News, “The river starts in northeastern Colorado, wanders into Kansas, then into Nebraska and back through Kansas. A joint compact that expired in 1994 parceled out the flows.” Kansas started the legal action because the level of the Republican River was significantly lower the second time it entered Kansas, the state said that wells in Colorado and Nebraska were to blame for the low levels. Colorado alleged that it was the wells in Nebraska that lowered the Republican. While the dispute was partially settled, the remaining claims were to be settled by a specially appointed water master for the U.S. Supreme Court, similar to the one that ruled in the Arkansas River Compact case. The trial on the remnants of the case was to start March 1, 2003. (Rocky Mountain News, 8/29/01)

Kansas Won Record \$28.9M In Damages From CO For Arkansas River Claims, Reduced From Initial \$52.8M Sought – A 45 Percent Cut

On December 3, 2002, a special master in the Arkansas River dispute between Colorado and Kansas ruled that Colorado only had to pay \$28.9 million in damages (the master ruled that interest could only accrue since 1985, when Kansas filed its legal claim), a reduction from Kansas’ initially-sought damages of \$52.8 million. The \$23.9 million reduction in damages represented a more than 45 percent reduction. However, the \$28.9 million was slated at the time to be the largest amount of money ever paid in an interstate water dispute. (Denver Post, 12/4/02)

\$28.9M Also Down From Kansas Claim Of \$320M And Special Master Recommendation Of \$38M After Salazar Argued Against Kansas’ Interest Calculations

The \$28.9 million judgment against Colorado regarding the Arkansas River dispute was also a reduction from a one-time Kansas claim of \$320 million, and a 2000 recommendation by special master Arthur L. Littleworth of \$38 million. However, Salazar protested the \$38 million finding, arguing that Kansas should only be able to collect interest on its damages from 1985 forward. (Denver Post, 12/4/02)

Salazar Reached Settlement Over Rio Grande And Gunnison Water Suits, Ending 21-Year \$10M Legal Fight

On March 15, 2000, Salazar and the US Department of Justice ended a 21-year lawsuit by signing a 190-page settlement regarding water rights related to 303 stream segments in the Rio Grande National Forest and Gunnison National Forest across six counties: Alamosa, Conejos, Hinsdale, Mineral, Rio Grande, and Saguache. The settlement was reached after studies indicated that the streams contained enough water to sustain both wildlife in and around the streams and agricultural demands in the counties. During the lawsuit, the state spent over \$10 million in legal costs. Assistant U.S. Attorney General Lois Schiffer called the agreement "a great truce in the water wars." (Rocky Mountain News, 3/16/00)

DP editorial: "Hats Off To Salazar" On Rio Grande National Forest and Gunnison National Forest Water Rights Conflict Settlement

In a March 17, 2000 editorial, the Denver Post lauded the settlement in the US Forest Service-San Luis Valley 21-year conflict over water rights related to 303 stream segments in the Rio Grande National Forest and Gunnison National Forest across six counties: Alamosa, Conejos, Hinsdale, Mineral, Rio Grande, and Saguache. The Post wrote, "The agreement puts a halt to further litigation and protects the rights of farmers and ranchers while protecting in-stream water for the forest, environment and recreation. ... Hats off to Salazar and the parties to the settlement, which will save the owners of water rights as well as taxpayers time and money in litigation. (editorial, Denver Post, 3/17/00)

- **FACT: Ken Salazar has stood up for the people of Colorado at every turn, cracking down on violent criminals, those who prey on seniors and companies that exploit consumers.**

Just Between 2000 and 2003, Salazar Handled Nearly 3,600 Criminal Appeals

According to official Annual Reports from the Office of the Attorney General of Colorado, between 2000 and 2003, Salazar's office handled 3,599 criminal appeals cases, including 580 homicide appeals, 296 sexual assault appeals, 491 child-assault and child-sexual abuse appeals and 546 drug appeals. (OAG Annual Reports, 2000-2003) (Note: previous stats for 1998 and 1999 are not included because at that time record keeping was during Fiscal Year as opposed to calendar year, so statistics are not precisely comparable and were therefore not included)

Over Five Years, Salazar Average 88.1 Percent Appeal Winning Percentage

According to the Office of the Attorney General Budget Crosswalks, over a five year period between 1998 and 2004, Salazar averaged a winning percentage on criminal appeals of 88.1 percent: 88.4 percent won in FY98, 88.4 percent won in FY99, 89.4 percent won in FY00, 86.3 percent won in FY01, no data available for FY02, and 88 percent won in FY03. (OAG Budget Crosswalks, 1998-2004)

Under Salazar, Total Crime, Murder, Rape, Robbery and Burglary Rates Down

According to the Colorado Bureau of Investigation, between 1998 (allowing for a baseline comparison over all of Salazar's tenure as AG) to 2003 (the most recent statistics available):

- The total crime rate in Colorado is down over 4.7 percent;
- The murder rate in Colorado is down over 15.9 percent;
- The rape rate in Colorado is down nearly 13.5 percent;
- The robbery rate in Colorado is down over 1.6 percent;
- The burglary rate in Colorado is down over 13.5 percent.

(Colorado Bureau of Investigation, <http://cbi.state.co.us/>)

Salazar, AARP Teamed To Form ElderWatch To Protect Seniors From Fraud

On September 19, 2001, Salazar's office teamed up with the American Association of Retired Persons (AARP) to form ElderWatch, a program designed to help protect seniors from con artists. The program was funded with money from the tobacco lawsuit and other fraud lawsuits, and had an operating budget of \$1 million for the first three years. The program included a statewide con artist tracking system, a toll-free number for seniors to call for help or questions about possible scams, and an "early warning system" of emails, telephones and press releases, to alert seniors when new scams are uncovered. (DP, 9/20/01)

Salazar Won \$3M+ Fine and Damages Awards In Colorado Springs Estate Planning Fraud Cases

In March 2004, Salazar announced a \$1.67 million award in a consumer protection lawsuit he brought in November 2001 against Colorado Springs attorney Robert Mason and his associate, Harry Hochstetler, on behalf of 334 victims of their scheme. The lawsuit, brought under Colorado's Consumer Protection Act, centered around an estate planning scheme pushed by Mason, along with Hochstetler and associate Claude Ray Page, specifically that the three defendants targeted Colorado seniors through direct mail and newspaper ads inviting them to free estate planning seminars. At their seminars, the defendants promoted estate planning and protection plans which they falsely claimed would allow seniors to qualify for Medicaid while retaining all of their assets and avoiding eligibility reviews. They charged customers between \$1,500 and \$3,000 for the phony packages. The court awarded \$668,000 in damages to be paid by Mason, and \$962,000 in civil penalties against Mason (\$3,000 for each of the 294 victims over 60, and \$2,000 for the other 40). Hochstetler was fined \$24,000 in penalties and ordered to pay another \$24,000 in damages. Page, an associate and sometimes paralegal to Mason who confessed before the trial, agreed to pay \$1 million in damages and \$400,000 in civil penalties. The total damages and fines in the case was \$3.078 million. (Colorado Springs Business Journal, 2/13/04; DP, 2/8/04)

Salazar Won Settlements From Publisher's Clearinghouse, Time, AmEx For Deceptive Practices in Sweepstakes

In June 2001, Salazar announced that Colorado would receive \$1 million as part of a national \$34 million 26-state lawsuit (in which Colorado was a party) against the sweepstakes giant for deceptive practices in its mailers that tricked consumers into making purchases to allegedly increase their chances of winning. Previously, Salazar announced settlements with Time (\$40,000 for Coloradoans) and American Express for similar deceptive purchase-for-odds practices. (PC, 6/27/01, 8/25/00, 9/18/00)

Salazar Announced \$41.8 Million Settlement With Knoll Pharmaceutical

On July 29, 1999, Salazar and 36 attorneys general from around the country announced a \$41.8 million settlement with Knoll Pharmaceutical Co. over the company's marketing of its thyroid medication Synthroid, having said that it violated consumer protection laws by falsely claiming Synthroid was the most effective medication of its type. Colorado's share of the claim was about \$936,000. (DP 7/30/99)

Salazar Sued Drug Maker Accused of Lying To Delay Generic Sales

On Dec. 12, 2001, Salazar and 29 other states sued pharmaceutical giant Bristol-Myers for preventing the sale of a generic drug designed to help anxiety disorders. The suit claimed that Bristol-Myers lied to the USDA to prevent the marketing of a generic version of their anxiety drug BuSpar. Salazar said that Colorado consumers had been paying \$131.21 rather than the \$86.43 price that it would have cost for the generic version of the same drug. (DP 12/13/01)

Janus Agreed To \$225M Judgement For Market Timing Practice Detrimental To Smaller Investors

In late April 2004, the Janus mutual fund group agreed to pay \$100 million to regulators and refund an additional \$125 million in reduced fees to customers over five years as a result of market timing practices. The payment came after Salazar, along with NY AG Elliot Spitzer, pursued the mutual funds for the practices. Market timing is a practice where securities or fund managers engage in highly frequent trading. While not illegal, regulators assert that the practice tends to skim profits off of long-term investors while resulting in rapid profits for short term investors. (Cox News Service, 4/30/04; RMN, 12/19/03)

Salazar Sued Lakewood Company General Steel For Fraudulent Marketing Practices

On January 16, 2004, Salazar sued Lakewood-based General Steel, its president, Jeffrey Wayne Knight, along with three other officials in the company. The suit, filed in Jefferson County Court, alleged that GS, a distribution firm, had marketed its products as clearance, discontinued and unclaimed merchandise available for an alleged discount price, when in fact the items were purchased at regular prices from real manufacturers. According to Salazar's lawsuit, "Through their continuous unlawful, deceptive and fraudulent business practices, (the) defendants have deceived, misled and financially injured numerous customers." GS denied the charges, and blamed "personal animosity and malicious attacks" by the Denver-Boulder Better Business Bureau. (Denver Post, 1/18/04)

Through October 2003, Salazar Issued Over 200 Cease-And-Desist Orders On Do-Not-Call Violations From Almost 25K Complaints

From 2002 (when enforcement of Colorado's no-call list began) through October 2003, Salazar issued 227 cease-and-desist notices 149 to out-of-state firms and 78 to Colorado firms. The orders were a result of 24,805 complaints from consumers since enforcement began in 2002. (Denver Post, 10/16/03)

	<p>Salazar Urged Federal Judge To Uphold CO Do-Not-Call List On October 15, 2003, Salazar asked US District Court Judge Robert Blackburn to uphold Colorado’s Do-Not-Call list and ignore the previous ruling of federal Judge Edward Nottingham striking down the federal no-call list as unconstitutional. “We view both these laws as complementary and of value to the consumer,” Salazar said. (Denver Post, 10/16/03)</p>
<p>In the Senate, he’ll focus on cutting the deficit, on helping families with affordable health care and quality education, tax cuts for the middle class, not for millionaires.</p> <p>He’ll always be a champion for people.</p> <p>[KLS]: I’m Ken Salazar, and I approved this message.</p>	<ul style="list-style-type: none"> ➤ <u>FACT: Ken Salazar has a real plan for reducing our record deficit, and it starts with tax cuts for 98 percent of America, including all of the middle class.</u> • Making Permanent Tax Cuts For Middle-Class and Working Families – 98 Percent Of America – But No More Tax Cuts For Millionaires And The Wealthiest Two Percent. In 2003, Americans with average incomes of almost \$1 million received an average tax cut of \$51,642. • Close Corporate Tax Loopholes. Sixty percent of American corporations paid no Federal income taxes. • Return To Fiscal Responsibility With Common Sense “Pay As You Go” Provisions. Congress should be forced to make the hard choices and pay for all new spending – including tax cuts – as the policies are implemented. • Make Health Care Affordable For All Of America. Ken Salazar will push for small-business tax credits for health care, expand CHIP, allow small businesses to form voluntary purchasing groups and allow re-importation of safe prescription drugs from Canada. • Ensure Quality Education For Children In Colorado And Across America. Ken Salazar will fight to fully fund No Child Left Behind, reduce class sizes, repair school buildings, and expand early childhood education programs. • Eliminate the Estate Tax for 99 percent of Americans, so that small businesses, family farms and ranches remain in the family.