

MAX BAUCUS' INDISCRETIONS: CORPORATE INFLUENCE WORSE THAN SEX

By now you've heard the news that Max Baucus nominated his mistress (then withdrew the nomination) to be US Attorney.

A Department of Justice official who is in a relationship with Sen. **Max Baucus** (D-Mont.) withdrew as a finalist for Montana U.S. Attorney to live with the senator in Washington, a Baucus spokesperson confirmed to Main Justice today.

Melodee Hanes, the Montana senator's former state director, withdrew earlier this year after Baucus sent her name and two others to the White House as his recommendations for the state's top federal prosecuting job.

Here's what Hanes' ex-husband has to say on whether their relationship had anything to do with the nomination:

"She was recommended for the position because of a very close and personal relationship with Max Baucus and she withdrew because of a very close and personal relationship with Max Baucus," **Thomas Bennett**, Hanes' ex-husband, told Main Justice. Bennett and Hanes divorced in December 2008.

Best as I can tell, the timing looks something like this:

June 2008: Baucus and Hanes dancing in manner that appeared "beyond professional"

December 2008: Hanes and former husband divorce

Spring 2009: Baucus nominates Hanes—along with two others—to be US Attorney

April 2009: Baucus and wife announce divorce

June 2009: Baucus and Hanes buy place to live in together

Now, it is pretty bad form to nominate your mistress to be your state's top federal prosecutor. Though Baucus and Hanes **did** withdraw that nomination (I wonder whether their relationship would have been considered in the White House's not-quite crack vetting process?). I also wonder whether they withdrew her nomination because it was bad form, or because Montana's recent history with Bill Mercer makes the state very sensitive to US Attorneys who don't actually live in Montana. And there's the detail that Baucus was carrying on an affair with one of his staffers, though that seems to be the default in DC.

But while we're getting all scandalized about Baucus's bad judgment, let's talk about the bad judgment that **did** hurt taxpayers, rather than the one that almost did: the way in which the revolving door on his committee staff made it very easy for the insurance industry to write the Senate's health care reform bill. I'm much more offended—and directly affected—by the fact that former Wellpoint VP Liz Fowler wrote the Senate health care bill than I am that Baucus nominated, then withdrew, his mistress for a plum job.

Max Baucus apparently has really poor judgment, across the board, on personnel issues. But it's not the almost-scandal of Hanes that is the most damning.