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A city official said that street was a priority

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Lawmakers insist the earmarks are in the

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Certain relationships obscured by Congress.

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A U.S. senator from Alabama directed more than $100 million in federal earmarks to renovate downtown Tuscaloosa near his own commercial office building. A congressman from Georgia secured $6.3 million in taxpayer funds to replenish the beach about 900 feet from his island vacation cottage. A representative from Michigan earmarked $486,000 to add a bike lane to a bridge within walking distance of her home.

Thirty-three members of Congress have directed more than $300 million in earmarks and other spending provisions to dozens of public projects that are near to or within about two miles of the lawmakers’ own property, according to a Washington Post investigation.

Under the ethics rules Congress has written for itself, this is both legal and undisclosed.

The Post analyzed public records on the holdings of all 535 members and compared them with earmarks members had sought.
for pet projects, most of them since 2008. The process uncovered appropriations for work in close proximity to commercial and residential real estate owned by the lawmakers or their family members. The review also found 16 lawmakers who sent tax dollars to companies, colleges or community programs where their spouses, children or par-

RUBÉN HINOJOSA
D-Tex., House

In 2009, Hinojosa obtained a $665,000 earmark to help widen a road next to a 3.7-acre commercial property, above, that his family partnership was developing and near the family food processing plant in Mercedes, Tex. Hinojosa said he saw no conflict in securing an earmark for work next to his property or the plant.

“It helps everybody,” he said. “The only way it made sense to handle this tremendous population growth and avoid problems for the school buses that go through that intersection was to widen it.”

Left: A copy of the financial certification Hinojosa filed with Congress when he submitted his request for the earmark.

March 7, 2006

The Honorable David R. Obey, Chair
The Honorable Jerry Lewis, Ranking Member
Committee on Appropriations
H218, The Capitol
Washington, DC 20515

Dear Chair Obey and Ranking Member Lewis:

I am requesting funding for Mile 1 from Business 83 to Mile 8 in Hidalgo County, TX in Fiscal Year 2008. The entity to receive funding for this project is the Texas Department of Transportation located at 120 East 4th Street, Austin, TX 78711. The funding would be used to widen road to 4 lanes.

I certify that neither I nor my spouse has any financial interest in this project.

Sincerely,

Rubén Hinojosa
Member of Congress
ents work as salaried employees or serve on boards.

In recent weeks, lawmakers have acknowledged the public’s growing concern that they appeared to be using their positions to enrich themselves. In response, the Senate last week passed legislation that would require lawmakers to disclose mortgages for their residences. The bill, known as the Stop Trading on Congressional Knowledge (Stock) Act, would also require lawmakers and executive branch officials to disclose securities trades of more than $1,000 every 30 days. At the same time, the Senate defeated an amendment, 59-40, that would have permanently outlawed earmarks.

The House is scheduled to vote on the Stock Act on Thursday.

Earmarks have long been controversial, with the focus on spending that unduly favors campaign donors or constituents. The Post’s review is the first systematic effort to examine the alignment of earmarks with lawmakers’ private interests.

Earmarks are a fraction of the federal budget, and the numbers uncovered by The Post are relatively small in the scheme of the overall Congress, but the behavior by lawmakers from both parties points to a larger issue at a time when confidence in Capitol Hill is at an all-time low.

The congressional financial disclosure system obscures certain relationships. Lawmakers are not required to disclose the addresses of their personal residences or the employment of their children and parents. The lawmakers are also allowed to put properties in holding companies without disclosing the properties’ locations. Current versions of the Stock Act would not change that.

To provide a fuller portrait of congressional connections, The Post compared the financial disclosure forms with the public record to track spending on projects near legislators’ properties or on programs employing their relatives.

In interviews, lawmakers said their earmarks were needs brought to them by the city and state officials they represent to help pay for safer roads, nicer neighborhoods or improved local economies. They characterized questions about the nearby locations of their own holdings as irrelevant, insisting there is no conflict. Any potential personal

KEN CALVERT
R-Calif., House

From 2004 to 2009, Calvert helped secure $1.2 million for the Corona Transit Center. Calvert, center right in photo at left, attends the transit center’s grand opening in 2010. The project is near seven of Calvert’s rental properties, above left. The House Ethics Committee determined the project would not have a “direct and foreseeable effect” on Calvert’s real estate. “The request did not constitute a conflict of interest,” Calvert said.
benefit — financial or otherwise — is nonexistent, minimal or secondary to the needs of the public, they said.

Mere proximity to a lawmaker’s property does not establish that an earmark was unwarranted. In some cases, the public benefit of the spending was large, improving life for thousands. In others, the benefit appeared narrower. In some cases, the work was within a mile or two of the properties; in others, it was directly in front of the lawmaker’s land.

Rep. Bennie Thompson (D-Miss.) secured a $900,000 earmark that was used to resurface about two dozen roads in Mississippi in 2010. One of those was LC Turner Circle, a quarter-mile residential loop in the small town of Bolton, where Thompson and his daughter own two homes.

Thompson said it was one of numerous paving earmarks he secured for his district.

“I didn’t say, ‘Do the street that I live on,’” Thompson said. “The earmark went to the county. It had no designation on it whatsoever, and that was it.”

Bolton Mayor Lawrence Butler said city leaders chose to repave the street, where about 48 families live, because “it had gone to the dogs.” Butler described Thompson as a close friend but said the lawmaker “didn’t have anything to do with where the asphalt went.”

By design, ethics rules governing Congress are intended to preserve the freedom of members to direct federal spending in their districts, a process known as earmarking. Such spending has long been cloaked in secrecy and only in recent years has been subjected to more transparency.

Although Congress has imposed numerous conflict-of-interest rules on federal agencies and private businesses, the rules it has set for itself are far more permissive.

Lawmakers are required to certify that they do not have a financial stake in the actions they take. In the cases The Post examined, not one lawmaker mentioned that he or she owned property that was near the earmarked project or had a relative who was employed by the company or institution that received the earmark. The reason: Nothing in congressional rules requires them to do so, and the rules do not address proximity.

Congress’s interpretation of what constitutes a conflict is narrowly construed: If lawmakers or their immediate families are not the sole beneficiaries, there is considered to be no conflict.

The chambers of Congress have different standards. In the Senate, members must certify that neither they nor their “immediate” family members have a financial interest. But in the House, only lawmakers and their spouses are covered, not children or parents.

The economic impact of earmarks on lawmakers’ properties was often difficult to determine. Many of the earmarks documented by The Post went to projects still underway. Public works projects can have the immeasurable benefit of stabilizing land values in the volatile market of recent years.

Lawmakers insist the earmarks are in the public’s interest, not theirs.

**Defining an earmark**

Definitions of what constitutes a congressional earmark vary widely. The Merriam-Webster dictionary defines earmarks as “legislation that allocates a specified amount of money for a specific project, program or organization.” The House and Senate call them provisions that are tailored to specific programs or locations outside the “formula-driven or competitive award process.” The White House’s Office of Management and Budget says earmarks are provisions that curtail “the ability of the executive branch to manage its statutory and constitutional responsibilities pertaining to the funds allocation process.”

No matter who is defining it, “earmark” has become a dirty word on Capitol Hill, conjuring up abuses where projects benefited few, such as the infamous “Bridge to Nowhere” in Alaska. Last year, a congressionally imposed moratorium on earmarks went into effect, banning members from using legislation to direct money to specific projects or specific organizations in their districts. Last week, the Senate defeated a proposal to outlaw earmarks but extended the moratorium by a year.

Today, many lawmakers avoid using the word at all costs, while still trying to insert targeted spending provisions into bills. These days, such provisions are called by many names: “member directed spending,” “plus ups,” “budget enhancements,” “additions” and “programmatic adjustments.” Lawmakers also call agency officials directly and ask them, in the absence of any legislation, to put money toward specific projects. The practice is known as “phone-marking.”
“His personal benefit was no different than that of tens of thousands of his constituents,” said Lisa Wright, press secretary for Rep. Roscoe G. Bartlett (R-Md). The lawmaker since 2005 has helped secure about $4.5 million to upgrade a Frederick County interchange at Interstate 270 and Buckeystown Pike. From there, Buckeystown Pike leads south and west to Bartlett’s home, his 104-acre farm and rental properties that earn the lawmaker up to $150,000 a year.

That interchange project, now in design, is part of an ongoing push by Maryland officials to improve links between I-270 and Interstate 70 and relieve massive backups on the highway and along Buckeystown Pike, Wright said.

“He was being an advocate for what was presented to him as the highest priority,” Wright said. “Coincidentally, this was around two miles from his farm.”

Private business, public money

Some lawmakers pursued earmarks near properties that they or their family members were preparing for commercial development.

In the Rio Grande Valley of south Texas, Rep. Rubén Hinojosa (D) sought an earmark in 2008 to widen a 1.5-mile stretch of road next to property his family was developing.

After taking office in 1997, Hinojosa remained as a one-fifth stock owner and consultant to his family’s longtime food processing plant, H&H Foods, in Mercedes. The lawmaker also co-owned, through a separate family partnership with three brothers, 3.7 acres of vacant land between the plant and Mile 1 East along U.S. 83.

In December 2006, his business, Hinojosa Enterprises, asked the city of Mercedes for permission to subdivide the property into three lots. In 2007, officials in the town of 15,000 asked Hinojosa to secure congressional funding to widen that stretch of Mile 1 East, a two-lane road that city officials said had grown clogged with traffic to a nearby outlet mall.

In March 2008, Hinojosa formally requested that Congress earmark funds to widen the road, certifying that neither he nor his wife had “any financial interest in this project.”

By that fall, the city approved Hinojosa Enterprises’s application to subdivide, and the family partnership sold the corner lot on Mile 1 East to a convenience store developer. In early 2009, Congress approved Hinojosa’s earmark request, giving the city...
$665,000 for the road. The money will pay for initial engineering and design work on the road project, which is expected to cost up to $3 million and require local funding to complete.

“This road expansion project will be a definite improvement to the flow of traffic,” Hinojosa said in a news release. He did not mention his personal business interests nearby.

The food company, located about 600 feet from Mile 1 East, closed in 2010 after a series of setbacks that pushed the firm into bankruptcy. That failure forced the lawmaker to also file for bankruptcy because he had guaranteed a company loan and was held liable for millions.

In an interview, Hinojosa said he saw no conflict in securing an earmark for work next to his property or the plant, which is now owned by a bank.

He noted that his partnership sold the
property before Congress approved his earmark. A spokeswoman said that Hinojosa Enterprises did not discuss the road expansion with the convenience store developer.

City Manager Richard Garcia said it is the only earmark Mercedes has received from Hinojosa.

“It helps everybody,” Hinojosa said. “The only way it made sense to handle this tremendous population growth and avoid problems for the school buses that go through that intersection was to widen it.”

‘It never crossed my mind’

Lawmakers create earmarks by inserting provisions into legislation, steering or adding federal funds for projects and programs not requested by the executive branch. Earmark decisions are made behind closed doors in committee rooms and rarely debated on the floor of the House or Senate. The more powerful the member, the more likely he or she is able to get an earmark through.

The practice has long been a lightning rod for criticism. Then-Speaker of the House J. Dennis Hastert (R-Ill.) caused a scandal in 2006 when it was revealed that he had inserted a $207 million earmark to build a highway near property he owned in Illinois.

Yet earmarking shot to new levels in the past decade as hundreds of lawmakers stuffed bills with pet projects. In 2010, the number of earmarks hit a new high: 11,320 worth $32 billion.

As earmarking increased, reporters and watchdog groups, including Taxpayers for Common Sense and Citizens Against Government Waste, publicized dubious earmarks. The public backlash eventually prompted Congress to make changes, beginning in 2007. For the first time, lawmakers were required to put their name next to earmarks they sought. Last year, as criticism and scrutiny mounted, Congress imposed a two-year moratorium on new earmarks. The Senate last week extended the ban another year.

Some contend the moratorium has just driven the practice underground. Six months into the moratorium, Sen. Claire McCaskill (D-Mo.) identified more than 100 special spending provisions in a House defense bill that she said were clearly earmarks.

McCaskill’s efforts prompted lawmakers to strip the provisions from the final bill, but her attempts to turn the moratorium into a permanent ban have found little support on Capitol Hill. So far, only 12 lawmakers have signed onto her bill.

Congress polices its own conflicts through House and Senate ethics committees. Under the 2007 reforms, members
were required to certify that they had no financial interest in the earmarks they sought. Under Senate rules, a lawmaker is considered to have a financial interest only when the “principal purpose” of the spending is to benefit a “limited class” — themselves, their spouses or their immediate family. In other words, the spending is permitted unless lawmakers are guiding money to build such things as private roads or driveways, or directly funding their relatives’ salaries.

Instead of cracking down on the practice, the change codified a lax and permissive culture, government watchdog groups say. In March 2007, Rep. Stephanie Tubbs Jones (D-Ohio) and Rep. Doc Hastings (R-Wash.), leaders of the House Ethics Committee at the time, defined a financial interest as “a direct and foreseeable effect” on a lawmaker’s assets.

“Remote, inconsequential or speculative interests” do not count, they wrote in an advisory opinion to members.

A few months later, the committee weighed in on the case of Rep. Ken Calvert (R-Calif.), who was seeking an earmark to build a bus terminal and park-and-ride center near seven commercial properties he owned in Corona, Calif. Five of them were within one mile of the project; one was less than three blocks away.

The committee found no conflict for Calvert. “It appears that any increase in the value of your properties resulting from the earmark would be incremental and indirect,” Tubbs Jones and Hastings wrote, “and would be experienced as a member of a class...”
of landholders in the vicinity of the Transit Center.”

Two years later, Hastings himself sought an earmark for a project near property he was selling to his brother. In 2009, he secured $750,000 toward the planning of a new bridge that will replace an outdated railroad underpass in Pasco, Wash.

As Congress required, Hastings certified that he and his wife had “no financial interest” in the earmark. Hastings noted on his Web site that the project would “improve the safety of motorists and pedestrians, while improving freight mobility and response times for emergency services.”

He said nothing, however, about its proximity to Columbia Basin Paper & Supply, the janitorial supply company that Hastings owned and ran until he was elected. His brother now operates the company. County records show Hastings and his wife still own the land and a 7,000-square-foot building. The overpass, as planned, will start about three blocks away.

Hastings does not list the business property on his financial disclosure form. His press secretary said debts owed by immediate family members — spouses, parents, children or siblings — do not have to be reported.

“After winning election in 1994, the Congressman acted to remove himself from consideration of the spending. There were a wide range of earmarks within about two miles of a lawmaker’s property — a connection but not helpful for the public benefit. Lawmakers defended their earmarks as pressing needs brought to them by local officials and said they did not financially benefit from the projects. Fuller responses from lawmakers and maps of earmarks can be found online at washingtonpost.com/capitolassets.

A range of earmarks

The Washington Post examined the proximity of earmarks to property owned by lawmakers. There were a wide range of earmarks within about two miles of such properties. The public benefit of the spending appeared large in some cases, such as highway interchange work, and appeared narrower in others, such as residential paving projects. The proximity to a lawmaker’s property does not establish that an earmark was unwarranted. Lawmakers defended their earmarks as pressing needs brought to them by local officials and said they did not financially benefit from the projects.

Fuller responses from lawmakers and maps of earmarks can be found online at washingtonpost.com/capitolassets.

In recent years, Barton helped secure about $2.98 million toward widening about three miles of the U.S. 287 bypass in Ennis, where Barton owns two homes. Barton said his homes have no bearing on his support for the earmarks. The work, he said, is critical to traffic safety. “I have put as much effort into 287 between Midlothian and Fort Worth and Arlington as I have around Ennis,” Barton said.

“There is no personal benefit to me. … It is a general benefit to the community.”

Davis secured an $800,000 earmark in 2005 for a now-completed study that recommends building a deck over the Dwight D. Eisenhower Expressway in Oak Park, Ill. His home is 1.4 miles from the proposed project. “The people in Oak Park, they are some of the most politically active people in America. They decided this was something that would be of benefit to their community. They asked for it, and after that it was a no-brainer. I asked for it on their behalf,” Davis said.
the business as he took office and made an agreement with his brother for him to purchase it over time,” wrote Erin Daly, Hastings’s press secretary.

City officials said replacing the underpass is one of their top priorities.

In an interview, Hastings said the location of his property had no bearing on his support for the project.

“It never crossed my mind,” he said. “Every business in Pasco will benefit by that.”

Off the coast of Georgia, Tybee Island depends on earmarks to maintain the shorelines that pull tourist dollars into the community.

Rep. Jack Kingston (R-Ga.), a member of the House Appropriations Committee, was in a position to secure the funding to protect the beaches of the three-square-mile barrier island. He co-sponsored a $6.3 million earmark for the U.S. Army Corps of Engineers to replenish the beach in 2008. “This is better than we hoped for,” Kingston said in a news release his office issued at the time.

What the statement didn’t say is that Kingston owns a cottage on Tybee Island that sits about 900 feet from the beach. It’s a modest vacation home that he has rented out in the past. It’s worth about $142,900, and its value has been falling because of the downturn in the real estate market.

Real estate agents familiar with Tybee

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<tr>
<th>Joe Donnelly</th>
<th>Kay Granger</th>
<th>Maurice D. Hinchey</th>
<th>James M. Inhofe</th>
<th>Steve Israel</th>
<th>Darrell Issa</th>
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<tr>
<td>$935,000 D-Ind./House</td>
<td>$51.9 million R-Tex./House</td>
<td>$1.8 million D-N.Y./House</td>
<td>$1.8 million R-Okla./Senate</td>
<td>$490,000 D-N.Y./House</td>
<td>$815,000 R-Calif./House</td>
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In 2008, Donnelly sponsored a $935,000 earmark to dredge Michigan City Harbor in the northwest corner of his Indiana district. The harbor is about two miles down the beach from a home Donnelly owns along the shore of Lake Michigan. A spokeswoman for Donnelly said the city’s mayor requested the project, it was vetted by the ethics committee and it had been funded by Congress “in fourteen of the last eighteen fiscal years before Congressman Donnelly first took office.”

In 2008, Inhofe sponsored a $815,000 earmark for Owasso, on the edge of Tulsa. The office building sits on a local road near U.S. 169. Since 2008, Inhofe has helped secure about $1.8 million in earmarks to study the widening of the road, including the stretch that passes near his wife’s property. An Inhofe spokesman said local officials requested the earmarks and the widening is “a highly beneficial project that will create new jobs and do much to strengthen Oklahoma’s economy.”

In 2008, Israel earmarked $490,000 to study a bypass road to ease congestion along a busy commercial corridor that borders the congressman’s neighborhood in Dix Hills. The project has stalled, and the money has yet to be spent. “This transportation hub has occupied the discourse at the town, county, state and federal level for years,” an Israeli spokesman said. “The congressman’s personal residence has nothing to do with his decision to engage on an issue that affects tens of thousands of his constituents on a daily basis.”

In 2008, Issa secured $815,000 in earmarks between 2007 and 2009 to widen a road less than a mile from a medical building in Vista, Calif., that Issa purchased for $16.6 million in 2008. Issa sold the property on Jan. 19 for $15 million. These earmarks were first reported in March by the Center for American Progress and in August by the New York Times. “Rep. Issa’s request for the widening project was made on behalf of local leaders and predated his purchase of the medical center building,” a spokesman said.
Island say property values would plummet further without beach replenishment projects.

Kingston, who has represented the 1st District of Georgia for nearly 20 years, said the beach project doesn’t help his Tybee Island property, which sits a little more than a block from the ocean.

“It’s absurd to suggest that this benefits me,” Kingston said. “The beach doesn’t improve the real estate of a house, unless it’s on the beach. … The only thing that changes in value is the beachfront property. It does have an economic impact on the beach and the community.”

In Maryland, Rep. C.A. Dutch Ruppersberger helped obtain a $187,000 earmark in 2008 toward replenishing the Ocean City shoreline — more than 90 miles from his home district of Baltimore County. The funds helped pay for a shoreline survey.

Ruppersberger and his wife own two condominiums on the Ocean City beach. The Democrat reports on his financial disclosure form that one of them generates up to $15,000 in rental income.

Ruppersberger said the request for the beach funding originally came from the Maryland governor’s office to the House Appropriations Committee, on which he served at the time. He said beach replenishment is critical to the state’s tourism industry and characterized questions about the proximity of his condominiums as “ridiculous.” He cer-

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<th>JERRY LEWIS</th>
<th>$2.7 million</th>
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<td>Lewis helped secure $2.7 million from 2004 to 2008 to redevelop the historic Barracks Row, which is four blocks from Lewis’s D.C. home. The money will be used to improve the Eastern Market Metro stop and two parks. The earmarks were reported by media outlets. A Lewis spokesman said the congressman requested the money on behalf of D.C. officials, adding, “He did not purchase his home as an investment property, and gave no consideration as to whether this project would improve his property value.”</td>
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<th>FRANK A. LOBIONDO</th>
<th>$4.68 million</th>
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<td>Since 2008, LoBiondo has helped secure $4.68 million for beach monitoring and nourishment along the shores of Ventnor City, N.J., where he and his wife own a home about 850 feet from the beach. LoBiondo’s spokesman said the congressman earmarked funds for work on that beach years before the congressman earmarked funds for work on that beach years before the project was requested by community leaders and the new leader helped secure $50 million in earmarks toward a light-rail project that provides direct access to San Francisco's Union Square and Chinatown for neighborhoods south of Market Street. Pelosi's husband owns a four-story commercial building blocks from Union Square. These earmarks were reported in the book “Throw Them All Out.” A Pelosi spokesman said the project was requested by community leaders and the new stations on the light-rail line will be farther away from the building than those on the existing line.</td>
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<th>GARY G. MILLER</th>
<th>$1.28 million</th>
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<td>Miller secured $1.28 million in earmarks in 2005 to help repave, re-landscape and install new drains along Grand Avenue in Diamond Bar, Calif. The project, previously reported by the Inland Valley Daily Bulletin of Ontario, upgraded an access road for a residential and retail development that he co-owned with a campaign donor. Miller said the property was worth $20 million after securing the earmark. “At no time did Congressman Miller use his position to promote or enhance his personal business partnerships,” Miller’s spokeswoman said.</td>
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<th>LISA MURKOWSKI</th>
<th>$6.9 million</th>
<th>R-Alaska/Senate</th>
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<td>Murkowski co-sponsored $6.9 million worth of earmarks between 2005 and 2009 for a road project that began near property she purchased from a friend and real estate developer at a reduced price. After media reports about the land deal, Murkowski sold the parcel back to the developer. Murkowski said through a spokesman that she had long backed the project with the support of local and state officials. “All my efforts and actions were proper on this project,” she said.</td>
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<th>NANCY PELOSI</th>
<th>$50 million</th>
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<td>Over the past decade, the House minority leader helped secure $50 million in earmarks toward a light-rail project that provides direct access to San Francisco’s Union Square and Chinatown for neighborhoods south of Market Street. Pelosi’s husband owns a four-story commercial building blocks from Union Square. These earmarks were reported in the book “Throw Them All Out.” A Pelosi spokesman said the project was requested by community leaders and the new stations on the light-rail line will be farther away from the building than those on the existing line.</td>
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<th>NICK J. RAHALL II</th>
<th>$20 million</th>
<th>D-W.Va./House</th>
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<td>In 2005, Rahall helped secure $20 million toward a parking garage with a bus and taxi facility in downtown Beckley. The project is about a half-mile from his son’s home, less than one mile from a commercial property owned by the lawmaker, and a little more than a mile from his residence. A Rahall spokeswoman said: “Neither his home, nor rental building on Harper Road, nor his son’s home on Prince Street, have any connection to, nor gain economically from, the Beckley Intermodal facility.”</td>
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tified that he had no financial interest in the earmark and said he saw no conflict in his actions, noting that his properties have lost value in recent years.

“That’s a stretch to say that thing’s going to benefit me,” Ruppersberger said.

**Bringing funds home**

Some lawmakers guided earmarks to projects not far from their personal residences.

In Harrison Township, Mich., Rep. Candice S. Miller’s home is on the banks of the Clinton River, about 900 feet downstream of the Bridgeview Bridge. The Republican lawmaker said when she learned local officials were going to replace the aging bridge, she decided to make sure the new one had a bike lane.

“I told the road commission, ‘I am going to try to get an earmark for the bike path,’” Miller said, recalling that she said, “If we don’t put a bike path on there while you guys are reconstructing the bridge, it will never happen.”

A member of the House Transportation Committee, Miller in 2006 was able to secure a $486,000 earmark that helped add a 14-foot-wide bike lane to the new bridge. That lane is a critical link in the many miles of bike paths that Miller has championed over the years. When the bridge had its grand reopening in 2009, Miller walked over from

**HARRY M. REID**

In 2004 and 2005, the Senate majority leader secured $21.5 million to build a bridge over the Colorado River, linking the gambling resort town of Laughlin, Nev., with Bullhead City, Ariz. Reid owns 160 acres of undeveloped land in Bullhead City. The earmarks were previously reported by the Los Angeles Times. “As has been stated before, Senator Reid’s support for the bridge has absolutely nothing to do with the property he owns and is based on the fact that the project is good for southern Nevada, and nothing else,” a Reid spokeswoman said.

**MIKE ROSS**

In 2005, Ross helped secure about $2.6 million toward the construction of a railroad trestle in Prescott about one-third mile from a building he owns. “In no way did Congressman Ross benefit financially from the overpass nor was that ever a factor in his support for the project,” a spokesman said. “Congressman Ross supported the project, as had local and state officials before him, because emergency responders could not get from one side of town to the other in emergency situations when a train was passing through.”

**LINDA T. SÁNCHEZ**

In 2009, Sánchez secured $475,000 to improve seven traffic signals. One was within a mile of her Lakewood home and three were within a half-mile of her district office. “The city of Lakewood requested these earmarks. They were the city of Lakewood’s priorities because the signals were old and deteriorating,” a Sánchez spokesman said. “The requests were made to go toward safety improvements that the city asked her to pursue.”

**LAMAR SMITH**

In 2009, Smith helped secure $950,000 toward road improvements near the San Antonio Fort Sam Houston military base. The earmark will improve three traffic-clogged local intersections near the base, including a few blocks from Smith’s home. “It is absurd to suggest that the location of my home had anything to do with my supporting the City of San Antonio’s top priority request to improve access to Fort Sam Houston for our military members, veterans and their families,” Smith said.

**JOHN F. TIERNEY**

Since 2005, Tierney has helped secure about $3.5 million toward a 950-space parking garage and commuter rail station in Salem, Mass. The facility will be about a quarter-mile from a commercial building the congressman co-owns. Tierney’s spokeswoman said state and local officials sought the project because the station is one of the busiest in the state. “To imply that this parking is not needed and would increase the value of a small office building that is, roundtrip, 14 football fields away, would be a serious disservice to the residents of Salem,” she said.

**ROGER WICKER**

While a member of the House in 2003, Wicker helped secure $1.5 million to study the relocation of railroad tracks at an intersection in downtown Tupelo, Miss. Wicker’s home is less than a half-mile northwest of the intersection. Wicker said in a statement: “City leaders requested the funding to begin to address the traffic congestion caused by a major railway switch that is located near a major street intersection. I requested funds for a similar rail study for Greenville and several highway studies throughout the state.”
her home.

“People earmark for all kinds of things,” she said. “I’m pretty proud of this; I think I did what my people wanted. Should I have told them, ‘We can never have this bike path complete because I happen to live by one section of it?’ They would have thrown me out of office.”

Rep. John W. Olver (D-Mass.) joined the House Appropriations Committee in 1993. During the past six years, he has secured nearly $100 million in earmarks for an array of projects across his western Massachusetts district, ranging from bus terminals to scenic byways.

These days, Olver’s earmark acumen can be seen in Amherst, a bucolic town where contractors have been realigning a stretch of road leading to a new intersection under construction near Hampshire College. The project, funded in part by $5.1 million worth of earmarks, begins at Country Corners Road along Route 116 — 209 feet from the border of the congressman’s 15-acre home and several adjoining parcels of property he owns with his wife.

The project will improve a stretch of Route 116 from near Olver’s property to the intersection, which will be replaced with two traffic circles. That intersection has bedeviled motorists with traffic tie-ups and car crashes.

E-mails obtained by The Post show that Olver’s staff kept in close touch with state and local transportation planners, requesting status updates. The congressman also met with top state transportation officials to discuss that project and others.

“I have to provide this update to the Congressman by Friday,” Natalie M. Blais, an economic development specialist for Olver in his district, wrote in September 2008 to a Massachusetts transportation official. “Any information you could provide before then would be REALLY helpful!”

Blais said in a recent interview that she sent that and other e-mails to obtain updates on the Amherst project and many other transportation projects in the congressional district to ensure that they stayed on track and were completed on time.

“We treat all of these projects the same way,” she said.

Olver said in an interview that local officials requested the project and he played no role in its design. He rejected any suggestion that the road improvements will boost the value of his property in a region where there is little room for development and much of the open land has been preserved.

“I am concerned about appearances. But I had no monetary interest whatsoever in this project,” Olver said. “I had nothing to do with the design. I was never notified of any of the hearings. I had no involvement whatsoever.”

Olver does not disclose his property on his annual financial reports because he’s not required to under House rules. The proximity of his property to the project also is not disclosed on a certification he filed with the House stating that neither he nor his wife have a financial stake in the earmarks.

When asked why he didn’t choose to include that information on his certification, even though he’s not technically required to do so, Olver said: “Maybe I should have disclosed that, I don’t know. I try to live my life by the rules as they are set.”

In Kentucky, Rep. Harold Rogers (R) has been called the “Prince of Pork” for his success in guiding federal money to his Appalachian home district. The longtime member and current chairman of the House Appropriations Committee helped secure about $250 million in earmarks from 2008 through 2010 — but when the House imposed the moratorium, Rogers embraced it. The country, he said, needed to “turn back from the edge of fiscal ruin.”

Prior to the moratorium, Rogers earmarked funds for the revitalization of downtown Somerset, his home town. That project continues today: More than $7 million in Rogers’s earmarks have gone toward it.

Part of the project involves overhauling a strip of North Main Street around the corner from Citizens National Bank. Rogers is director emeritus of the bank and owns $1 million to $5 million interest in the bank’s holding company.

On the edge of downtown, millions of
Rogers's earmarks for the revitalization in 2007 also improved a half-mile strip of College Street. Sixty houses, a high school and city hall sit on the road.

A city official said that street was a priority because of pedestrian safety. Student drivers were speeding up and down the road.

Contractors narrowed parts of the street to slow traffic, buried overhead utilities, rebuilt sidewalks, paved streets and installed new driveway aprons, curbs and decorative lamps. One of the residences on that street is a neat two-story, yellow home with a gabled roof and a flagpole in the front yard.

It’s Rogers’s residence.

“Congressman Rogers sees no conflict of interest in helping local community leaders achieve their goals for growth — at large or in this case in particular,” said Michael R. Higdon, chief of staff for Rogers.

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Researcher Bobbye Pratt contributed to this article.

About this series

This series is based on an examination of the finances of all 435 members of the House of Representatives and 100 members of the Senate.

Congressional disclosure forms make it difficult to determine where lawmakers’ private interests intersect with their public roles. For instance, they are not required to disclose the location or value of their personal residences or of properties that do not generate income. They are not required to disclose the addresses of properties held in partnerships, limited-liability companies and corporations.

Lawmakers are also not required to list the employment of their children or parents, or the work titles, job descriptions or salaries of their spouses. Forms are submitted on paper and cannot be electronically searched.

Post reporters David S. Fallis, Scott Higham and Kimberly Kindy and researcher Bobbye Pratt compared the forms with a wide array of public records, including property assessments, civil and corporate filings, bankruptcy cases, liens and judgments. Many of the forms were obtained through the Web sites of the Center for Responsive Politics and LegiStorm, both nonprofit watchdog groups.

To identify earmarks and other spending, The Post relied on databases assembled by Taxpayers for Common Sense and the White House’s Office of Management and Budget. The Post also examined the Congressional Record and the Web sites of House and Senate appropriations committees, and news releases by lawmakers. Public records requests were filed with local government agencies, and secondary sources were swept for news accounts.

The Post determined the locations of earmarks for roads and other projects and compared those with the records assembled for each lawmaker. Earmarks and other spending provisions were also tracked to colleges, businesses and nonprofit corporations with connections to lawmakers and their family members. Reporters interviewed local government officials who received federal tax dollars, as well as lawmakers, their relatives and their congressional staffs.

The Post considered three factors when evaluating the spending: proximity of the earmarks to lawmakers’ residential and commercial property — most were within two miles; the extent of the public benefit; and how closely the spending aligned with the private interests of the lawmakers.

The financial impact of spending near property owned by lawmakers or their family members was often difficult to discern. Experts say land values are driven by multiple factors, and the downturn in the real estate market complicates the picture. In addition, many of the projects documented by The Post are currently underway and their impact has yet to be seen.

Coming tomorrow: Lawmakers who direct money to institutions with connections to their relatives.
Some funds directed to colleges tied to relatives

Legislators again advocate permanent ban on earmarks

Money flowed to waterway projects

CLOSE CONNECTIONS

Legislators enforce own conflict-of-interest rules

For Romney, an unremarkable record on jobs

Money flowed to waterway projects

CIA is in Baghdad. Kabul for long haul

Money flowed to waterway projects
CLOSE CONNECTIONS

Some legislators have delivered millions to organizations in which their relatives play a role

by Scott Higham, Kimberly Kindy and David S. Fallis

Some members of Congress send tax dollars to companies, colleges and community groups where their spouses, children and parents work as salaried employees, lobbyists or board members, according to an examination of federal disclosure forms and local public records by The Washington Post.

A U.S. senator from South Dakota helped add millions to a Pentagon program his wife evaluated as a contract employee. A Washington congressman boosted the budget of an environmental group that his son ran as executive director. A Texas congresswoman guided millions to a university where her husband served as a vice president.

Those three members are among 16 who have taken actions that aided entities connected to their immediate families. The findings stem from an examination by The Post of all 535 members of the House and Senate, comparing their financial disclosure forms with thousands of public records. The examination uncovered a broad range of connections between the public and private lives of the nation’s lawmakers.

Several of the cases have received previous media attention, raised by local newspapers or campaign opponents, but the practice has continued unabated, The Post found.

Lawmakers said in interviews that the actions they took were not intended to directly benefit their relatives or themselves. Instead, they say, the largesse was meant to assist corporations, educational programs and community organizations that employ, educate and help residents in their congressional districts.

In some cases, the lawmakers sought advice from congressional committees assigned to examine possible conflicts on Capitol Hill. The panels informed them that the practice of earmarking money to the workplaces of relatives is permissible, as long as tax dollars are not going directly to or solely benefitting their husbands, wives, sons or daughters. Several of the lawmakers also certified to congressional committees that neither they nor their immediate family members stood to benefit from the earmark in question.

Members of Congress have more leeway than executive branch officials or individuals in publicly held companies, who operate under stricter conflict-of-interest rules that
generally prevent them from taking actions that might benefit businesses or institutions where their relatives work. The legislators set and enforce their own rules, giving themselves broad latitude to take steps that can end up directly benefiting their immediate family.

“The executive branch has far stricter ethics standards than Congress does — and Congress has set these standards,” said Craig Holman of Public Citizen, a nonprofit government watchdog group. “The executive branch can’t steer contracts or work to businesses where family members work. They can’t even own stock in industries that they oversee, unlike Congress. It’s complete hypocrisy.”

Members engaged in behavior that included directly funding programs run by their children, earmarking money to entities represented by their lobbyist relatives and sending tax dollars to colleges where their family members work or serve on boards of trustees.

Although members of Congress declared a two-year moratorium on earmarks last year, efforts to insert targeted spending provisions into bills continue. Lawmakers attempted to put 115 of the provisions worth $834 million into a House defense bill last year. The provisions were stripped from the bill after they became public late last year. Sen. Claire McCaskill (D-Mo.), a leading critic of earmarks, said the efforts to amend the defense bill underscore how deeply committed Congress is to retaining its provincial spending practices. Last week, the Senate defeated a proposal co-sponsored by McCaskill and authored by Sen. Patrick J. Toomey (R-Pa.) that would have permanently banned earmarks. But the Senate extended the moratorium another year.

Before the moratorium went into effect, the ability of lawmakers to earmark tax dollars to specific programs and geographic locations was one of their most cherished political prerogatives. Since 2007, senators have required themselves to certify that neither they nor their “immediate” family members have any financial interests in the programs benefiting from their official actions. Under House rules, however, lawmakers are required to certify only that neither they nor their spouses hold a financial stake in their earmarks, not other members of their immediate families.

Congressional files are replete with copies of these self-certifications. Most of them contain identical language, and few disclose that lawmakers have relatives who are employed by the organizations about to benefit from their benevolence. Officials at Taxpayers for Common Sense, a nonprofit group that monitors congressional spending, said they could not recall the last time a lawmaker was disciplined for using an earmark to
benefit his or her relatives.

‘An experienced educator’

For years, Sen. Tim Johnson (D-S.D.) has supported a Pentagon program called Starbase that teaches science, math and engineering skills to children in dozens of locations around the country.

Johnson is a member of the Senate Appropriations Committee, which has jurisdiction over the Pentagon’s budget. In 2008, Johnson, along with seven other senators, added $4 million to the Starbase budget.

At the time, Johnson’s wife, Barbara, was paid an annual salary of $80,000 as a contract employee to evaluate the program. From 2005 to September, she worked for the Spectrum Group, a lobbying and consulting firm in Alexandria, that has a $1 million Pentagon contract to monitor Starbase. A social worker and educator, Barbara Johnson was also assigned to manage its Web site.

Spectrum President Gregory L. Sharp said he hired the senator’s wife because of her history of working with children.

“She was looking for a job,” Sharp said. “We didn’t hire her because of her husband. We didn’t hire her for that reason. She was an experienced educator.”

Barbara Johnson said in an interview she took the job around the time her husband started having health problems. He later had a brain hemorrhage in December 2006.

Shortly after hiring the senator’s wife, Spectrum filed a lobbying registration form with the House and Senate naming Barbara Johnson as a lobbyist for the company. The form listed Starbase as her only client.

Sharp said the form was submitted in error.

“That was a mistake. She never lobbied...
the Hill,” he said. “She never lobbied her husband.”

“I was never a lobbyist,” Barbara Johnson said.

Perry Plumart, a spokesman for the senator, said Johnson played no role in his wife’s employment and had no contact with Pentagon Starbase officials. Plumart said the senator didn’t think it was necessary to disclose his wife’s employment in certifications filed with the Appropriations Committee because the money he added to the program was technically not an earmark.

The senator’s spokesman said the money was not an earmark because it was added to an existing program, not intended for any specific aspect of Starbase, and the request for additional funds was not directed to Johnson’s home state of South Dakota.

“Senator Johnson’s support of increased funding for STARBASE was not an earmark under the definition of a congressionally directed spending item as defined by the Senate Rules,” Plumart said in a statement.

Directors of government watchdog groups disputed that assessment.

“That’s an earmark,” said Steve Ellis, vice president of Taxpayers for Common Sense. “His wife supervises the thing. It’s not like he can say this doesn’t benefit what his wife does. At some point, she has a right to earn a living, but at some point he’s got to say, ‘The optics of this are not very good.’”

An earmark expert agreed. “It’s abolutely an earmark,” said Tom Schatz, president of Citizens Against Government Waste, another organization in Washington that tracks congressional spending. “It went to a program that benefits his wife. We would consider that an earmark because it’s an increase in the budget specifically requested by members of Congress.”

Barbara Johnson said she sought an oral opinion from the Senate Select Committee on Ethics to ensure that her employment wasn’t crossing any lines. She said she couldn’t recall when she sought the opinion or who she met with at the ethics committee, but she said she was told that her employment was permitted under Senate rules. “They said it didn’t pose any conflict,” she said.

‘She was never my motivation’

Rep. Ed Pastor (D-Ariz.) is a member of the powerful House Appropriations Committee, which has jurisdiction over the budget of the National Nuclear Security Administration. The Energy Department agency is tasked with securing the nation’s nuclear weapons stockpile and preventing nuclear proliferation.

During the past six years, the congressman has directed the agency to send millions to fund the scholarship program for at-risk high school students headed by his daughter in Arizona. She earns $75,774 a year.

Pastor obtained a $1 million federal

### Other cases

The Washington Post compared the financial disclosure forms of members of Congress with thousands of public records, uncovering cases where lawmakers directed money to institutions connected to their relatives. Some cases have received previous media attention, but the practice has continued unabated. Lawmakers said the actions they took were not intended to directly benefit their relatives or themselves. Instead, they say, the largesse was meant to assist corporations, educational programs and community organizations that employ, educate and help residents in their congressional districts.

Expanded responses from lawmakers can be found online at washingtonpost.com/capitolassets.

**ROBERT B. ADERHOLT**

Since 2008, Aderholt has helped secure about $440,000 for the University of Montevallo while his wife served on the university’s board of trustees. Aderholt said in a statement that he had obtained earmarks for many other Alabama schools: “I have a long history of supporting higher education, including community colleges and four-year colleges and universities, in the state of Alabama.” A Montevallo spokesman said trustees do not review the university’s requests for grants or federal appropriations.

**SANFORD D. BISHOP JR.**

News organizations in Georgia reported that Bishop helped secure nearly $200,000 in 2008 and 2009 for a middle school mentoring program that employed Bishop’s stepdaughter and her husband. Bishop told reporters that he did not know his stepdaughter and her husband worked for the program, and once he found out, he ended the earmarks. “It happened, he’s been cleared by the ethics committee, and he’s moved on,” a Bishop spokesman said.
grant for the Achieving a College Education program at the Maricopa Community Colleges about four years before his daughter, Laura, was hired as its director in 2005. Since that time, Pastor has earmarked about $4 million from the nuclear agency for the program, records show.

Pastor said he’s proud of the earmarks and pointed out that he has sent money to educational programs across his congressional district in Phoenix. Maricopa’s ACE program provides financial support to high school students who are in danger of not graduating, enabling them to take classes and summer camps to build math and science skills and attend college. While the money goes to the program, Pastor said his daughter’s salary is covered by the college.

“The perception is that you helped your daughter, but if you evaluate the kids who benefited from this, it was worth doing,” the congressman said. “I believe thousands of kids have a better life today because of this program.”

Pastor said he was searching to find ways to support the ACE scholarship program in 2005, when one of his colleagues on the appropriations committee said the nuclear security administration had grants available to fund programs at historically black colleges.

Given this, Pastor said he felt it was appropriate to earmark money from the nuclear agency to Maricopa because the students in the program are largely Hispanic. At the time, he said, he did not know that his daughter was applying for a job to head the program.

“She was never my motivation,” Pastor said. “I wasn’t aware she was applying. If I knew, I would have contacted the chancellor and said, ‘What kind of position does this put you and me in?’”

Pastor filed three certifications between 2008 and 2010 stating that “neither I nor my spouse has any financial interest in this project.” Had he been a senator, Pastor would have been required to further certify that no “immediate” family members had an interest.

Laura Pastor declined to be interviewed. She said in a statement: “I applied for several positions at the Maricopa Community Colleges because I wanted to return to work in education. I was well qualified for my position, having administered a similar type of program in Chicago before returning to Arizona. I was chosen through a competitive process.”

Tom Gariepy, a spokesman for Maricopa, said, “She was the best person for the job.”

The Arizona Republic reported in 2007 that Laura Pastor was not the highest-ranked candidate for the position but had received a salary at the top of the pay scale. The paper also discovered that an equal-opportunity investigator had warned college officials that “we will not be able to totally defend the hir-
ing decision.”

After the hiring story faded, Pastor continued to earmark money for the ACE program, The Post found. Pastor has also secured earmarks for other colleges, including $185,000 to Pima Community College, $1.6 million to Arizona State University and $8.7 million to the University of Arizona. More than a third of his college earmarks — $4.2 million to his daughter’s program and an additional $2 million to a different program — have gone to Maricopa.

A spokesman for the nuclear security administration said in a statement that the use of the earmarked money was appropriate.

“Congress has authority for all earmarks and makes those decisions,” Joshua McConnauga said in the statement. “This program is not unique within NNSA or within the federal government. … Recruiting and retaining the next generation of scientists and engineers is a priority for us because the types of people we need to execute our mission are highly sought after.”

**Collegiate connections**

The Post found a pattern of members of Congress who earmarked funds for colleges where their relatives were employed or on boards.

Rep. Sheila Jackson Lee (D-Tex.) has championed millions in earmarks to the University of Houston while her husband, Elwyn C. Lee, has helped to run the school as a senior administrator.

The congresswoman or her staff have met with other top university officials to discuss funding for school programs.

“We greatly appreciate the Congresswoman’s support over the years and hope that she can help us again this year with these requests,” a school official wrote to a staff assistant for the lawmaker in May 2011, according to internal e-mails obtained through a public records request.

Elwyn Lee has worked at the university since 1978. Twenty years later, he had risen to dual executive roles: vice president of student affairs for the university and vice chancellor of student affairs for the university system. Last March, he was named the university’s vice president for community relations and institutional access.

Since 1994, his salary has almost doubled, to $210,491 a year.

Jackson Lee, who took office in 1995, discloses her husband’s job on her financial disclosure form. She has helped obtain four congressional earmarks for the school totaling about $5.3 million since 2009, according to the university.

In 2009, she co-sponsored two earmarks to the university: $2.4 million for a “National Wind Energy Center,” and $476,000 for a “Center for Clean Fuels and Power Generation.” In 2010, she sponsored a $400,000 earmark to the university for teacher train-
ing and professional development and co-sponsored an additional $2 million for the wind center.

Last fiscal year, according to her Web site, she sought $16.5 million more for the university that was blocked by the earmark moratorium.

The University of Houston, which has about 36,000 undergraduates, is one of several schools Jackson Lee has supported with earmarks. She has also directed earmarks to Texas Southern University and to University of Texas programs in recent years, records show.

Jackson Lee’s staff did not respond to repeated requests for interviews and comment. Her husband said he played no role in securing the earmarks.

“None of the Congressional earmarks secured by UH was directed to the areas under my supervision,” Elwyn Lee said in a statement. “To reiterate, it is not my responsibility, and it has never been my responsibility, to secure Congressional earmarks. Therefore, there has been no conflict to manage.”

As a member of the House education committee, Rep. Robert E. Andrews (D-N.J.) has secured six earmarks worth $3.3 million for a scholarship program at Rutgers School of Law in Camden.

His wife, Camille Spinello Andrews, is an associate dean of the law school “in charge of enrollment, scholarships, and special legal programs,” according to the school’s Web site.

More than half the earmarks were secured prior to 2007, before the House began to require that the spending measures be publicly disclosed. The new rules prompted Andrews to seek an ethics opinion that year. The committee concluded there was no conflict because his wife did not have an “ownership interest” in the law school and the earmarks did not “affect the spouse’s salary.”

The following year, one of Andrews’s political opponents turned the earmarks into a campaign issue. Andrews continued to earmark money for the law school scholarship program, filing certifications that stated “neither I nor my spouse has any financial interest in the project.”

The congressman said his wife has no direct oversight of the scholarship program. He added that he is proud of the earmarks, citing them as an example of why the moratorium should be lifted.

“These earmarks put money into a scholarship program that required students to provide free legal services to the poorest people in a very poor city — Camden,” Andrews said.

Camille Spinello Andrews did not return calls or e-mails seeking comment.

The congressman acknowledged that earmark abuses have taken place and the latest rule changes governing earmarks have not reformed the practice.

“When a member wants funding for a

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Defining an earmark

Definitions of what constitutes a congressional earmark vary widely. No mater who is defining it, “earmark” has become a dirty word on Capitol Hill, conjuring up abuses where projects benefited few, such as the infamous “Bridge to Nowhere” in Alaska.

Today, many lawmakers avoid using the word at all costs, while still trying to insert targeted spending provisions into bills. These days, such provisions are called by many names: “member-directed spending,” “plus ups,” “budget enhancements,” “additions” and “programmatic adjustments.”

Lawmakers also call agency officials directly and ask them, in the absence of any legislation, to put money toward specific projects. The practice is known as “phone-marking.”

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project in their district, they call or write to an unelected official in the executive branch," he said. “Recently, I called [Transportation] Secretary Ray LaHood and asked for money for a bridge in my district. I am proud that I did that, because that bridge is needed. But the only way you know about that call is because I just told you. I believe that all these calls and letters by members should be made public. It’s perfectly legitimate for the public to ask questions about earmarks, but you can’t do that if you don’t know about them.”

From 2007 to 2009, Rep. Rob Bishop (R-Utah) requested earmarks worth more $1.5 million for Weber State University in Ogden. Subsequent to those requests but before $1.25 million of them were ultimately secured, the university hired the congressman’s son Shule Bishop as a lobbyist. He serves as director of government relations. The congressman said the earmarks to Weber posed no conflict because none were requested when his son worked there and his son lobbies the state legislature, not Congress.

“There is no connection,” Rob Bishop said.

His spokeswoman, Melissa Subbotin, added that the congressman and his staff interact with Weber’s Washington lobbyist, not Shule Bishop.

“The congressman has been working on behalf of Weber State since he was first elected, which far predates his son’s employ-
As a result of The Post’s inquiries, Mortensen said Weber plans to change Shule Bishop’s job title, probably to “director of state government relations.”

‘Best for his constituents’

Lawmakers also used their legislative prowess to earmark money to the clients of their lobbyist relatives.

In Chicago, the Lipinski family name carries clout. William O. Lipinski was an influential member of Congress for 22 years, serving on the House Transportation Committee and sending millions of tax dollars back to his congressional district. When Lipinski decided to step down from Congress in 2004, he persuaded Democratic Party leaders to back his son for his seat.

Since joining Congress in 2005, Rep. Daniel Lipinski has continued his father’s tradition of funding projects in Illinois as a member of the same committee. Along the way, the Chicago Democrat has helped to send federal tax dollars to a client of his father’s lobbying practice, Capricorn Communications.

Daniel Lipinski, along with other members of the Illinois congressional delegation, secured $2.5 million in earmarks since taking office for rail projects that are overseen by the Chicago Transit Authority. The CTA is one of William Lipinski’s lobbying clients and has paid the former congressman $766,330.20 in fees since 2007, according to the transit agency. Lipinski’s earmarks for his father’s client were first reported by the Chicago Sun-Times in 2010.

The CTA said in a statement that William Lipinski helps the agency with congres-
sional contacts outside of the Illinois delega-
tion on the House and Senate transportation
committees. Other members of the Illinois
congressional delegation have also ear-
marked money for CTA-related projects.

Daniel Lipinski declined to discuss the
earmark. Through a spokesman, the law-
maker said he sees nothing improper with
the arrangement and didn’t think it was nec-
essary to obtain an opinion about the propri-
ety of the spending from the House Ethics
Committee.

“His father does not lobby him on be-
half of his clients on transportation or any
other issues,” spokesman Nathaniel Zimmer
said. “In these, as in other areas, Congress-
man Lipinski is focused on doing what is
best for his constituents.”

Zimmer provided a statement on Dan-
iel Lipinski’s behalf.

“As the most senior Chicago-area mem-
ber of the Transportation & Infrastructure
Committee, Rep. Lipinski has helped to se-
cure funding for numerous important local
transportation projects that are widely sup-
ported by both residents and other elected
officials,” the statement said. “That our trans-
portation infrastructure is in serious need of
investment is beyond doubt, and every one of
these projects fills a critical need.”

Daniel Lipinski filed the required cer-
tification with the House Appropriations
Committee in April 2009.

“I certify that neither I nor my spouse
has any financial interest in this project,”
the congresswoman wrote. Under House rules,
Lipinski’s certification did not need to ex-
tend to his father.

Brown (D-Fla.) helped secure $21.9 million
in earmarks to six clients of Alcalde & Fay,
a lobbying firm that employs her daughter,
The Post found. During that time, the clients
paid the firm more than $1 million in fees
to represent them before Congress, records
show.

Other earmarks by Brown have been
previously reported. She was the sole spon-
or of $1.79 million in earmarks to a sev-
enth client, the Community Rehabilitation
Center. At the time, her daughter, Shantrel
Brown, worked as a lead lobbyist on behalf
of the center, the Florida Times-Union re-
ported in 2010.

The earmarks were secured to help fi-
ance “substance abuse and mental health
programs” at the center and to upgrade a
Jacksonville, Fla., strip shopping mall where
the center is located, records show. The fed-
eral lobbying reports say Shantrel Brown
sought “federal funding for substance abuse
and mental health programs” from 2008 to
2010.

The congresswoman declined requests
for an interview and also declined to respond
to written questions about the earmarks. Her
chief of staff, Ronnie Simmons, also would
not say whether the congresswoman sought
an ethics opinion about the propriety of the earmarks.

Shantrel Brown did not return calls or
respond to e-mails seeking comment.

Sen. Bill Nelson, a fellow Democrat
from Florida, joined Brown as a co-sponsor
of a $750,000 earmark for the rehabilitation
center in 2010. When he later discovered
that Brown’s daughter was a lobbyist for the
center, he decided to withdraw his support.

“We try to do our due diligence. The
center had the backing of many community
leaders,” Nelson spokesman Bryan Gulley
told The Post. “But when we learned her
daughter was involved in lobbying for the
center, that raised enough concerns that we
no longer supported the project.”

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Washington Post researcher Bobbye Pratt contributed
to this article.
Legislators traded millions in stocks they could impact

Packed with connections

Amid L.A. unrest, a bigger question

 blame game begins before health-care ruling

Congressional rules on trading had their start in 1789

Lawmakers’ trades prompt ethical concerns

Overlapping interests?

"You can’t get into their heads to know what’s going on with their investments," said Stephen P.A. Fodor, the chairman of the corporation's board of directors. "It’s a tough situation for them to be in, but it’s not a situation that they can’t handle."
One-hundred-thirty members of Congress or their families have traded stocks collectively worth hundreds of millions of dollars in companies lobbying on bills that came before their committees, a practice that is permitted under current ethics rules, a Washington Post analysis has found.

The lawmakers bought and sold a total of between $85 million and $218 million in 323 companies registered to lobby on legislation that appeared before them, according to an examination of all 45,000 individual congressional stock transactions contained in computerized financial disclosure data from 2007 to 2010.

Almost one in every eight trades — 5,531 — intersected with legislation. The 130 lawmakers traded stocks or bonds in companies as bills passed through their committees or while Congress was still considering the legislation. The party affiliation of the lawmakers was almost evenly split between Democrats and Republicans, 68 to 62.

Sen. Tom Coburn (R-Okla.) reported buying $25,000 in bonds in a genetic-technology company around the time that he released a hold on legislation the firm supported. Rep. Ed Whitfield (R-Ky.) sold between $50,000 and $100,000 in General Electric stock shortly before a Republican filibuster killed legislation sought by the company. The family of Rep. Michael McCaul (R-Tex.) bought between $286,000 and $690,000 in a high-tech company interested in a bill under his committee’s jurisdiction.

The trades were uncovered as part of an ongoing examination by The Post of the intersection between the personal finances of lawmakers and their professional duties. Earlier this year, Congress responded to criticism of potential conflicts of interest by passing the Stock Act, which bars lawmakers, their staffs and top executive branch officials from trading on inside information acquired on Capitol Hill.

But the act failed to address the most
elemental difference between Congress and the other branches of government: Congress forbids top administration officials, for instance, from trading stocks in industries they oversee and can influence. The lawmakers, by contrast, can still invest in firms even as they create laws that can affect the bottom line of the companies.

“If you have major responsibility for drafting legislation that directly affects particular companies, then you shouldn’t be trading in their stock,” said Dennis Thompson, a professor of public policy at Harvard University’s John F. Kennedy School of Government and author of “Ethics in Congress: From Individual to Institutional Corruption.” “Committee chairs especially shouldn’t be in the position of potentially benefiting from trades in companies that stand to gain or lose from actions the committee takes.”

The Post analysis does not provide evidence of insider trading, which requires showing that lawmakers knowingly used confidential information to make trades benefiting themselves. Instead, the review shows that lawmakers routinely make trades that raise questions about potential conflicts and illustrate the weaker standard that Congress applies to itself.

More than a dozen lawmakers contacted by The Post defended the timing of their trades and the legislation before their committees as coincidental and said they did not know that the companies they traded were registered to lobby on bills they were considering. In interviews and through spokesmen, they said brokers made the trades and they had little or no input. Some said their spouses handled their investments. With diverse portfolios, they said, overlap is inevitable.

Richard W. Painter, who was chief ethics lawyer for President George W. Bush, said those explanations do not provide ethical cover.

“Your wife isn’t a blind trust. Your financial adviser isn’t either,” Painter said. “If you truly want to create some distance, you should set up a blind trust. The rules that Congress has set for itself with blind trusts are a lot more liberal than the rules they created for the executive branch. This should be
the route they take if they want the public to believe they don’t know what’s going on with their investments.”

Only six members of the Senate have set up blind trusts that have been approved by the ethics committee. The House does not keep a tally of the number of members who set up such trusts.

Under ethics rules, lawmakers may establish a blind trust by shifting all of their assets into an account managed by a financial adviser. The lawmaker may set general parameters for the blind trust investment decisions, but they surrender control and cannot know the details of the decisions.

Georgia State University professor Alan J. Ziobrowski said lawmakers who own stocks in companies lobbying on legislation before them have built-in conflicts. “You can’t get into their heads to know what is motivating them,” said Ziobrowski, whose research helped prompt the initial push for the Stock Act by showing that members of Congress outperformed the market as a whole — senators by 10 percent and representatives by 6 percent. “Are they thinking about their investment, or about what is best for their constituents?”

The Post analysis is based on a comparison of federal financial disclosure forms from all members of Congress to a wide array of public records, drawing on work by the Center for Responsive Politics and Govtrack. The analysis does not include 2011 data because they have not yet been computerized.

Under Congress’s interpretation of its own conflict rules, lawmakers can take official actions that benefit themselves as long as they are not the sole beneficiaries.

Former representative Brian Baird (D-Wash.), who co-authored the original, unsuccessful version of the Stock Act in 2006, said members of Congress and their staffs do not understand that public trust is eroded when people see lawmakers take actions that have the potential to benefit themselves.

“They don’t get it, but they need to,” Baird said. “Why? Because people who are taking actions for venal and nefarious purposes might make the same argument you’re making about your innocence. That’s why if there is an appearance of an impropriety, there just might be an impropriety. Members need to bend over backwards to show people they are there for the good of the country.”

**Hold on bill lifted, bonds bought**

In 2007, Sen. Coburn placed a legislative hold on the Genetic Information Nondiscrimination Act, saying he wanted changes to address fears about exposing employers and insurance companies to lawsuits. The bill prohibited employers and health insurers from using genetic information to discriminate.

After negotiating a compromise on April 22, 2008, Coburn released his hold. On that day and the day after, Coburn’s financial disclosure form shows a total of three bond purchases in Affymetrix, a pioneering genetic technology firm that was one of 33 companies registered to lobby on the legislation.

Affymetrix lobbied on only a handful of bills that session. Coburn is one of five lawmakers who reported buying and selling Affymetrix stocks or bonds since 2004.

In an interview, Coburn said that he and Sen. Richard Burr (R-N.C.) both held up the bill. “We actually negotiated some better things into the bill,” Coburn said. “I don’t think it had anything to do with Affymetrix.”

Coburn said his Affymetrix bond purchases, worth $25,000, were made without his knowledge by Pinnacle Investment Advisors in Tulsa. The timing, he said, was coincidental.

John Hart, Coburn’s communications director, said that Affymetrix did not lobby Coburn and that his hold had no bearing on the company’s value. Hart said Coburn has placed hundreds of holds since 2005.

“There is no evidence Dr. Coburn had even heard of Affymetrix before his broker made a purchase, and there is no evidence his actions affected the value of the company,” Hart said. “If there was a connection, you could argue it hurt the company — the stock lost half its value. Plus, it would be a stretch to suggest he engaged in procedural gymnastics in order to affect a trade.”
Pinnacle managing partner David Poarch said he didn’t discuss the Affymetrix purchase with the senator. He said Pinnacle bought about $1.7 million worth of convertible bonds in the company on April 22, 2008, for 104 of the firm’s 350 clients. Poarch said the firm sold those bonds for all their clients last year, including for Coburn, who earned a 35 percent profit on his investment.

Poarch said he meets face-to-face with the senator once a year, and they might speak over the phone two or three times during that period to map out investment strategies. The senator rarely directs him to make trades, he said.

“In some of our discussions, he’ll indicate sectors he likes,” Poarch said, noting that the senator rarely directs Pinnacle to make specific trades.

Coburn said he gives Poarch only general advice.

“I’ve never had a conversation with him other than, ‘Here’s what I think is going to happen to the economy, so you guys ought to listen,’ ” he said.

Affymetrix officials did not return calls seeking comment. After the genetic bill became law in May 2008, Affymetrix praised its passage in a news release. “We have actively supported this much-needed legislation for more than seven years and we are pleased to see the U.S. government take steps toward addressing the issues around genetic discrimination,” said Stephen P.A. Fodor, the company’s founder.

Shining light on GE trades

Rep. Whitfield trades infrequently, but several of his transactions have coincided with major legislation before him.

Whitfield is a member of an energy subcommittee that handled the 2008 carbon-cap proposal intended to address rising public concern about global warming. It had the support of major companies and the Democrats who were in charge of both chambers at the time.

General Electric, which had created a
subsidiary to help businesses manage carbon emissions, lobbied heavily in favor of the bill. Whitfield sold his holdings in GE, worth between $50,000 and $100,000, on May 5, 2008, for $32 per share. (Exact amounts are unavailable because members of Congress are allowed to report ranges for the values of their transactions.) He had held the stock for 12 years.

Although the cap had appeared to be gaining momentum, Whitfield’s Republican colleagues in the Senate scuttled the bill in early June with parliamentary actions and a threatened filibuster.

After the bill died, the stock dropped to $26 — $6 less than the price when Whitfield sold.

Whitfield’s spokeswoman, Corry Schiermeyer, said his trade had nothing to do with the legislation, which she said was never going to get past Republican opposition.

The trade was one of the two largest stock sales by Whitfield since 2004.

The other came when Whitfield sold between $50,000 and $100,000 in the defense conglomerate United Technologies in October 2009 — the same day that his subcommittee approved a Democratic bill to strengthen rules requiring companies to secure chemical facilities. United Technologies had registered to lobby on that bill, but Whitfield’s staff members said their records do not show that the company lobbied him.

Altogether, Whitfield made 23 trades worth between $275,000 and $900,000 in companies registered to lobby before his committee, encompassing 38 percent of his stock trades between 2007 and 2010.

Schiermeyer said Whitfield adhered to the relevant ethics rules.

“It’s clear that his role on the Energy and Commerce Committee has no relation to his stock trades,” Schiermeyer said. “The congressman believes the best approach to avoid a semblance of conflict of interest is to follow the rules and be transparent, and that is what he does.”

Lawmakers can affect bills in other ways.

Members of the Rules Committee, for example, have the power to quash amendments and set the terms for floor debate on all bills.

In July 2005, the Rules Committee, chaired by Rep. David Dreier (R-Calif.), blocked an amendment to a medical malpractice bill that ran against the interests of Merck & Co., the giant pharmaceutical company. Five months earlier, the day the bill was introduced, Dreier had purchased between $15,000 and $50,000 worth of stock in Merck.

The bill, which Dreier had co-sponsored, contained medical malpractice limits sought by Republican lawmakers. The legislation included a provision that would shield drug companies from liability. Merck, which was being sued over claims its Vioxx arthritis medication caused heart attacks, had lobbied heavily in favor of the bill.

Democrats unsuccessfully attempted to strip the liability protection from the bill, arguing that it unfairly protected Merck. As the bill moved through the House, the value of Merck’s stock grew by 15 percent.

The bill passed the House but stalled in the Senate.

A newer version of the bill made it through the House this year, but has failed to gain traction in the Senate. Dreier declined requests for comment. His spokeswoman said he could not recall the trade, which was made by an investment adviser.

“In managing his finances, Mr. Dreier abides by the letter and the spirit of the rules,” spokeswoman Jo Maney said. “Day-to-day investment decisions for his account are made by an independent investment professional. His co-sponsorship of the legislation in question was based on long-standing support for pro-market health-care reforms. Furthermore, his actions as Rules Committee chairman have always been guided by his principles and those of the leadership he serves.”

Dreier’s office did not provide access to his investment adviser.

A matter of trusts

Some of Congress’s wealthiest members avoid potential conflicts by putting their assets in blind trusts approved by congres-
Overlapping interests?

More than 100 members of Congress or their families traded stocks or bonds in companies lobbying on bills that passed through their committees, according to a Washington Post examination of congressional stock transactions between 2007 and 2010.

130 lawmakers reported trades of stocks or bonds in companies lobbying on bills that passed through their committees...

...in 5,531 transactions...

That’s nearly one in eight trades that involved a company lobbying legislation that passed through the committee of the lawmaker who traded, or an average of about 49 transactions per person.

...involving 323 companies...

Percentage of transactions that were in the following sectors:

- Communications and electronics: 28%
- Miscellaneous business: 21%
- Energy/natural resources: 10%
- Other: 13%
- Health: 14%
- Finance/real estate/insurance: 9%
- Max: $216 million
- Min: $85
- Value of transactions reported by lawmakers in minimum to maximum ranges.

...for a value of up to $218 million.

Examples of Transactions:

Rep. Ed Whitfield (R-Ky.)
The Consumer Product Safety Improvement Act was introduced Nov. 1, 2007. It was referred to a subcommittee on which Whitfield was the senior ranking Republican. In May 2008, Whitfield was appointed to the conference committee charged with sorting out the differences between the House and Senate versions of the bill. During this period, Whitfield bought or sold a handful of stocks in companies that lobbied on the bill.

June 13: Whitfield bought $15,000-$50,000 in Apple.
June 19: Whitfield bought $15,000-$50,000 in Proctor & Gamble.

August 14: Bill signed into law.

Whitfield’s spokeswoman said his legislative work is completely unrelated to his investments.

Sen. Tom Coburn (R-Okla.)
In 2007, Coburn placed a legislative hold on the Genetic Information Nondiscrimination Act, saying he wanted changes to address fears about exposing employees and insurance companies to lawsuits. Coburn reported buying bonds in a genetic technology company the day a compromise he sought was reached on the bill.

April 21: Coburn placed hold on bill.
April 22: Coburn lifted hold.
April 23: Coburn voted for the bill.
April 22 and 23: Made three purchases totaling $25,000 in bonds from Amyfmetic, one of 33 companies registered to lobby on the bill.

Coburn said the Amyfmetic purchases were made without his knowledge by his investment adviser. He said the timing was coincidental. His office said it has no record of any contact with Amyfmetic.

sional ethics committees. Sen. Herb Kohl (D-Wis.), for example, reports holding more than $50 million in such a trust. Under ethics rules, Kohl cannot not know the nature of his investments and must remain unaware of how they are managed.

Other wealthy members do not have financial portfolios in blind trusts. Their portfolios are so vast that their financial disclosure reports exceed a hundred pages and their holdings overlap with almost every bill they handle.

Sen. John F. Kerry (D-Mass.), who married Teresa Heinz of the ketchup fortune, had the highest value of overlapped trades — between $42 million and $86 million — in companies registered to lobby before him. Kerry said he does not have any conflicts, because he has no control over the assets in his and his wife’s family trusts.

Rep. McCaul, married to Linda Mays, whose fortune traces back to Clear Channel Communications, had the highest number of overlapping trades, totaling between $5 million and $23 million, according to analysis of financial disclosure forms listing his family’s holdings.

Some of those investments were in Thermo Fisher Scientific, which in 2009 had registered to lobby on a food safety bill under the jurisdiction of the Homeland Security Committee. McCaul was a member of that committee. Among other things, the company makes equipment to detect contaminated food.

While the bill was pending, McCaul toured the company’s Austin plant and extolled the technology as “great for food safety and protecting the American people.”

As the bill moved forward, his family bought stock in Thermo Fisher. Trusts for his wife and children bought between $286,000 and $690,000 in nine transactions, the largest being for between $250,000 and $500,000 in November 2010 during final negotiations before the bill passed. The family bought the stock at prices from $33.50 to $44. McCaul’s 2011 financial disclosure showed the family still owned it. The current stock price is a little more than $50.

McCaul said there is no conflict between his legislative duties and his wife’s holdings, because he has no access to her portfolio and he never talks to her about her investment decisions.

“Congressman McCaul … is legally precluded from having any involvement or knowledge of specific investment decisions made with regard to securities listed as his wife’s separate property,” said his spokesman, Mike Rosen.

Railroad rules

In 2009, the House Judiciary subcommittee on courts, the Internet and intellectual property discussed the Railroad Antitrust Enforcement Act, aimed at ending rail carriers’ exemptions from federal antitrust laws.

A family trust overseen by Rep. F. James Sensenbrenner Jr. (R-Wis.), a subcommittee member, sold 2,000 shares of CSX after a subcommittee hearing and before the final changes were made to the bill.

The shares generated a $40,000 net profit, records show. The same day, the trust bought $7,700 in Norfolk Southern stock.

The two rail carriers were among 62 companies lobbying on the bill.

Sensenbrenner’s spokeswoman said the trades were initiated by a fund manager who handles the investments for the trust that benefits the lawmaker’s sister.

“Congressman Sensenbrenner’s interaction with the trust is almost nothing,” spokeswoman Amanda Infield said. “He doesn’t benefit from the trust, except for an administrative fee as trustee. He is not a beneficiary, and he doesn’t exercise influence over or give input into the investment decisions. He has to sign off on the decisions, but he hasn’t overridden an investment decision, which is made by JPMorgan Chase.”

Rep. Dave Camp (R-Mich.), a member of the House Ways and Means Committee since 1993, reported making trades in John Deere when the Illinois-based company was registered to lobby on tax and trade legislation before his committee between 2007 and 2010. The biggest single transaction was between $50,000 and $100,000. When the purchase was made in March 2009, Deere stock was $32 a share. The stock now trades
at $75 per share.

Camp declined through his spokesman to be interviewed or provide additional information about his trades and how his portfolio is managed.

“All of the Congressman’s financial information are fully disclosed in accordance with the law,” Sage Eastman, a senior adviser to Camp, said in an e-mail. “His stock portfolio is managed by a firm. He does not make decisions about when to buy or sell a stock.”

Deputy graphics director Karen Yourish and researcher Bobbye Pratt contributed to this article.
spanish premier’s risky waiting game

The economy is, by far, the
current administration’s top
desire to continue the
crisis, which has
depended on the
political establishment’s
ability to move past
political gridlock.

However, that
desire is
drawn into question
as the
economy
grows
slowly.

In many large cities with
high unemployment rates,
there is a
demand for
more
government
to help

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The Post examines
the
growth of
government
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two major
cities:
New York
and
Chicago.

In New York, the
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In Chicago, the
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The Post finds
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CAPITOL ASSETS

Personal interests, bills can overlap

Congressional ethics rules leave door open for lawmakers to benefit

by Kimberly Kindy, David S. Fallis and Scott Higham

A California congressman helped secure tax breaks for racehorse owners — then purchased seven horses for himself when the new rules kicked in.

A Wyoming congresswoman co-sponsored legislation to double the life span of federal grazing permits that ranchers such as her husband rely on to feed cattle.

And a Pennsylvania congressman co-sponsored a natural gas bill as Exxon Mobil negotiated a deal that paid millions for his wife's shares in two natural gas companies founded by her great-great-grandfather.

Those lawmakers were among 73 members of Congress who have sponsored or co-sponsored legislation in recent years that could benefit businesses or industries in which either they or their family members are involved or invested, according to a Washington Post analysis. The findings emerge from an examination by The Post of financial disclosure forms and public records for all 535 members of the House and Senate.

The practice is both legal and permitted under the ethics rules that Congress has written for itself, which allow lawmakers to take actions that benefit businesses or industries in which either they or their family members are involved or invested, according to a Washington Post analysis. The findings emerge from an examination by The Post of financial disclosure forms and public records for all 535 members of the House and Senate.

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The committees rarely discipline their own, instead providing advisory opinions that generally give support and justification to lawmakers who take actions that intersect with their personal financial holdings, according to interviews with nearly a dozen ethics experts and government watchdog groups. And though Congress has required top executive branch officials to divest themselves of assets that may present a conflict, lawmakers have not asked the same of themselves.

Congressional ethics experts say reforms are needed.

Harvard public policy professor Dennis Thompson said lawmakers should refrain from having narrowly focused legislative agendas that align with their personal investments. Disclosure should also be broadened, he said, so the public is notified by a lawmaker of potential conflicts at the time they are taking official actions, including when bills are introduced.

“Ethics rules are supposed to make things clear and transparent,” Thompson said. “They should not require the public or the media to go digging around to make the connections.”

The legislators, in interviews and through spokesmen, said they saw no con-
conflicts between their legislative actions and holdings. They added that they have a duty to advocate for their constituents, even when those interests align with their own.

Last year, for example, when Republicans attempted to slash funding for public broadcasting, Rep. William L. Owens (D-N.Y.) was among a group of Democrats who fought to stop them. Owens’s wife is an executive at a public television station, one of nine public TV and radio outlets that broadcast into his district in Upstate New York. Owens disclosed her job when he spoke briefly on the House floor opposing the proposed cuts.

“From my perspective, I was representing nine entities,” Owens said in an interview. “It wasn’t like I was asking for a specific item for the entity my wife worked for.”

Jockeying for racehorses

For three years, the horse-racing industry tried but failed to get Congress to pass a bill that would change the way equine investments are tabulated at tax time. But in the spring of 2008, a new path opened up when then-Rep. Dennis Cardoza (D-Calif.) was appointed to a conference committee responsible for hammering out the final language of the next farm bill.

Within weeks, the bill emerged with a new provision that handed the industry what it was seeking — a tax depreciation schedule for yearlings that gave owners the ability to recoup the cost of their investments in an average of three years rather than seven. Alex Waldrop, president and chief executive of the National Thoroughbred Racing Association, publicly thanked several lawmakers, including Cardoza, after the new version of the farm bill emerged from the conference committee.

When the new depreciation schedule kicked in the following year, Cardoza entered the industry, buying seven racehorses, including Regrettable Romance, Dad’s Little Man, Flying Spirit and Jade River.

“I have loved horses since childhood and regularly watched horse racing with my mother,” Cardoza, who resigned from Congress in August, said in an e-mailed statement. “She passed away in 2007. I used some of my inheritance in 2009 to purchase animals that were a shared passion for us.”

After the horse purchases, in 2009, Cardoza joined the Congressional Horse Caucus and started holding his political fundraisers at racetracks. He also co-sponsored legislation in 2009 that sought to reduce the taxes winners must pay on big purses at race-
tracks. The bill did not become law.

After purchasing his first racehorse, Cardoza said, he and his staff sought opinions from the ethics committee on any actions he took that might affect the industry.

“My staff routinely checked in with the committee to ensure all of my activities and interests were completely without conflict,” Cardoza said in an e-mailed statement.

The Post asked for copies of any written opinion, but Cardoza declined to say whether the ones he received were written or oral. Such opinions are not subject to public records laws.

He said he did not think his work on the farm bill in 2008 presented a conflict, because he did not own any racehorses at the time. He said the bill he introduced after he began buying racehorses in 2009 would have “treated all bettors the same” and was aimed at helping the bettors, not the horse industry.

In 2011, Cardoza joined the board of directors of the Thoroughbred Owners of California, a group that advocates on behalf of the racehorse owners in the state.

“I sought an opinion from the House Ethics Committee before joining the not-for-profit TOC,” Cardoza said.

He acknowledged that he went to the California statehouse to talk to industry groups and lawmakers about state-level legislation that affects the industry, actions previously reported by the nonprofit group California Watch. The story raised questions over whether the activities constituted a conflict of interest. Cardoza said he was just “visiting friends” and his actions did not amount to lobbying.

In his role with the thoroughbred owners, Cardoza led the effort last year to create a coalition called Horse Racing United to lobby the California legislature on racing issues. Cardoza said he is no longer involved with the coalition’s efforts in the California statehouse.

“I encouraged various California horse racing industry groups to come together and stop infighting and to form a loose affiliation called Horse Racing United,” Cardoza said. “Once the groups came together, I didn’t participate any further.”

Cardoza left office to take a job in the Washington offices of a large lobbying firm, Manatt, Phelps & Phillips, whose client list is broad and in recent years has included gambling companies that own racetracks, lobbying records show.

In 2010, he reported earning between $55,006 and $175,000 from six of his 13

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**Grazing Interests**

Rep. Cynthia M. Lummis (R-Wyo.) is co-sponsoring a bill that would double the duration of federal grazing permits for livestock that feeds on publicly held lands. Her husband holds a permit to graze cattle on federal land. Lummis said she thinks her actions present no potential for conflict.
horses, which raced in California and Maryland. Cardoza said he currently has five horses and none of them are racing.

**Personal and constituent interests**

When the House and Senate wrote their first set of modern ethics rules in the 1970s, in response to the Watergate scandal, they expressly prohibited members from engaging in legislative activities that would financially benefit them. But both chambers immediately carved out exemptions to the rule. The greatest latitude was provided to lawmakers whose business interests aligned with major industries within their home states. “If a dairy farmer represented a dairy farming state in the Senate, and introduced, worked for, and voted for legislation to raise or maintain price supports for dairy producers, he would not fall under the strictures of this rule,” the Senate ethics manual says.

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Dozens of lawmakers identified in the Post analysis fell into this category. In interviews, prepared statements and on their congressional Web sites, lawmakers routinely pointed to their home states’ needs as the driving cause for their legislative agendas.

For example, Rep. Cynthia M. Lummis (R-Wyo.) owns between $1 million and $5 million in her family’s livestock business in Wyoming, where the state animal is the bison and cattle ranches dot the landscape.

She is one of 15 lawmakers co-sponsoring a bill that would double, from 10 years to 20 years, the duration of federal grazing permits for livestock that feeds on publicly held lands. Her husband, records show, holds a permit through 2017 to graze cattle on 675 acres of federal land.

Last year, Lummis also introduced a bill that seeks to change how cattle prices are negotiated to ensure, she says, that ranchers and farmers are fairly compensated. She is also one of the co-sponsors of a bill to exclude livestock manure from being defined as a hazardous substance.

All three bills are pending. In an interview, Lummis said she that did not seek guidance on the bills from the ethics committee but that she thinks her actions present no potential for conflict.

The livestock marketing bill, she said, would force slaughterhouses to be more transparent about their pricing but would have no financial bearing on her family’s large ranching operation. The bill to exclude manure would primarily affect producers who confine their livestock, unlike her family’s open-range ranch near Cheyenne, Lummis said.

The bill to lengthen federal grazing per-
mits could benefit her husband, she said. Her husband feeds a dozen or so cattle on federal lands that adjoin one of their ranches, she said. However, she said, that operation is “inconsequential” compared with the 500 to 1,500 cattle sent to market annually from the family’s main ranch 90 miles away.

“There are so many more ranchers that I represent that have substantial [federal] leases that are integral and important to the financial viability of their operations,” she said. Not pushing for longer leases, she said, “would be unfair to the people I represent.”

In Alabama, timber production is one of the state’s largest industries, and timberland is one of Sen. Jeff Sessions’s larger assets. Efforts by Sessions (R-Ala.) to reform outdated timber tax laws have been to help the state’s economy and U.S. industry in general, a spokesman said.

In 1999, Sessions sponsored the Timber Tax Simplification Act, a proposed law to revamp how the federal government taxes timber sales. The tax bill finally passed in 2004 as a Senate floor amendment to the American Jobs Creation Act.

“This modest change in the law will allow timber owners to get more timber to the mill without paying unnecessarily high tax rates on their harvest,” Sessions said then in a news release.

Sessions at the time owned 40 acres of timberland in western Alabama worth between $50,000 and $100,000. In 2009, he inherited from his mother and aunt 1,100 acres of timberland valued at the time between $1 million and $5 million. Last year, he reported earning between $115,000 and $1,050,000 from the sale of timber.

From 2005 through 2009, Sessions sponsored or co-sponsored three other bills promoting tax reforms generally related to timber.

Sessions, through his communications director, Stephen Miller, declined a request for an interview. But Miller said in a statement that timber is critical to Session’s constituents and the senator’s support to reform the tax code is in line with his broader goals to promote domestic industry and jobs nationwide. His efforts have had bipartisan support and were necessary for timber states, including Alabama, because of changes in forestry management, Miller said. He said the family timber holdings had no bearing on the senator’s actions.

Sessions has adhered to all Senate ethics rules and principles and did not seek an ethics opinion because the rules were clear, Miller said.
“The Senator’s reform efforts with respect to timber are part of a larger, broader effort to ensure the competitiveness of American industry and to defend the American worker on the world stage,” he said.

Family ties
After Rep. John Yarmuth (D-Ky.) took office in 2007, he asked the House Ethics Committee whether he could vote on legislation that might affect his personal holdings, including an investment worth as much as $5 million in his brother’s home health-care business, Louisville-based Almost Family. The panel advised he was prohibited from actions that would benefit his assets in a “direct and distinct manner, rather than merely as a member of a class.” Otherwise, the committee said, he had a duty to vote.

In office, Yarmuth joined the congressional Home Health Caucus, a group of two dozen lawmakers that promotes the value of in-home health care.

He also has helped co-sponsor a handful of bills of interest to the industry, including the Home Health Care Planning Improvement Act. That pending bill would expand the number of health professionals who can refer patients to home health care. And, in May, Yarmuth co-sponsored a legislative amendment to block across-the-board Medicare cuts to providers, including home health aides. The effort failed.

Yarmuth declined to be interviewed through a spokesman, who said the congressman’s policy since his 2011 appointment to the House Ethics Committee was not to comment on issues that could relate to committee business. But his communications director, Stephen George, said the lawmaker has avoided conflicts of interest and adheres to the ethics committee’s guidance. During congressional matters involving home health care, Yarmuth has disclosed his investment.

“None of the bills that Congressman Yarmuth has co-sponsored has or would directly benefit Almost Family or even only private home health-care companies,” George said. “His support for each is consistent with his longtime interest in and strong advocacy for health-care reform, as well as the interests of his constituents and the significant health-care industry in Louisville.”

He added: “All these bills are about improving care for patients, not special tax treatment or increasing the bottom line for the home health industry.”

Yarmuth’s ties to Almost Family date to the late 1970s, when he invested in his brother’s firm. In the late 1980s, Yarmuth served as its vice president of marketing. He values his share of Almost Family at between $1 million and $5 million and reports no annual income from it. His 2010 opponent asked during a debate if the investment posed an ethical conflict, the Courier-Journal in Louisville reported. Yarmuth said there was no conflict.

Almost Family is one of the nation’s largest home health firms and employs about 9,000 people across 11 states. The firm spent more than $500,000 lobbying Congress and regulators in the past two years. Almost Family chairman and chief executive William Yarmuth said his company is “part of the industry efforts in Washington,” but he “rarely” speaks to his brother about legislation. “Most of my interactions are with other members of Congress,” he said.

The company is a member of the industry’s largest trade group, the National Association for Home Care and Hospice, which has lobbied on five bills John Yarmuth has co-sponsored. The group said it supported three of those bills and opposed all or parts of the other two. The group’s president said they have had “little interaction” with Yarmuth on legislation.

George said Yarmuth has met occasionally with Kentucky-based home care providers, but the congressman does not discuss legislation with his brother and has had little

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The Washington Post
contact with the representatives from home health trade groups or lobbyists.

Yarmuth joined the Home Health Caucus as a “symbolic way to show support for the industry,” George said. He said Yarmuth signed a caucus letter opposing further cuts in Medicare to home health but described his role otherwise as “almost entirely aesthetic.”

In some cases, Yarmuth’s legislative actions have run counter to the home health-care industry’s broader interests, George noted. One of Yarmuth’s most significant legislative actions was to help draft and pass the Patient Protection and Affordable Care Act. The law overhauling health care hit the home-care industry hard with reduced reimbursement rates and new rules.

In a congressional hearing last year on the new law, Yarmuth quizzed an official from the Centers for Medicare and Medicaid Services about its fiscal impact on healthcare providers. “I have a vested interest in this. I admit, my brother runs a home health-care company. I am a stockholder. I have to make that clear,” Yarmuth said. “But back in the late 1990s, there was a severe drop in the reimbursement to home health-care companies. About half the companies in the country went out of business.”

Natural gas connections

When Rep. Mike Kelly (R-Pa.) was elected to Congress in 2010, he and his wife owned shares in two privately held natural gas companies, Phillips Resources Inc. and TWP Inc. They were founded by his wife’s great-great-grandfather. When Kelly filed his candidate papers, he listed his shares at a relatively modest level — between $2,000 and $30,000. His wife’s shares were valued at between $1.5 million and $6 million.

At the time, big energy firms were eyeing the two companies, which had a leasehold on 317,000 acres in the gas-rich Marcellus Shale basin, industry and shareholder reports show.

The couple made between $10.1 million and $50.2 million when Exxon Mobil bought the companies in June 2011.

An Exxon Mobil subsidiary is now at the basin using hydraulic fracturing — commonly referred to as fracking — to break apart the shale and free the gas by injecting large volumes of water, sand and other chemicals.

Kelly and his wife, Victoria, also continue to be partners in two other natural gas companies: Campbells Gas Partners and PC Exploration Ltd., which also have land along the Marcellus Shale, records show. The couple earned between $37,000 and $100,000 from their holdings in 2011, Kelly’s latest disclosure statement shows.

Both as a candidate and congressman, Kelly has taken a high-profile stand in favor of Marcellus Shale gas development.

“We are poised to be on the forefront of the new energy economy thanks not only to our rich history but also to our proximity to large deposits of natural gas known as Marcellus Shale,” Kelly’s campaign Web site said.

After he was elected, Kelly joined more than a dozen caucuses, including the Marcellus Shale Caucus, which held its organizational meeting on April 1, 2011.

Six days later, he voted for a bill to bar the Environmental Protection Agency from regulating greenhouse gases, which passed the House but not the Senate. Some scientists have warned that large quantities of greenhouse gases can be released during fracking.

The following day, April 8, an opinion piece by Kelly appeared in a local newspaper. Kelly wrote that “burdensome” regulations in Washington were impediments and emphasized the economic benefits to the region. “Reports have shown that for each mile of pipeline throughout the Marcellus Shale, nearly $1 million is poured into Pennsylvania’s economy,” he wrote.

Kelly did not disclose on his Web site or in the opinion piece that he held a financial stake in such endeavors.

In two congressional hearings in May, he railed against the EPA for efforts to regulate the industry and for investigating concerns about water contamination in relation to fracking. He thinks such work is better handled at the state level.

In June, his co-sponsorship of a natural gas bill — pushed by business magnate T. Boone Pickens — became an issue. The legislation would have provided between
$5 billion and $9 billion in federal tax credits for a variety of initiatives to increase the number of passenger vehicles and long-haul trucks powered by natural gas.

The American Conservative Union and tea party groups launched an intensive lobbying effort to kill the bill, calling it a “boondoggle” as they attacked lawmakers, including Kelly, who had campaigned on a message of fiscal conservatism and promised to reduce government spending. Kelly withdrew his support, along with a host of other Republican lawmakers, and the bill died.

That same month, Exxon Mobil bought Phillips Resources and TWP for $1.69 billion. Kelly and his wife received their payments from the company the following month, according to Kelly’s accountant and financial disclosure statements.

Kelly and his wife continued to be partners with the two other gas companies, and his efforts to promote Marcellus Shale natural gas development have also continued.

In October, Kelly was the lead signatory on a three-page letter from the Pennsylvania delegation to the White House about four federal agency studies on fracking and the environment. “We are concerned that the economic benefits of shale gas to ordinary citizens in states such as Pennsylvania and across the country are not part of the discussion,” the letter said.

In a prepared statement, Kelly’s chief of staff, Matthew Stroia, said the lawmaker has followed all rules and laws set by Congress regarding public disclosure of assets and conflict of interest.

Stroia said Kelly has completed ethics training as a newly elected member of Congress, reviewed the House’s ethics rules and sought “informal” guidance from the ethics committee.

“Rep. Kelly rejects any insinuation that his motives are anything other than to get Americans back to work and pursue policies that will help lead to our country’s economic turnaround and energy independence,” the statement said. “Rep. Kelly did not run for political office for a career or personal gain but for a cause.”

Bobbye Pratt and Dan Keating contributed to this report.
Lobbyists can try to influence bills that go before relatives

Rules don’t ban all lobbying by relatives

Senate continues marathon push to avoid ‘cliff’

Who had the worst (and best) year in Washington? Winners and losers of 2012 session
In 2007, in the wake of the biggest lobbying scandal in decades, Congress limited the ability of family members to lobby their relatives in the House or Senate. But it declined to ban the practice entirely.

Since then, 56 relatives of lawmakers have been paid to influence Congress. More than 500 firms have spent more than $400 million on lobbying teams that include the relatives of members, according to a Washington Post analysis of disclosure forms.

The Post analysis shows that the interests of lawmakers and their relatives have overlapped to varying degrees on bills before Congress. In the past six years, for example, 36 congressional relatives — including spouses, children, siblings, parents and in-laws — have been paid to influence 250 bills passing through their family members’ congressional committees or sponsored by the members.

All of this is legal under the rules Congress has written for itself.

That lawmakers have relatives working as lobbyists has been widely reported over the years. Lawmakers have consistently said their relatives don’t lobby them directly. The 2007 overhaul prohibited spouses from direct lobbying but gave other relatives more leeway.

For the first time since the changes, however, The Post examination reveals the extent to which relatives are still paid to work on issues before their family members.

“It’s a technique of throwing money at the feet of the congressman who can influence my business,” said Craig Holman, a campaign finance and government ethics lobbyist for Public Citizen.

The family ties are another example of the intersection of lawmakers’ public and private interests, which The Post has been documenting in a year-long series. Earlier articles revealed lawmakers who secured earmarks for projects near properties they own, traded in stocks of companies lobbying on bills before them and pushed legislation affecting industries in which they had financial interests.

To examine lobbying, the newspaper mined a range of public documents, including records of lawmakers’ family connections compiled by Legistorm.com, a nonpartisan Web site that tracks congressional disclosures. The Post culled thousands of quarterly lobbyist disclosure reports and tracked legislation through the House and Senate to identify instances in which relatives were paid to lobby on matters that came before their congressional relatives.

In the mid-2000s, the Jack Abramoff lobbying scandal helped pressure lawmakers to pass ethics revisions. The 2007 Honest Leadership and Open Government Act imposed disclosure rules on earmarks, banned gifts from lobbyists and, for the first time, addressed the behavior of lobbyists related to lawmakers.

The changes restrict — but do not prohibit — relatives of members from lobbying Congress. In the House, the overhaul does...
prohibit people from lobbying their lawmaker spouses or their offices. In the Senate, the rules went further and prohibited spouses and all immediate family members from being paid to lobby anyone in the Senate.

But the laws left a lot of space for relatives.

For example, in the Senate, a son-in-law is free to lobby his in-laws. In the House, lawmakers may be lobbied by their children and parents.

“I was arguing there should be an absolute ban,” Holman said. Lawmakers had no interest. “The reform that was passed is so narrow, it is easily sidestepped.”

Most relatives — 48 of the 56 — began their careers as congressional lobbyists only after they had family members elected to the House or Senate, records show.

Several lawmakers contacted by The Post said they impose firewalls between their public duties and their family ties. They also maintained that their votes were not influenced when companies hired their relatives.

The father of Rep. William Lacy Clay (D-Mo.) was hired to lobby on two bills his son helped shape, records show. Under the 2007 changes, fathers like Clay Sr. are not prohibited from lobbying their sons in the House.

“No member of my family has ever discussed with me, or attempted to influence my actions regarding any pending legislation,” Rep. Clay said in a statement provided by his spokesman. “Many retired Members of Congress register as federal lobbyists, as allowed under the law. I would never tolerate or engage in any situation that presented even the appearance of a conflict of interest, or any violation of the rules of the U.S. House.”

The younger Clay, who in 2001 succeeded his father in office, co-sponsored a proposed law in 2010 that would give investors the right to sue people who help others commit securities fraud. His father, William Lacy Clay Sr., was hired to lobby on behalf of attorneys who bring investor lawsuits. The group paid $220,000 to the firm that employed Clay and three others to lobby on the bill and other issues.

The elder Clay did not respond to requests for comment.

Family of lobbyists, lawmakers

Combining lobbying and legislating is a family tradition for Rep. Jo Ann Emerson (R-Mo.). Her father was executive director of the Republican National Committee. In the 1970s, decades before she entered Congress, she married a lobbyist, Bill Emerson. He was elected to the House in 1980 to represent rural southern Missouri. While her husband served in Congress, Jo Ann Emerson lobbied for the restaurant and insurance industries.

When Bill Emerson died of cancer in 1996, Jo Ann Emerson went from lobbying to holding her husband’s seat and has kept it...
since for a 32-year family run. After the Republicans’ takeover of the House two years ago, Jo Ann Emerson became chairman of the appropriations subcommittee that handles the budgets of the Treasury Department, the Securities and Exchange Commission, the Internal Revenue Service, the District of Columbia and other agencies. She also serves on the appropriations subcommittee that budgets the Food and Drug Administration and Agriculture Department.

As she serves in Congress, her daughters have continued the family tradition of lobbying.

Older daughter Tori Emerson Barnes has lobbied since 2005 for General Motors. Younger daughter Katharine Emerson began lobbying for Monsanto the year her mother became subcommittee chairman, records show.

Jo Ann Emerson was re-elected with 72 percent of the vote in November, but announced this month that she is leaving office to run a lobbying organization, the National Rural Electric Cooperative Association. Her predecessor, another former congressman, received a compensation package of more than $1.6 million in 2010. She’s not leaving until January or February, so for two months she will be in the unusual position of serving in Congress while already having an outside job lined up with an organization that lobbies Congress.

The 2007 changes on family lobbying put no restrictions at all on the daughters of House members. Katharine Emerson and Tori Emerson Barnes are allowed to lobby their mother and her staff and her colleagues. Even if they don’t lobby their mother, the companies that are paying them have full teams of lobbyists that regularly seek to influence bills pending before her.

Last year, Monsanto spent $7.4 million on its 21-member lobbying team, according to lobbying disclosure reports. In the period that Katharine Emerson has been on the team, Monsanto has reported lobbying on two bills co-sponsored by Rep. Emerson and seven others that went through her committee and subcommittees.

Since 2007, Tori Emerson Barnes’s team of General Motors lobbyists has tried to influence 15 bills co-sponsored by Emerson and 18 that have gone through her committee and subcommittees — including the financial bailout that included General Motors, measures on fuel-economy standards and defense appropriations. GM spent $5.4 million last year with 58 lobbyists.

 Asked about the possibility of a conflict of interest, Rep. Emerson and the firms, speaking on behalf of her daughters, said they all employ a higher standard of ethics than Congress mandates. They all say they forbid any contact between lobbyists and their family members in office.

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I have never voted or acted on an issue as a result of Monsanto’s or General Motors’ support or opposition to it,” Rep. Emerson said in a statement released by her office. “I do not know on what issues my daughters work for their employers. We never, ever discuss their work. My daughters do not influence my opinion of, or action on, any issue before Congress.”

“GM’s own strict conflict-of-interest standards prohibit Ms. Barnes from lobbying Congresswoman Emerson,” said Greg Martin, a GM spokesman.

“Any employee of Monsanto may not
lobby their own relatives, a relative’s office or on any legislation affiliated with the relative or the committees on which they serve,” said company spokesman Lee Quarles. “We understand that our policy is more than the law requires.”

**Son-in-law lobbyist**

In 2007, Sen. Harry M. Reid (D-Nev.) introduced a bill to compel the federal government to give the city of Henderson, Nev., 500 acres near an airport for development.

While the bill was pending, Henderson spent $240,000 over two years for two District lawyers to lobby on it and other issues, records show. One of the lawyers was Steven G. Barringer, Reid’s son-in-law.

The 2007 overhaul imposed no limits on who Barringer, as a son-in-law, may lobby in Congress.

Barringer is married to Reid’s daughter, Lana, and has lobbied Congress since 1999, representing dozens of clients. Barringer has lobbied on legislation for Henderson since 2001, including two prior versions of Reid’s land bill that failed to pass, records show.

Reid’s 2007 bill to transfer land to the city died in that session, but Reid — the Senate majority leader and the most powerful man in the chamber — ensured that the provision was in the 2009 Omnibus Public Land Management Act, which did become law. The city paid an additional $60,000 to Barringer’s firm, records show.

A month after the land act passed, Reid introduced another bill to convey 2,400 acres of land in Clark and Nye counties to the state for college campuses. Henderson, which is located in Clark County, spent $180,000 over 18 months for lobbying by Barringer’s firm. The proposal died that session but has been reintroduced this year in Congress.

In the current Congress, Reid has sponsored another law that would convey 948 acres at an abandoned mine site to the city for redevelopment. Henderson has spent $60,000 for lobbying by Barringer and his colleague on the bill and other issues.

Barringer did not return calls and emails seeking comment.

His law firm, Holland & Hart, also declined to comment.

A spokeswoman for Reid said Barringer does not lobby the lawmaker’s office.

“We have a longstanding office policy that strictly bars any member of the staff’s family or the Senator’s family from lobbying our office on behalf of their clients,” Kristen Orthman wrote.

“That policy applies in this case.”

Orthman said that these bills have had bipartisan support from most, if not all, of the Nevada delegation.

That Barringer and one of Reid’s sons lobbied Congress was included in an extensive 2003 Los Angeles Times report. The newspaper reported that Reid’s legislation or actions in office stood to benefit special interests employing his family members.

Since 2004, Barringer has continued to work for Henderson and has been hired to lobby for mining, gambling and developer clients on issues including three bills co-sponsored by his father-in-law, records indicate.

This year, Henderson ended its government affairs contract with Barringer and his firm because of budget cuts, according to a letter the city sent the firm.

One of Reid’s sons, Josh Reid, was
named Henderson’s city attorney last year. Through a city spokeswoman, he declined to comment.

In 2007, Reid was the sponsor of the Senate ethics bill that included the lobbying changes. In a news release, Reid said the law would “deliver to the American people a government as good and honest as the people it represents.”

Lobbying in-laws

The American Petroleum Institute in July 2011 hired former House staffer Justin Spickard and employed him as a lobbyist.

Spickard had worked as a legislative aide to Sen. Bob Corker (R-Tenn.) and, in September 2011, married the senator’s daughter.

Five of the bills Spickard was listed as lobbying on came before his father-in-law’s committees, and a sixth one was co-sponsored by Corker.

That bill, introduced in November 2011, was intended to force the completion of the stalled Keystone Pipeline, a project to transport oil from Canada to the Gulf Coast.

Spickard was one of eight lobbyists working on the Keystone bill on behalf of the petroleum trade group.

The institute has spent $7.7 million overall on lobbying efforts that have included Spickard and bills passing before two of Corker’s committees.

Under the 2007 overhaul, Spickard is not prohibited from lobbying his father-in-law’s office. But he has not done so, said Eric Wohlschlegel, a spokesman for the institute.

Spickard referred questions to Wohlschlegel, who provided a statement that the institute follows all lobbying rules and has the “highest ethical standards.”

Corker’s chief of staff, Todd
Womack, also said that Spickard has never lobbied their office. He noted that Spickard is moving his family to Tennessee and will no longer be working as a federal lobbyist.

Since the 2007 changes, half a dozen clients seeking defense funding have retained Cynthia Young through her firms to lobby the House and Senate. Two of her clients received $3.6 million in earmarks through bills originating in the House Appropriations Committee in 2007 and 2009.

She reported that those two clients spent $330,000 on her lobbying efforts.

Her father-in-law, Rep. C.W. Bill Young (Fla.), was the ranking Republican on the defense subcommittee at the time. He now chairs the subcommittee.

Harry Glenn, Young’s chief of staff, said by e-mail that other lawmakers requested those earmarks and they were fully disclosed as required by House rules.

“Ms. Young worked through those members of Congress in support of these projects,” Glenn said. “The projects were vetted by the staff and included in the bill by the Chairman of the Appropriations Subcommittee on Defense.”

Cynthia Young declined to answer questions but said in a brief conversation that her lobbying business “has been closed down for about a year.”

Bobbye Pratt and Kimberly Kindy contributed to this report.