

**Congressional Ethics and Lobbying:
The Case of Senator Harry Reid
and
How His Actions Affected Congress**

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Bryce Harlow Workshop on Lobbying and Ethics
Spring 2008**

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With the allure of power all over Washington, individuals in this city tend to find the best possible routes they can travel to claim a piece of that power. While some play by the rules, others find ways around the rules. As times progresses, and as people tend to become self involved in their own advancement, the system can be manipulated without others questioning one's actions. Senator Harry Reid understood how the system worked, and as time progressed, was able to manipulate the system to his advantage, thus rising to the ranks of one of the top democrats.

However, this case centers on more than just Senator Reid's actions; this case sheds light on congress on a whole and its willingness to close a blind eye. In the middle of Senator Reid's potential scandal, he was appointed as Senate Majority leader, one of the highest positions in both his party and in his chamber. This position guaranteed his safety while at the same time compromising Congress' image. Do one man's unethical decisions really affect the institution he works for and why would the institution allow such behavior?

The Case:

In the summer of 2005, The Las Vegas Review Journal wrote that "Democratic Leader Harry Reid will not return campaign contributions he received during the past five years from lobbyists and clients associated with Jack Abramoff".¹ By this time, the Abramoff scandal was

¹ Batt, Tony. "Reid Won't Be Returning Lobbyist Contributions". Las Vegas Review Journal. June 4, 2005. Accessed from http://www.reviewjournal.com/lvrj_home/2005/Jun-04-Sat-2005/news/26662729.html

coming into full light, and with everyone at attention, it became critical that every move Senator Reid made needed to be calculated so as to avoid investigation and possible punishment.

As the heat surrounding Abramoff soared, Senator Reid played innocent and began to make sure that everyone understood that he was indeed innocent, even going as far as appearing on Fox News. Staffers also persistently stated that Senator Reid did not in fact know Mr. Abramoff, dislodging any links between the two men. However, records would later show that Abramoff's firm had participated in nearly two dozen phone calls or meetings with the senator's office and that the senator's chief of staff had taken a trip paid by Abramoff's firm.² In 2002, Abramoff's firm hired a top aide from Senator Reid's office, who later hosted a fundraiser to benefit the senator.³

Despite these incidences, which, if we give the Senator the benefit of the doubt for a moment, could or could not have been part, the link between the two men was eventually discovered? As John Solomon and Sharon Theimer wrote,

the lobbyist [Abramoff] did instruct one tribe, the Coshattas, to send \$5,000 to Reid's tax- exempt political group, the Searchlight Leadership Fund, in 2002. About the same time, Reid sent a letter to the Interior Department helpful to the tribe, records show. Abramoff sent a list to the tribe entitled "Coushatta Requests" recommending donations to campaigns or groups for 50 lawmakers he claimed were helpful to the tribe. Alongside Reid's name, Abramoff wrote, "5,000 (Searchlight Leadership Fund) Senate Majority Whip.

Further, the Senator had intersected with Secretary of the Interior Gail Norton in a casino dispute with a different tribe.⁴

However, in a bizarre twist that came prior to the Solomon and Theimer article, the Senate Indian Affairs Committee held a hearing in November 2005. At center stage was Italia Federici, a member of an environmental group who helped Abramoff come in contact with

² Solomon, John and Sharon Theimer. "Reid Aided Abramoff Clients, Records Show". Associated Press. February 9, 2006. Accessed from http://www.breitbart.com/article.php?id=D8FLR3380&show_article=1

³ See Batt

⁴ "Harry Reid Caught in Abramoff Plea Deal?" News Max. January 3, 2006. Accessed from <http://archive.newsmax.com/archives/ic/2006/1/3/115231.shtml>

former Deputy Interior Secretary J. Stevens. This created the space for Abramoff to obtain inside information about his clients. However, what was learned at the hearing was that the group Federici worked for was co-founded by Gail Norton before she began working for the Bush administration. Senator Reid had written a letter to Norton on behalf of particular Native American tribes, resulting in checks written out to the Senator by various tribal groups being represented by Abramoff's firm.⁵

On February 9, 2006, the Associated Press covered what should have been the catalyst of an investigation. The Senator's office stated that the Senator indeed did know Jack Abramoff and that Senator Reid, who at time was serving on the Senate Indian Affairs Committee, had also written several letters to Native American tribes who were clients of Abramoff. The Senator's staffers were also in contact with Abramoff's firm and stated that they did indeed intervene on governmental matters which Abramoff's clients "might have deemed helpful".⁶ Staffers also disclosed the exact amount that Abramoff's firm and clientele had donated to the Senator- \$68,000, which was a \$61,000 difference than what they had original stated. However, they insisted that the donations in no way affected the actions of the Senator. Senator Reid's spokesperson Jon Manley stated that the senator's actions were "consistent with his long- held beliefs" and were in line with the best interests for the citizens of Nevada.⁷

As Jack Abramoff was unmasked, Senator Reid made sure that everyone knew he was in no way involved and was appalled by the actions his fellow colleagues had participated in. A December 2005 Reuters article by Thomas Ferraro, Senator Reid is quoted as saying that this

⁵ Schmidt, Susan. "Abramoff Witness Frustrates Panel". Washington Post. November 18, 2005. Accessed from <http://www.washingtonpost.com/wp-dyn/content/article/2005/11/17/AR2005111701682.html>

⁶ See Solomon et al.

⁷ See Solomon et al.

Congress is “the most corrupt in history” and that the [Abramoff] scandal is a purely a republican scandal.⁸ Surely, being a democrat, and a high ranking one at that, ensured Senator Reid’s safety.

On November 15, 2006, the day Jack Abramoff entered prison and the day after Senator Reid was appointed as Senate Majority Leader, ABC News reported Abramoff had implicated the senator to federal prosecutors. The Senator’s spokesman, Jon Manley, was once again ready to spin the accusations, stating “we have no idea what Abramoff is telling prosecutors to save his skin, but I do know that these kind of old allegations are completely ridiculous and untrue”.⁹

Senator Reid, along with Speaker of the House, went on in the last session to push through legislation which would reform the rules of how lobbyists and members of Congress play together. Journalist Thomas Ferraro continued to follow the story, and in a follow up story, he quoted Senator Reid in an article saying, ““we are fighting to enact the most sweeping ethics and lobbying reform in history so we can deliver to the American people a government as good and honest as the people it represents”.¹⁰

Ethics Discussed, Part 1

One of the more unethical aspects of this case focuses on using established relationships to advanced one’s self. While it is understood in DC that sometimes it is not what you but who you know who gets you places, there is a thin line as to using people you know to get places. By having Senator Reid linked to Federici, who was working for an organization that was both linked to Norton and Abramoff, and knowing that she was leaking pertinent information, goes beyond any level of comfortable relationship. The Senator, knowing well enough that these individuals were so intricately woven together, should have never participated in legislation

⁸ Ferraro, Thomas. “Senator Reid Calls US Congress ‘Most Corrupt in History’”. Reuters. December 18, 2005. Accessed from <http://www.mindfully.org/Reform/2005/Congress-Most-Corrupt18dec05.htm>

⁹ Ross, Brian and Rhonda Schwartz. “Abramoff Reports to Prison: Officials Focus on Reid, Others”. ABC News. November 15, 2006. Accessed from http://blogs.abcnews.com/theblotter/2006/11/abramoff_report_1.html

¹⁰ Ferraro, Thomas. “Democrats Offer Bill to Clean Up Congress”. Reuters. July 30, 2007. Accessed from <http://www.reuters.com/article/politicsNews/idUSN3042971320070730>

which was being lobbied by these individuals, even if it did concern the interests of his state. In this field, it is crucial to know who is becoming involved in your policy decisions. Some may feel that this really has no affect on lobbying. Yet, it does. Not taking the precautionary steps to ensures that there is no conflict of interests is irresponsible. Politicians, staffers, and lobbyists have been given the right to create responsible policies for the betterment of this nation, not the other way around.

Further, being on the Senate Committee on Indian Affairs should have given Senator Reid the necessary insight to understand that policy actions taken on behalf of particular tribes were not responsible behavior. Even if you argue that special interests need to be considered, hand selecting interests because of their ties to a particular lobbyists (and because of the donations they are willing to produce) is not representing special interests in a conscionable way. Being that the committee was designed to make decisions in the best interests of all Native American tribes, and not just the one who could afford to send checks as personal thank-you's, Senator Reid should have objectively approached the situation without any biases. There should have never been any favoritism played nor should decisions have been made based upon the understanding that no monetary gifts would be accepted in respect to the policies which were being created.

Many people in America believe that money buys power. For those Native American tribes who could not afford representation by Abramoff's firm or was unable to send sizable contributions to Senator Reid's office, how was their best interests kept in mind? What does it say about an elected official who is only willing to act for those who can purchase decisions? What held the Senator accountable for making unbiased decisions? The answer to all these questions lies within one's own personal character, dignity, and understanding of the job he or

she was elected to do. Decisions are to be made with the upmost concern of valid information and reflect the needs of constituents. None of these duties were upheld.

It is also highly important to this case to highlight the flip-flopping which occurred on behalf of both Senator Reid and his office. Staffers must have been briefed as to keep their mouths closed and with Manley making all the moves, everything seemed to be under control. As long as they could continually disprove any link between the Senator and Abramoff, the office was in the clear. However, investigative journalism always finds out what those involved does not want the public to know. Before being indicted, the office had to expose any information they had linking the Senator to Abramoff. Should this information not have been disclosed upfront at the beginning? Would this have jeopardized the Senator's position within his party? While no way can state what the repercussions would have been if this had occurred, it is safe to say that people would have attacked his record, thus jeopardizing the future of his career.

And so this brings me to the most unethical aspect of this case. Is it right for a Senator and his staff to withhold information knowing well off that that information might jeopardize a career? The answer is no. No matter what the position is and who the person is, if an elected official has engaged in unethical behavior, it is their role, in the best interest of their constituency, to disclose this information, especially if being asked about it. Without this disclosure of information, it impedes a constituent's understanding if that elected official is acting in their best interest in the way they want to be represented.

Ethical Discussed, Part 2

The case study of Senate Majority Leader Harry Reid extends itself beyond the ethical issues surrounding his behavior and spills over into what the implications are for Congress as a whole. As the Senator became the Senate Majority Leader, and as his colleagues began their jail

terms, his actions seemed to have been swept under the rug. In the wake of such hypocrisy, deception, and foul play, the senate should have pressured the senator to, at the very minimum, not taken such a high profile position.

In 2006, the democrats dominated the elections, finally taking over both chambers of Congress. Things were now in the democrats' favor and they had to deliver to the American public what they had promised. With a republican still controlling the White House, it would not be an easy task to do. As a result, the party was not willing to sacrifice their new found power and face harsh criticism by the media and pundits simply to crucify one man for his actions that may or may not have been detrimental to US domestic policy. Senator Reid was not working on a large piece of legislation which would have dramatically shaken up his state or the country. Thus, one must question that if the policy had had a wider range of implications, would Congress have done something about it? Does it only make it right that people should pay for their actions in accordance with how far reaching a policy is?

Again, the answer is no. any policy, no matter how small or how far reaching, affects at least one person. In this case, it was allowing a certain group of people a particular privilege over another. As a result, both the committee and the Senate should have questioned the policies that Senator Reid was advocating for as well as investigating what his motives were. Maybe because he represents a state with a large Native American population that no one stopped to wonder if these policy decisions were outside the Senator's jurisdiction, but that is the role of every other senator. Every senator's job, whether they agree or not, should be to monitor their colleagues question and challenge their positions, and then come to some agreement surrounding the policy. None of this was ever the case.

Conclusion

It is clear to many that lobbying is an integral part of this democracy. Some people simply do not have access to the players who make decisions everyday about their lives. Lobbyists can then become a liaison between the two parties. However, when a lobbyist steps over the line, and when a senator encourages these behaviors, especially in light of advancing one's own career, is when a democracy begins to break down.

Everyone involved in politics, whether it be in private sector or the public, elected or non-elected position, local, state, or federal level, must be responsible not only for their own actions but responsible for the actions of those they associate with. With open eyes and a deep respect for the institutions you are working with can one make ethical decisions. Without a deep sense of one's character and true understanding of what his or her role entails, deciding on what is the right way or the wrong way to handle one's self in a situation becomes a grey area. As a result, individuals can buy a vote, a policy, and even a politician and there is nothing that the majority of us can do but sit back and hope that those decisions are in fact in line with what the American people want.