

Exit polls from the recent mid-term elections indicate that corruption and recent scandals involving government officials were among the issues that weighed heavily in voter's minds. In the past few years, NCRP called attention to the abuses of nonprofits and foundations by members of Congress (and their associates), including several who ran in the recent elections. How did they, and others who faced similar allegations of improprieties, fare?

As the table below shows, Republican Senator Rick Santorum (PA) and Representative Richard Pombo (CA) lost their seats to Democratic opponents while incumbents Senator Robert Menendez (D-NJ), Representatives John Doolittle (R-CA) and Alan Mollohan (D-WV) managed to hold on to their posts.

Duke Cunningham's successor Brian Bilbray (R-CA) also survived the elections while Republican candidates running to hold on to the seats vacated by Tom DeLay and Robert Ney were not as successful.

"Change" was the theme of the mid-term elections. In the senate, the Democrats won in 6 key red states (Missouri, Montana, Ohio, Pennsylvania and Virginia) without losing in any of their traditional strongholds giving them control of 51 seats, compared to the 49 won by the Republicans. The Democrats will also be in control of the House of Representatives after winning in 29 Republican districts, giving them 230 out of the 428 seats.

The Republican party suffered from various scandals in the past years, including party members who were linked to Jack Abramoff and the recent allegations of improper conduct by Mark Foley (R-FL) involving Congressional pages. Exit polls also suggest that the ongoing war in Iraq and the state of the economy were other key issues for those who voted.

The day of the elections, House Democratic leader [Nancy Pelosi](#) promised that a Democratic Congress "will restore civility, integrity, and fiscal responsibility to the House of Representatives. We will start by cleaning up Congress, breaking the link between lobbyists and legislation and commit to pay-as-you-go, no new deficit spending." NCRP hopes that the 110<sup>th</sup>

Congress will pass the necessary legislation to fulfill this promise.

## Selected results of the November 2006 mid-term elections

SENATE

HOUSE

WON

LOST

WON

LOST

Robert Menendez  
(D-NJ)

Rick Santorum

(R-PA)

Duke Cunningham\*\*  
(R-CA) resigned

<i>Brian Bilbray</i>
<i>(R-incumbent)</i>

Tom DeLay**
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(R-TX) resigned
<i>Shelly-Sekula Gibbs (R)</i>

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John Doolittle
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(R-CA)
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Richard W. Pombo
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(R-CA)
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Alan Mollohan

(D-WV)

Robert Ney\*\*

(R-OH) resigned

*Joy Padgett (R)*

\*\* Members of Congress who resigned as a result of corruption scandals and/or criminal convictions. They were categorized based on the success (or failure) of their party's attempt (*the candidates' names in italics*) to hold on to the vacated seat.

## PROFILES:

### **Rep. RANDY “DUKE” CUNNINGHAM (R-California 50<sup>th</sup> dist.)** *resigned*

- Resigned from the House in November 2005 after pleading guilty to federal charges of conspiracy to commit bribery, mail fraud, wire fraud and tax evasion. The charges were based on real estate transactions, which included the purchase of Cunningham's Del Mar Heights house for a considerable profit (\$700,000 more than the market value of \$975,000) by Mitchell Wade, president of defense contractor MZM, Inc.; the use of Wade's 42-foot yacht; and generous contributions to Cunningham's political campaigns and American Prosperity PAC. In return, MZM benefited from Cunningham's role as member in the House Defense Appropriations Subcommittee.

- In an effort to evade some of the indictments, Cunningham initially pledged to contribute the proceeds of his home sale to three San Diego area charities. One of the charities, Father

Joe's Villages run by Monsignor Joe Carroll, has a history for assisting politicians facing political or legal trouble repair their sullied image.

- Republican Brian Bilbray, who won the June 2006 run-off election for Cunningham's vacated seat staved off Democrat challenger Francine Busby in the 2006 mid-term elections.
- See: "The Dukes Demise: Philanthropic Maneuvers Don't Excuse Questionable Defense Contracts" in [Responsive Philanthropy](#) (Summer 2005), and "[Duke Cunningham's Demise: Part Deux](#)" in NCRP's blog *Keeping a Close Eye*.

### **Sen. TOM DELAY (R-Texas 22<sup>nd</sup> dist.) resigned**

- Allegedly used his Delay Foundation for Kids, which was purportedly established to help build homes for foster kids, as an avenue to raise money from power players without having to disclose who the donors were. He used the foundations to fly lawmakers and their families to fundraisers held at 5-star resorts.
- Allegedly received trips, gifts, and political donations from Abramoff in exchange for favors from the lobbyist's clients (e.g. Northern Marianas, internet gambling outfits, and Native American tribes). Two of his former aides pled guilty in 2006 to charges related to the federal investigation.
- Created the short-lived nonprofit Celebrations for Children that would have hosted parties and outings at the Republican National Convention to solicit contributions ranging from \$10,000-500,000. Donors would have been allowed to rub elbows with influential Republicans during late night parties, yacht cruises and access to a luxury suite.
- Shelley Sekula-Gibbs, who ran on the Republican ticket to capture DeLay's vacated seat lost to Democrat Nick Lampson.
- See "[Frist's World of Hope Awaits 2008](#)" on NCRP's blog *Keeping a Close Eye*; "[Giving that's all about getting](#)" ; "Strange Bedfellows" in *Responsive Philanthropy* (Spring 2004).

### **Rep. JOHN DOOLITTLE (R-California 4<sup>th</sup> Dist.)**

- Identified by the Citizens for Responsibility and Ethics in Washington as one of the most corrupt members of Congress in their report "[Beyond Delay: The 20 Most Corrupt Members of Congress \(and five to watch\)](#)".

- His wife Julie Doolittle was on the payroll of Abramoff's Capital Athletic Foundation for putting together the "Spy Gala" held at the International Spy Museum. The event, which included interactive spy games with a \$50,000 prize, was intended to raise \$300,000 for the foundation, and was attended by members of Congress and other luminaries.
- Currently being investigated by the Justice Department regarding his relationship with Abramoff. He allegedly received campaign contributions from Abramoff in return for legislative assistance including securing lobbying contract with the Commonwealth of the Northern Mariana Islands, helping defeat legislation protecting workers in the Commonwealth, and writing letters on behalf of some of Mr. Abramoff's tribal casinos.
- See: "[Abramoff: More Unanswered Questions](#)" on NCRP's blog *Keeping a Close Eye*; also "[Democrats Promise Broad New Agenda](#)"

#### **Sen. ROBERT MENENDEZ (D-New Jersey)**

- The FBI recently stepped up investigations over allegations of conflict of interest when Menendez leased office space to the nonprofit organization North Hudson Community Action Corp. supposedly at below market price. Critics pointed out that Menendez had some influence over the organization's federal funding while he was a congressman.
- Menendez argues that he obtained clearance from the House Ethics Committee before renting out his property.
- Menendez won the senatorial race despite aggressive attacks by Republican opponent state Sen. Tom Keane, Jr.
- See: "[Menendez Investigation Expands](#)" also [Congresspedia](#) .

#### **Re. ALLAN MOLLOHAN (R-West Virginia 1<sup>st</sup> Dist.)**

- Identified by the Citizens for Responsibility and Ethics in Washington as one of the most corrupt members of Congress in their report "[Beyond Delay: The 20 Most Corrupt Members of Congress \(and five to watch\)](#)" .
- Reportedly traded earmarks with companies and nonprofits he either established or were operated by friends, business partners and political contributors. In April 2006, he stepped down as the ranking Democrat on the House Ethics Committee. He is currently under FBI investigation.
- See: "[Roll Call Catches up on NCRP's Position on Political Foundations](#)" on NCRP blog *Keeping a Close Eye* ; also "

[Mollohan Helped Steer US Contracts to Family-Charity Donors](#)

**Rep. ROBERT NEY (R-Ohio 18<sup>th</sup> dist.) *resigned***

- Recently pled guilty to taking bribes from Jack Abramoff in return for favorable political action after being implicated by the former lobbyist, former DeLay deputy chief of staff Tony Rudy, former delay press secretary Michael Scanlon, and Ney's own chief of staff Neil Volz. He was the first member of Congress to admit to criminal charges related to the Abramoff investigation.
- Joy Padgett, who ran on the Republican ticket lost to Democrat Zack Space and failed to capture Ney's vacated seat.
- See "[Goodbye Ney: You Can't Hide Behind Charity and Philanthropy](#)"

**Rep. RICHARD W. POMBO (R-California 11<sup>th</sup> Dist.)**

- Identified by the Citizens for Responsibility and Ethics in Washington as one of the most corrupt members of Congress in their report "[Beyond Delay: The 20 Most Corrupt Members of Congress \(and five to watch\)](#)".
- Allegedly took more money from Abramoff (about \$500,000) than any member of Congress in return for legislative favors, including helping the Mashpee Indian gain official recognition as a tribe.
- His November 2000 and May 2002 trip to New Zealand and Japan, respectively, were paid for by the International Foundation for the Conservation of Natural Resources (IFCNR), a private foundation supported in large part by Darden Restaurants, the parent company of Olive Garden and Red Lobster. Pombo neither paid taxes, nor reimbursed IFCNR as required by IRS regulations, which states that private foundations can only pay for or reimburse governing government officials for travel within the U.S. Payments for foreign travel is considered self-dealing and is must be reported as taxable income.
- See "[Congressman's donors linked to tribal dispute before committee](#)"

**Sen. RICK SANTORUM (R-Pennsylvania)**

- Identified by the Citizens for Responsibility and Ethics in Washington as one of the most corrupt members of Congress in their report "[Beyond Delay: The 20 Most Corrupt](#)

[Members of Congress \(and five to watch\)](#)

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- Questions were raised about his oversight of the Operation Good Neighbor Foundation (OGN), which Santorum established in 2001. Specific examples cited by his critics:
  - Santorum received donation of \$25,000 from the Preferred Real Estate Inc., the developer of the Wharf at Rivertown project in Chester at the same time that Santorum was working to secure \$8.5M in federal aid for the donor’s project.
  - OGN spends more on overhead than aid grants.
  - His campaign aides were connected to the charity. Some were on the charities’ payroll.
  - See: “ [Roll Call Catches up on NCRP’s Position on Political Foundations](#) ” on NCRP’s blog

*Keeping a Close Eye*

; also “

[A ‘bad cocktail’ of politics, charity](#)

,” and “

[A Nonprofit Agenda for the New Congress](#)

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