Spousal Ties to Lobbying Test a Vow From Obama

By CHARLIE SAVAGE and DAVID D. KIRKPATRICK

WASHINGTON — Linda Hall Daschle is one of the most important aviation lobbyists in town. Ms. Daschle is also the wife of Tom Daschle, whom President-elect Barack Obama has chosen to be the next secretary of health and human services.

Tom Downey is the founder and chairman of a lobbying firm with dozens of clients, including several with interests in energy policy. Mr. Downey is also the husband of Carol M. Browner, Mr. Obama’s likely choice to be the next White House energy czar.

Mr. Obama’s selection of Mr. Daschle and Ms. Browner to high-level positions illustrates a potential loophole in his pledge of keeping special interests at a distance.

The ethics code that Mr. Obama imposed on his transition team takes a hard line against lobbyists.

People are disqualified from working on any matters they lobbied about within the past year, and currently registered federal lobbyists are barred from playing a significant role — regardless of the issues they lobby about. But Mr. Obama’s embrace of Mr. Daschle and his presumed choice of Ms. Browner suggest that he will take a softer line on lobbying by the spouses of the officials in his administration.

In a town where influencing the government is a main industry, Thomas Susman, an expert on ethics rules who is also a lobbyist for the American Bar Association, said issues surrounding spousal lobbying presented a particular ethical challenge.

“On the one hand,” Mr. Susman said, “you say a spouse shouldn’t be disenfranchised from his or her professional activities because his or her spouse goes into government. But it does seem to me that a spouse ought not be allowed to lobby an agency or on issues under the control of the spouse in government.”

In the presidential campaign, Mr. Obama railed against influence-peddling in Washington and pledged to hold his administration to a higher standard.

“Your voices should speak louder than the whispers of lobbyists,” Mr. Obama told a crowd in Green Bay, Wis., in September.

Stephanie Cutter, the transition spokeswoman, said Mr. Obama’s team was writing “ethics rules for an Obama administration that will meet every commitment made during the campaign.”

“To prevent conflicts of interests,” Ms. Cutter added, “administration officials will recuse themselves from any issue involving a spouse, and spouses will be banned from lobbying relevant agencies.”
In a bid to avoid conflicts, Ms. Daschle has announced that she will leave her lobbying firm, where colleagues represent health care clients, and plans to start her own practice, which will not accept clients with interests in health care policy. Mr. Downey has not disclosed his plans and did not respond to an interview request, but Ms. Cutter said that if Ms. Browner became energy czar, Mr. Downey’s firm would no longer accept energy or environment-related work.

Joan Claybrook, the president of Public Citizen, a government watchdog group, said it would be going too far to require spouses of administration officials to give up their careers and “go do something else, like home decorating.”

“You may have to change your business plan and just give up on lobbying on those issues that are directly the responsibility of your spouse,” she said.

The business dealings of family members created a headache for Mr. Obama’s team even before the election. After Mr. Obama selected Senator Joseph R. Biden Jr. as his vice-presidential nominee, Republicans pounced on the fact that Mr. Biden’s son R. Hunter Biden was a lobbyist. He quit his firm in September.

Mr. Obama’s choice of Senator Hillary Rodham Clinton as secretary of state raised related issues. Since leaving the White House, her husband, former President Bill Clinton, has collected tens of millions of dollars in speaking fees and donations to his presidential library and charitable foundation, including from foreign governments. As a condition of his wife’s selection, Mr. Clinton agreed to disclose the identity of donors, to take no new donations from foreign governments and to let the administration review his speaking schedule.

The working relationship between the Daschles, who married in 1984, has come under scrutiny before. After three people died in the 1994 crash of a small plane operated by a friend of Mr. Daschle, he was accused of helping his friend’s firm evade oversight, and his wife was accused of helping her husband hide his efforts.

Both Mr. Daschle, who was then the top Senate Democrat, and Ms. Daschle, who then worked for the Federal Aviation Administration, were cleared of wrongdoing.

Ms. Daschle has been a lobbyist since 1997. Some early clients had an interest in health policy, like the drug maker Amgen and the tobacco giant Philip Morris. In recent years she has mainly represented aviation companies like Lockheed Martin.

Ms. Browner, a former administrator for the Environmental Protection Agency, is a principal at the Albright Group, an international consulting firm. She married Mr. Downey in 2007.

He had been a Democratic congressman from Long Island from 1975 to 1993, but lost his seat after it was revealed that he was among several lawmakers who had frequently overdrawn their House bank accounts without penalty, and that his wife at the time was a House bank auditor.

Mr. Downey later founded a lobbying firm whose past clients included energy companies like Chevron and the Standard Renewable Energy Group, several foreign countries, and the Albright Group. In 2006 the couple worked together on issues related to a Dubai firm’s purchase of a United States port operator.
His firm’s current clients include the government-backed mortgage giant Fannie Mae and Securing America’s Future Energy, a nonprofit that advocates reducing dependence on foreign oil.

Several other spouses of people tapped for top Obama administration jobs have careers connected to government.

Susan E. Rice, the United Nations ambassador pick, is married to a producer of the ABC program “This Week With George Stephanopoulos.” Gregory B. Craig, the White House counsel designate, is married to a graphic designer who has worked on Postal Service stamps. And the wife of Timothy F. Geithner, who is Mr. Obama’s choice for Treasury secretary, once worked for Common Cause, a watchdog group that lobbies for tighter ethics rules.

Ms. Daschle and Ms. Browner did not respond to interview requests. But in a 2002 interview with The New York Times, Ms. Daschle defended pursuing her lobbying career despite her husband’s Senate role.

“Why should a spouse, just because she is married to a high-profile public official, have to walk away from a career?” she asked.

John M. Broder contributed reporting.