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Cunningham's 'bribe menu' causes little stir in D.C.

By Toby Eckert

Contributing to this report were Copley News Service correspondents Dana Wilkie, Dori Meinert, Jerry Kammer, Paul Krawzak, Finlay Lewis and Joe Cantlupe, and staff writer Onell R. Soto of The San Diego Union-Tribune.

The stunning disclosure that former Rep. Randy "Duke" Cunningham maintained a "bribe menu" had some of his former colleagues fuming Tuesday, but leaders of both parties have had little to say about the latest blow to the reputation of Congress.

Most of the top leaders have declined to comment in the four days since prosecutors shed more light on Cunningham's corrupt practices in a sentencing memo released Friday in San Diego. But in interviews, individual members voiced shock that Cunningham maintained a handwritten list of how much he would charge defense contractors to steer government dollars to them.

"It's heartbreaking," said a visibly upset Sen. Dianne Feinstein, D-Calif., who was in San Diego.

"It's just unbelievable," said Rep. Ted Strickland, D-Ohio (Lisbon). "This sanctimonious guy was just so judgmental and he just dripped with his concern for our troops. This guy just makes you almost want to vomit to hear that, knowing how he tried to represent himself as this virtuous guy who was so much morally superior to anyone who would question the war" in Iraq.

One of Cunningham's former San Diego-area colleagues said prosecutors were justified in seeking the maximum 10 years in prison for Cunningham, who pleaded guilty in November to accepting \$2.4 million in bribes. He will be sentenced March 3.

"Although I don't want to see anybody rot in jail for the sake of rotting in jail, the damage done to the confidence of the people of San Diego, of the whole country, has risen to a level much more like treason," said Rep. Darrell Issa, R-Calif. (Vista) "... I believe that anything less is going to send the wrong message about how ... you should treat somebody who betrays the public trust at this level."

Rep. Duncan Hunter, R-Calif. (El Cajon) and perhaps Cunningham's closest friend in Congress, faulted federal prosecutors, saying that although they probably knew about the bribe menu long ago, they are now "eking out their most damaging evidence ... to bolster their position."

The revelation about the bribe menu seemed to catch the capital city off guard, coming

as it did when Congress was shutting down for President's Day recess. The news also came amid signs that the push for ethics reform - spawned by the Cunningham scandal and another involving lobbyist Jack Abramoff - is faltering.

"That makes me think Congress is just going to wait out the public disgust and then decide they don't have to do anything," said Keith Ashdown, vice president for policy at Taxpayers for Common Sense, a group that monitors federal spending.

Jim Specht, spokesman for House Appropriations Committee Chairman Jerry Lewis, R-Calif. (Redlands), did not reply to phone calls and e-mails seeking comment. Cunningham, a Republican from Rancho Santa Fe, used his seat on the Appropriations Committee - and a process for spending taxpayer money that is shrouded in secrecy - to help steer contracts to Poway, Calif.-based ADCS Inc. and Washington, D.C.-based MZM Inc. in return for the bribes.

Some lawmakers said Cunningham was an aberration

"I think the vast majority of members of Congress, Democrats and Republicans, are honest and hardworking and there isn't a single walk of life that doesn't have its corruption, whether it's business or labor or religion or journalism," said Senate Minority Whip Dick Durbin, D-Ill. "These things happen, and those of us who do our best to be honest have to make an extra effort to restore the public confidence."

But those who monitor congressional ethics say that is hard to square with the Abramoff scandal, which has touched numerous lawmakers and is still unfolding, and other controversies in recent years.

"The one-bad-apple-in-the-basket explanation ... diminishes the actual problem we've seen," said Scott Amey, general counsel for the Project on Government Oversight. "It's time for Congress ... to look at itself and the way that it works currently."

Since the Cunningham scandal broke, lawmakers have made numerous proposals to rein in secretive spending measures called "earmarks" that Congress members insert into spending bills for pet projects and favored contracts, which often benefits lobbyists and campaign contributors. Earmarking was at the heart of Cunningham's effort to steer contracts to MZM and ADCS Inc.

Defense Secretary Donald Rumsfeld, a former congressman, noted that spending bills "have grown and grown and grown from less than 100 pages when I was here the last time, 30 years ago. Now they are 7-, 8-, 900 pages. A lot of it is very specific language."

Most of the reform proposals would require earmarks to be publicly disclosed a day or two before a spending bill is voted on, link them to a particular member and make it easier to excise those that draw objections.

"There are good earmarks and bad earmarks," said Feinstein, who is co-sponsoring one of the proposals and had just met with San Diego-area officials about specific projects they'd like to see funded. "What (Cunningham) did was a bad earmark. He essentially received money or goods for putting an earmark in the budget."

Despite the scandal engulfing Cunningham, no member of the House would file a complaint to trigger an investigation. Some Democrats said it would do little good.

"The Ethics Committee's a joke anyway," said Rep. Tim Ryan, D-Ohio (Niles)

Lawmakers have proposed broader ethics reforms. They include a ban on travel funded by special-interest groups, stricter limits on meals and other gifts, and a longer "cooling off" period before former lawmakers and congressional staffers can cash in on their political connections by becoming lobbyists.

Hunter, who rarely travels on privately funded trips, said he plans to introduce a new House rule requiring the House Ethics Committee to first ensure that each such trip is a genuine fact-finding mission, and not a junket designed to woo lawmakers.

But some of the reform proposals have run into strong resistance from lawmakers. Republican leaders delayed unveiling a reform package after Rep. John Boehner, R-Ohio (West Chester), was elected House majority leader and signaled that he preferred more disclosure to bans and other limits.

"Sunlight is always the greatest disinfectant with regards to the nexus of what lobbyists are petitioning Congress for and what Congress is legislating on," said Boehner spokesman Kevin Madden. "It is important to point out that laws were broken by Mr. Cunningham ... and he is going to pay the ultimate price for that."

Former legislators and long-time congressional observers say that Congress in the past has moved to tighten its ethics and campaign finance rules only in response to sustained public pressure.

"You've got to have something hot here because I believe there's a very strong reluctance on the part of Congress to reform itself," said former Vice President Walter Mondale, a member of the Senate Finance Committee in the 1970s. "This cozy thing of going on golf trips or going to fancy events... is very seductive. If people think the issue is dying they say, 'Well, let's just leave it this way.'"