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Senator's Aid After Affair Raises Flags Over Ethics

By [ERIC LICHTBLAU](#) and [ERIC LIPTON](#)

WASHINGTON — Early last year, Senator [John Ensign](#) contacted a small circle of political and corporate supporters back home in Nevada — a casino designer, an airline executive, the head of a utility and several political consultants — seeking work for a close friend and top Washington aide, Douglas Hampton.

“He’s a competent guy, and he’s looking to come back to Nevada. Do you know of anything?” one patron recalled Mr. Ensign asking.

The job pitch left out one salient fact: the senator was having an affair with Mr. Hampton’s wife, Cynthia, a campaign aide. The tumult that the liaison was causing both families prompted Mr. Ensign, a two-term Republican, to try to contain the damage and find a landing spot for Mr. Hampton.

In the coming months, the senator arranged for Mr. Hampton to join a political consulting firm and lined up several donors as his lobbying clients, according to interviews, e-mail messages and other records. Mr. Ensign and his staff then repeatedly intervened on the companies’ behalf with federal agencies, often after urging from Mr. Hampton.

While the affair made national news in June, the role that Mr. Ensign played in assisting Mr. Hampton and helping his clients has not been previously disclosed. Several experts say those activities may have violated an ethics law that bars senior aides from lobbying the Senate for a year after leaving their posts.

In acknowledging the affair, Mr. Ensign cast it as a personal transgression, not a professional one. But an examination of his conduct shows that in trying to clean up the mess from the illicit relationship and distance himself from the Hamptons, he entangled political supporters, staff members and Senate colleagues, some of whom say they now feel he betrayed them.

For example, a longtime fund-raiser who came through with help says Mr. Ensign misled him about why Mr. Hampton needed a new job. The senator also put his chief of staff at the time, who had raised concerns that Mr. Hampton’s activities could be problematic, in charge of dealing with him.

And Mr. Ensign allowed Senator [Tom Coburn](#), a friend and fellow conservative Christian, to serve as an intermediary with the Hamptons in May in discussing a large financial settlement, to help them rebuild their lives.

“John got trapped doing something really stupid and then made a lot of other mistakes afterward,” Mr. Coburn, Republican of Oklahoma, said in an interview. “Judgment gets impaired by arrogance, and that’s what’s going on here.”

In a statement, Mr. Ensign said: "I am confident we fully complied with the relevant laws and rules governing current and past employees. I have worked on these Nevada issues with these Nevada companies for years, long before Doug Hampton left my office."

The senator declined to be interviewed. But his office said that the inquiries he had made about work for Mr. Hampton were "only recommendation calls" and that the senator's actions in support of his former aide's clients were "not at the behest of Mr. Hampton."

Mr. Hampton and his wife, in a series of interviews, provided a detailed account of Mr. Ensign's efforts to mitigate the fallout from the affair, which ruptured two families that had been the closest of friends.

Mr. Hampton said he and Mr. Ensign were aware of the lobbying restriction but chose to ignore it. He recounted how the senator helped him find clients and ticked off several steps Mr. Ensign took to assist them with their agendas in Washington, activities confirmed by federal officials and executives with the businesses.

"The only way the clients could get what John was essentially promising them — which was access — was if I still had a way to work with his office," Mr. Hampton said. "And John knew that."

After requests from Mr. Hampton, Mr. Ensign called the secretary of transportation last year to plead the case for a Nevada airline, Allegiant Air, which was under investigation for allegedly overcharging for tickets. In April, he arranged for Mr. Hampton and his clients to meet the new transportation secretary in a successful effort to resolve a dispute with a foreign competitor.

The senator, after exchanges between his senior staff members and Mr. Hampton, also urged Interior Department officials to complete an environmental review for a controversial coal-burning plant under development by a Nevada power company, NV Energy.

Despite those efforts, Mr. Ensign's relationship with his one-time aide and the husband of his former mistress has ended in bitterness and recriminations. Mr. Hampton grew increasingly frustrated about his financial situation, believing that the senator had reneged on a deal to find him enough clients to sustain his income.

"You have not retained three clients for me as promised, and your poor choices have led to a deep hurt and financial impact to my family," Mr. Hampton wrote the senator in an e-mail message in July 2008. "At your request and your design, I left your organization to save your reputation and career, and mine has been ruined."

For his part, Mr. Ensign has complained that Mr. Hampton tried to extract exorbitant sums from him.

Until he admitted the affair in June, Mr. Ensign, 51, was a top Senate Republican leader and was discussed as a possible presidential contender in 2012. The silver-haired senator with a statesman's looks and family money — his father helped found a Las Vegas casino — has championed conservative social values.

But the scandal forced him to resign as head of the Republican Senate Policy Committee and ended talk of any bid for the White House.

Mr. Ensign spent part of the summer apologizing to constituents. Drawing a contrast with former President

[Bill Clinton](#), whom he had voted to impeach as a House member during the [Monica Lewinsky](#) affair, Mr. Ensign said in August that his infidelity was largely a personal matter and added, "I haven't done anything legally wrong."

Longtime Family Friends

The Ensigns and the Hamptons had been friends going back to their time together in Southern California in the 1980s, when John Ensign was just starting out as a veterinarian and had not yet begun to consider a life in politics. Darlene Ensign, the senator's wife, and Cynthia Hampton had known each other growing up there.

The families were so close that in 2004 the Ensigns persuaded the Hamptons to move to their expensive Las Vegas neighborhood. They traveled to Hawaii and Puget Sound aboard the jet owned by Mr. Ensign's father, watched their children's sporting events together and shared regular Sunday dinners.

In 2006, the senator hired Mr. Hampton as a top aide — effectively, his co-chief of staff — in a move that irritated some staff members, who thought Mr. Hampton's friendship with the senator and his background at a military contractor did not qualify him for the senior post. Mr. Ensign also hired Cynthia Hampton as his campaign treasurer.

The Hamptons were such a fixture in the Ensigns' lives that it raised no eyebrows when the senator took Ms. Hampton to Washington galas. Ms. Ensign did not like Washington much, associates said, and lived in Nevada.

At a black-tie Christmas party at the White House in 2006, Mr. Ensign and Ms. Hampton beamed as they posed for a picture with President [George W. Bush](#) and his wife, Laura. It was that night that he realized that his feelings toward Ms. Hampton had become romantic, Mr. Ensign later admitted to Mr. Hampton, according to Mr. Hampton.

A year later, during what Mr. Ensign said was a difficult time in his marriage, Mr. Hampton intercepted a text message from his boss to his wife that made plain that their relationship had become intimate. "It was such a betrayal," Mr. Hampton said.

There were heated confrontations, tearful admissions, promises to end the affair, even joint family meetings that included the couples' children. Still, the relationship continued.

During a February 2008 Congressional trip to Iraq, Mr. Ensign called Ms. Hampton almost every morning and night. She said that when the phone bill came to Mr. Ensign's campaign office, he gave her almost \$1,000 in cash to cover the calls. Mr. Ensign's office confirmed that the senator gave Ms. Hampton "enough cash to cover the personal charges." (On the trip, Mr. Hampton said he noticed frequent calls from Mr. Ensign's cellphone to "Aunt Judy" — at his wife's number.)

That month, Mr. Hampton decided to take stronger steps to end the affair. He and Mr. Ensign shared a strong Christian faith, and often attended prayer meetings at a Capitol Hill house where Mr. Ensign, Mr. Coburn and other lawmakers lived. The house, on C Street, is affiliated with the Fellowship Foundation, a Christian outreach group influential with conservatives in Congress.

Mr. Hampton went to several group leaders. On [Valentine's Day](#), they confronted Mr. Ensign during lunch at the house. Mr. Hampton, yelling at times, was there, too. Mr. Coburn, an ordained deacon, took the lead in questioning Mr. Ensign, who acknowledged that Mr. Hampton's accusation was true.

"I said, 'No. 1, you're having an affair, and you need to stop,'" Mr. Coburn recounted. The senator said he also advised Mr. Ensign to make the affair public and to work to reconcile the two families.

Mr. Coburn warned Mr. Ensign that if the affair did not end, he would "go to Mitch" — referring to [Mitch McConnell](#), the Republican Senate leader, Mr. Hampton said.

At the urging of foundation leaders, Mr. Ensign agreed to write a goodbye letter to Cynthia Hampton and send it by overnight mail. "What I did with you was a mistake," he wrote in longhand. "I was completely self-centered and only thinking of myself. I used you for my own pleasure."

But immediately after the confrontation, the senator called Ms. Hampton and told her to disregard the letter, Ms. Hampton said. The relationship would continue for six more months.

Work After Washington

The senator soon began developing an exit strategy to quietly move Doug Hampton out of his life.

Senate Republicans were facing a tough challenge in 2008, and Mr. Ensign, as chairman of the National Republican Senatorial Committee, was charged with raising tens of millions of dollars to help bankroll vulnerable Republican incumbents and elect newcomers.

During an afternoon of fund-raising meetings in late February 2008, Mr. Ensign confided in Michael Slanker, the group's political director, that Mr. Hampton was unexpectedly leaving his Washington office to return to Nevada.

There was no mention of the affair. Instead, Mr. Ensign told Mr. Slanker that Ms. Hampton was ill, and that her husband was weary of flying back and forth between Las Vegas and Washington, Mr. Slanker recalled. (Those explanations were "all untruths," he said he learned later.)

Within minutes, the senator and Mr. Slanker came up with an idea.

Michael Slanker had made more than \$500,000 in the prior five years working for what he called "Ensign Inc." serving as Mr. Ensign's top fund-raiser and political consultant. The company Mr. Slanker and his wife had formed to help run these campaigns, November Inc., had become dormant after the couple moved to Washington to help Mr. Ensign run the Republican committee in 2007.

Mr. Slanker said he proposed that the firm could be revived, giving Mr. Hampton a well-known base in Nevada political circles to start a small government affairs practice. That afternoon, the senator and Mr. Slanker met with Mr. Hampton.

"Whatever clients you can get — you can eat what you kill," Mr. Slanker recalled telling Mr. Hampton of the deal.

As part of the arrangement, Mr. Ensign also agreed to help line up three or four clients who would pay Mr.

Hampton enough to match or surpass his \$144,000 Senate salary as an administrative assistant, Mr. Hampton said. His account is corroborated, in part, by e-mail messages Mr. Hampton sent to the senator that spring, and by a work plan that Mr. Slanker and Mr. Hampton prepared.

Soon after, Mr. Ensign called the Hamptons separately. Cynthia Hampton, he said, would have to leave her \$48,000 a year campaign job, while her husband would have to quit as planned. But as severance, the senator said he and his wife would give the Hamptons a check for about \$100,000, Ms. Hampton said.

Mr. Ensign's lawyer in June, however, called the \$96,000 payment that was ultimately made a tax-free gift from Mr. Ensign's parents to the Hamptons "out of concern for the well-being of longtime family friends during a difficult time."

Mr. Hampton's notes from the phone conversation with Mr. Ensign — sketched on a Senate notepad — made clear that they had agreed on one other condition.

"No contact what so ever with Cindy!"

Phone Calls and Letters

NV Energy, the largest power company in Nevada, had a problem in the summer of 2008. The utility had been waiting more than a year for the [Interior Department](#) to finish an environmental assessment of a proposed \$5 billion coal-burning plant.

The company figured that if Mr. Bush left office without the environmental report's being approved, the entire project could be stalled indefinitely. Nevada Democrats, including Senator [Harry Reid](#), the majority leader, had spoken out against the plan.

That is where Mr. Hampton came in.

Weeks earlier, Mr. Ensign had contacted Michael Yakira, the chief executive of NV Energy, and inquired about work for Mr. Hampton, the company acknowledged in an e-mail message. The company and its executives were reliable supporters of the senator, contributing more than \$50,000 to his political causes over the previous five years. After Mr. Yakira met with Mr. Hampton, the company hired him, through November Inc., to do "lobbying coordination" of federal officials, according to a copy of the contract.

Interviews show that the senator also spoke with other Nevada power brokers, including Maurice J. Gallagher Jr., the chief executive of Allegiant Air, the Las Vegas-based discount airline; Bob Andrews, a financial industry executive; Sig Rogich, a prominent Republican consultant; and Paul Steelman, a casino architect and developer. In the conversations, Mr. Ensign did not specify what type of work Mr. Hampton might perform, but the executives he contacted said he had made it clear that Mr. Hampton would be well suited for consulting that drew on his Senate experience.

Mr. Steelman said that, in the midst of a phone conversation in which he was seeking Mr. Ensign's help on a casino dispute, the senator mentioned Mr. Hampton and asked if the developer might have business for him as a lobbyist or consultant.

"He knows I have a lot of clients throughout the world," Mr. Steelman said in an interview.

He did not end up enlisting Mr. Hampton, but NV Energy and Allegiant Air did, each agreeing to \$5,000-a-month contracts through November Inc., company documents and interviews show.

The senator had a record of assisting Allegiant and NV Energy, both major employers in his state. His office, for example, had helped the airline resolve questions raised by the [Securities and Exchange Commission](#) in 2006, before the airline went public, and urged federal regulators in 2005 to approve NV Energy's plan to buy an electric power plant outside Las Vegas.

Still, a review of the records and interviews shows that Mr. Hampton, in coordination with Mr. Ensign and his staff, played a significant role in pushing the companies' agendas in Washington.

With NV Energy, for instance, Mr. Hampton spent the summer of 2008 strategizing with John Lopez, the senator's chief of staff, about how Mr. Ensign could intervene with the Interior Department to get the coal-plant report completed, Mr. Hampton said.

In November 2008, Mr. Ensign wrote to the Interior Department secretary at the time, [Dirk Kempthorne](#), restating his longstanding view that the project was good for Nevada and urging the agency to publish the report.

Mr. Hampton followed up the next month with an e-mail message to Mr. Lopez, still trying to get the report released. The delay "is really hurting Nevada," he wrote.

Mr. Lopez responded the same day. "I have been pounding Interior and can't figure why this hasn't come out," his e-mail message said. "I'll call again today."

Mr. Lopez asked Matthew C. Eames, the department's director of Congressional affairs, to make inquiries. Mr. Eames, in an interview, said after that hearing repeatedly from Mr. Ensign's office, he contacted half a dozen Interior Department officials in Nevada and Washington to urge them to issue the report.

Five days after the e-mail exchange between Mr. Hampton and Mr. Lopez — on Dec 17, 2008 — the environmental impact statement was signed. (NV Energy has since put the coal plant project on hold.)

Mr. Ensign's office said that his intervention on behalf of the utility reflected his support for the plant. The senator "has been working on this specific issue for a long time before Doug Hampton was a lobbyist," according to Mr. Ensign's statement.

Senate ethics rules and federal criminal law prohibit former aides, if they have "the intent to influence," from making "any communication to or appearance" with any senator or Senate staff member for a year after leaving their jobs. A separate law required Mr. Hampton to register as a lobbyist if he intended to press a company's case on Capitol Hill.

Congress in 2007 toughened ethics laws to make failure to file as a lobbyist a criminal offense. Prosecutors have used the 12-month lobbying ban to bring criminal charges in several corruption cases, including the 2006 conviction of [Bob Ney](#), then a Republican congressman from Ohio.

Mr. Hampton, who believed that Mr. Ensign's help with his clients was crucial to his success, admitted he had ignored the restrictions. He said that it was November Inc.'s responsibility to register him as a lobbyist, but he added that he did not insist the company do so because it would have made obvious that he was

making inappropriate contacts on Capitol Hill. As for violating the one-year ban, he said he did so at Mr. Ensign's direction.

"Work with Lopez," Mr. Hampton said the senator told him. "I will take care of Lopez. I will make sure Lopez gives you what you need."

Mr. Lopez agreed that Mr. Ensign instructed him to work with Mr. Hampton, but offered a different explanation.

He said that after he had raised concerns about Mr. Hampton's requests, Mr. Ensign responded by designating him to be the office's intermediary with Mr. Hampton to ensure that the contacts complied with the law.

Mr. Lopez, who left Mr. Ensign's office last month, also said his conversations with Mr. Hampton were simply "informational."

"Did Doug advocate and try to lobby in a couple of instances?" Mr. Lopez asked. "Absolutely. But that's his problem."

Several legal experts said, however, that the communications between Mr. Ensign's office and Mr. Hampton might have been improper. If Mr. Ensign knew that Mr. Hampton was lobbying his office and facilitated the arrangement, he could face an inquiry, said Stan Brand, a former House general counsel who specializes in government ethics issues.

"You can't advise someone to do something against the law and not run into trouble on that," Mr. Brand said.

Mr. Hampton also turned to Mr. Ensign to intervene in disputes involving Allegiant Air, whose chief executive had donated \$60,000 to the senator's political causes over the previous five years.

The company was under investigation by the Department of Transportation last year for deceptively tacking on a "convenience fee" on tickets sold over the Internet. Mr. Hampton asked Mr. Lopez to have Mr. Ensign call the transportation secretary at the time, Mary E. Peters, to object to the investigation, or at least to get a status report on the inquiry. (Ms. Peters confirmed that the conversation occurred.) The appeal failed, and half of a \$50,000 fine was suspended.

In his statement, Mr. Ensign's office said that he had spoken to Mr. Gallagher, Allegiant's chief executive, about the airline's concerns before calling Ms. Peters and that he did not act specifically in response to Mr. Hampton's requests.

Mr. Hampton also worked with Mr. Ensign's office to arrange a March 2009 meeting between Mr. Gallagher and the new transportation secretary, [Ray LaHood](#). Mr. Gallagher, who is chairman of an airline association, was seeking to challenge a contract that Air Canada had won to provide transportation to professional American sports teams. (Eventually, Air Canada was forced by the department to make changes in its charter practices that Mr. Gallagher had requested.)

Mr. Ensign requested the session in a phone call to Mr. LaHood, a former House Republican colleague, transportation officials said. The department described the March 11 meeting — with Mr. Hampton in

attendance — as part of a series of courtesy visits with airline executives. The agency acknowledged that the Air Canada dispute was discussed.

The same day as the Transportation Department meeting, Mr. Ensign and Mr. Gallagher had lunch in the Senate Dining Room, with Mr. Hampton and Mr. Lopez joining them. Mr. Hampton also set up meetings for Allegiant with five other senators on Capitol Hill, including Mr. Coburn.

Mr. Coburn said he realized only when asked about it that his meeting with Mr. Hampton might have violated the one-year lobbying moratorium. "It was wrong," Mr. Coburn said.

Allegiant Air and November Inc. also said they were unaware of any possible legal issues until asked recently, and said they would consult their lawyers to determine if corrective action was needed.

Mr. Slanker, at November Inc., said that if his company was part of improper lobbying efforts, "I'm going to make it right." The whole situation, he added, "makes me sick to my stomach."

Going Public

Months after Mr. Hampton discovered the affair, he and his wife began seeing a counselor to salvage their marriage. But Mr. Hampton said he became increasingly embittered toward Mr. Ensign over the "destruction" the infidelity had caused.

By July 2008, Mr. Hampton said he was worried about his finances, since the senator had helped him get only two clients. The next month, Mr. Hampton secured a full-time position at Allegiant Air that paid as much as \$225,000 a year. But he said he still felt he was in a precarious position because of his reliance on the senator for access in Washington. "I couldn't keep living a lie," he said.

So in April, he hired a lawyer, Daniel J. Albrechts of Las Vegas. In an interview, Mr. Albrechts said he believed the Hamptons might have a civil claim against Mr. Ensign over their dismissals from his staff and the consequences for their family.

That began a series of intense, though ultimately futile conversations intended to reach a financial settlement.

Mr. Hampton went back to Mr. Coburn, who offered to talk to Mr. Ensign about restitution for the Hamptons to help them relocate from Nevada. Mr. Coburn said he raised the issue with Mr. Ensign, who said, "I'll listen."

Mr. Albrechts gave Mr. Coburn a figure: just under \$8.5 million, to cover purchase of the Hamptons' home, lost wages and "pain and suffering."

Mr. Coburn dismissed that as "ridiculous." Mr. Hampton came back with a lower number — about \$2 million, which Mr. Coburn passed on. Mr. Ensign flatly rejected the proposal.

"That's a joke; forget it," Mr. Coburn recalled Mr. Ensign saying.

The negotiations were over, but Mr. Hampton had a final card to play: publicity. Without telling his lawyer, he wrote a letter to Fox News on June 11 laying out the affair. That would lead to a hastily scheduled news

conference days later, when Mr. Ensign would express regret over the “deep pain” he had caused both families.

Doug and Cynthia Hampton are both now out of work — Allegiant Air let him go because of the scandal, and his NV Energy contract expired this spring. The couple have put their house up for sale and hope to leave Las Vegas.

While several citizens' watchdog groups have called for an ethics investigation into Mr. Ensign's conduct, there are no signs of any active inquiries. Mr. Ensign's string of apologies and his back-to-business demeanor in the months since his news conference appear to have helped him ride out the political storm. Over the last week, he made the news again, for opposing a major element of [President Obama](#)'s health care plans. References to the affair were no longer attached to his name.

Barclay Walsh contributed research.

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