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Cool head for those in the hot seat

Few people in Washington know the ins and outs of navigating a congressional investigation quite as well as Steve Ross, a partner at Akin Gump Strauss Hauer & Feld. *By Megan Wilson*

For those summoned to Capitol Hill by Congress, the actual battle of making it through tough questioning from investigative committees, according to Ross, is waged behind closed doors.

"People focus on those two, three, four hours during the hearing," he said in a recent interview with The Hill. "But if we're going to do right by a client, [the work] is really done in the run-up to that."

Ross founded the firm's congressional investigations practice in 1993, fresh off a 15-year stint in the Office of the House General Counsel, and served for a decade as the second-ever House general counsel.

For clients, he used to keep in his wallet a copy of a quote from Bob Knight, the famed college basketball coach known for getting heated during games.

In a sunlit conference room at the firm's Dupont Circle offices, Ross recited the quote from memory:

"Everybody always watches and talks about what I do during the game. That's not my job. I do my job during practice. My job is preparation."

Despite his sideline antics,

Knight led teams to more than 900 NCAA Division I victories, a record at the time of his retirement.

Ross said the same is true for a congressional investigation lawyer: A "perfect game" is having anticipated every question lawmakers will ask and being able to "thoughtfully" prepare the answers.

"Like in many parts in life, the goal is to see if you can avoid any types of surprises," he said.

His most high-profile clients have often been splashed on the front pages of news outlets nationwide, which speaks to their need for the expert advice of Ross and his team.

"Things that people in Washington are talking about very often end up as congressional investigations," he said. "To be able to play a role in that, and to be part of that part of the profession, has been a fabulous place to be."

Those clients include chief executives from companies such as Countrywide, AIG and various credit rating agencies during the post-fiscal collapse fallout, and the New England Compounding Center, recently in hot water following a deadly meningitis outbreak from tainted



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Steve Ross, who consults for clients facing congressional investigations, says proper preparation is the most important part of his work at Akin Gump Strauss Hauer & Feld.



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medications. The firm is currently leading the effort to help the Utah Legislature investigate that state's attorney general.

The attorneys representing the subjects of harsh congressional scrutiny often work to help their clients make amends.

"Sometimes that scrutiny is simply a case of the actions of the company or person being misunderstood. At other times, we can be part of an effort to address and correct mistakes that have been made," he said.

Directing clients through rough waters is the "perfect intersection of law and politics," he said, adding that the act of planning for a congressional investigation requires a politically agnostic attitude.

"My whole approach to congressional investigation representations is not to fall into what I think is a trap of thinking of it as a purely political exercise," he said, drawing from his experience in the general counsel's office — when Congress was his client.

"If you understand that it is not a partisan process, you do a better job understanding what's going on and understanding how to best help clients."

Still, many on the outside ask about his client roster in attempts to figure out his political leanings.

"I'm able to say, 'Well, I've represented Rupert Murdoch and George Soros.' That

might be the goal posts of American ideological politics," he said.

Although it was not until the 1990s that he started building the congressional investigations practice at Akin Gump — a specialty few firms were offering at the time — Ross cut his teeth on political scandal, congressional probes and subsequent legal reform.

Following several summers as an unpaid intern for the Democratic Congressional Campaign Committee, he moved to the District for good as a law student at The George Washington University. It was the fall of 1973, in the midst of Watergate.

"Some of my earliest memories from being in town were about the nature of congressional investigations, and the passage of post-Watergate reforms, particularly election law," he recalled.

The scandal's probe and the aftermath "really informed what I did."

Ross never looked back.

Unlike straight lobbying or traditional litigation, which he also still practices, investigative hearings have a unique dynamic.

It doesn't require a "tough-as-nails lawyer" pounding on the table, or a lobbyist who would operate with investigations the same way he or she might deal with "a bad amendment to be introduced or passed."

"The real science and art here is, how

do you get through the process, knowing that the committee is going to do certain things, finding the path that allows them to do what they're trying to do without it injuring your client," Ross said.

"To say it's a theatrical production is in one-part true, but it can convey the wrong impression. It's not theater for entertainment. It can be theater for illumination."

"Where people can make a mistake is thinking that it's only entertainment or only a game or only a show. ... It actually does a disservice to the committees and it can be harmful to your client if you think of it as political theater for theater's sake."

Letting policymakers achieve their goal — whether it be pushing the passage of legislation, regulating an industry or highlighting an issue — while operating behind the scenes to manage their clients' exposure is "exciting," he said.

Washington often gets a bad reputation for being a cutthroat environment — for both policymakers and the influence industry — but Ross will make time to talk to up-and-comers and those looking to make a move into the investigation-consulting field.

"People come to this town to do the right thing and to make a positive impact," Ross said. "It's not all about the money, and that's a refreshing and nice thing. I think it still exists."