

Some Causes of U.S. Lobbying & Ethics Reform

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Causes of Reform?

Scandal/Conflict of Interest/Corruption

- Jack Abramoff: 2004-2006: fraud, tax evasion, conspiracy to bribe public officials (5 yrs., 10 months)
- Conviction of Rep. Bob Ney
- Conviction of Duke Cunningham: bribes for earmarks
- Conviction of Rep. Tom Delay-illegal corporate contributions for campaigns in Texas
- Indictments of members, staff and federal employees
- Resignation of White House/ Exec. Appts.

Causes of Reform?

- Increase in Campaign Spending (2008 -\$5 b+; 2012 \$6 b+)
- Campaign Finance & Lobbying:
Bundling/Earmarks
- Proximity of Votes and Campaign Contributions
- Size of Lobbying expenditures
- Negative Public Attitudes about Lobbyists (2006 & 2008 Elections)
- Promise of Post Hill Lobbying Jobs---K Street Project
- Gifts and Travel
- Anger with Congress
- "Political Intelligence" and Insider Trading

Continuing Problems: Enforcement and Transparency

- Congressional Revolving Door Loopholes
- Non-Registered Lobbyists
- Definition of Lobbyist under LDA
- **Weak Enforcement** of Law and Ethics
- Lack of Transparency and Poor Records
- FARA Loophole
- Weak House and Senate Ethics Committees
- Super PAC Money in Elections and Issue Campaigns
- Leadership PACs
- Travel and Gift Loopholes

Who is a lobbyist?

LDA Legal Definition

Two Contacts (Congress, staff and Executive Branch Executives)

20 % of time on “lobbyist activities”
(contacts and efforts in support of those contacts)

Paid by Client

\$5,000 income per lobbyist or \$20,000 for organization(semi annually)(now indexed)

Number of Registered Lobbyists*

*The number of unique, registered lobbyists who have actively lobbied.

■ 1998	10,406	■ 2006	14,495
■ 1999	12,933	■ 2007	14,837
■ 2000	12,536	■ 2008	14,195
■ 2001	11,831	■ 2009	13,787
■ 2002	12,113	■ 2010	12,965
■ 2003	12,913	■ 2011	12,711
■ 2004	13,167	■ 2012	12,433
■ 2005	14,071	■ 2013	12,279

Figures on this table are calculations by the Center for Responsive Politics based on data from the Senate Office of Public Records. Data for the most recent year was downloaded on January 27, 2014.

Number of “Advocates”?

2012

- **Narrow Definition: 40, 281** (number of people in the Government Affairs Directory doing advocacy)
- **Broad Definition: 87,058** (total number of employees listed in Government Affairs Directory including support staff)
- **Estimated number of people involved in all elements of advocacy campaigns the lobbying industry in Washington, DC area: 100,000+?**
- **People selling to the federal government**
- **Who should be called a lobbyist?**

Size of Lobbying Expenditures

Tip of the Iceberg?

Source: Clerk of the House and Secretary of the Senate, 1998-2013

■ 1998	\$1.45 b.	■ 2006	\$2.65 b.
■ 1999	\$1.45 b.	■ 2007	\$2.88 b.
■ 2000	\$1.57 b.	■ 2008	\$3.30 b.
■ 2001	\$1.64 b.	■ 2009	\$3.50 b.
■ 2002	\$1.83 b.	■ 2010	\$3.55 b.
■ 2003	\$2.06 b.	■ 2011	\$3.33 b.
■ 2004	\$2.20 b.	■ 2012	\$3.31 b.
■ 2005	\$2.44 b.	■ 2013	\$3.21 b.

2012 Lobbying Expenditures

\$3.3 billion

- \$6.16 million per member per year
- \$275 million per month
- \$63.46 million per week
- \$ 9.04 million per day
- \$376,712 per hour
- \$6,278 per minute
- \$104.64 per second

Increase in Campaign Expenditures

Source: FEC, 1998-2012

All dollars spent by presidential candidates, on conventions, Senate and House candidates, political parties and independent interest groups

■ 1998	\$1.62 b.	■ 2006	\$2.85 b.
■ 2000	\$3.08 b.	■ 2008	\$5.29 b.
■ 2002	\$2.18 b.	■ 2010	\$3.64 b.
■ 2004	\$4.17 b.	■ 2012	\$6.29 b.

Obama on Lobbying Reform

“I intend to tell corporate lobbyists that their days of setting the agenda for Washington are over, that they have not funded my campaigns, and from the first day as president I will launch the most sweeping ethics reform in U.S. history.”

Recent Streams of Reforms/Change

- Honest Leadership and Open Government Act of 2007(lobbying ethics, and campaign /finance reform)
- Rules and Procedural Reforms 2007
- Campaign Finance Reform
- Citizens United
- Redistricting Reform (CA-2010)
- Presidential/Executive Branch Lobbying Reform

President Obama's Reforms

- Revolving Door Restrictions (Into and Out of government)
- Restricts Gifts to Executive Branch Officials
- Lobbying TARP Restrictions
- Lobbying American Recovery and Reinvestment Act (Stimulus) Restrictions
- Restrictions on Serving on Commissions and Advisory Councils

Evidence of Intended and Unintended Impact of Lobbying Reform?

- Deregistration?
- Restricts Expertise?
- Transparency?
- Enforcement?
- New Loop Holes?

ABA Task Force Recommendations on Lobbying Laws

- Change Definition of registered lobbyist (revise 20% rule)
- Disclose more lobbying information
- Better records of lobbyists and lobbying
- Report those involved in professional lobbying campaigns
- Expanded reporting of campaign contributions by lobbyists
- Reform earmarks
- Fix Byrd Amendment
- Improve enforcement