

INCREASING LOBBYING TRANSPARENCY

H.R. 8022: The Lobbying Disclosure Reform Act of 2020

The American people have a right to know who is spending money to influence public officials, whether in Congress or in the executive branch.

While the right to lobby the government is enshrined in the Constitution, it is critical for the process to be transparent. Corporations, labor unions, and other special interests combine to spend billions of dollars each year lobbying. Yet the Lobbying Disclosure Act (LDA) has not been updated in over a decade, and there has been a significant decline in registered lobbyists since 2007, as many in the influence industry avoid the arcane and outdated technical definition of “lobbying” but still engage in activities that help their clients navigate the halls of power.

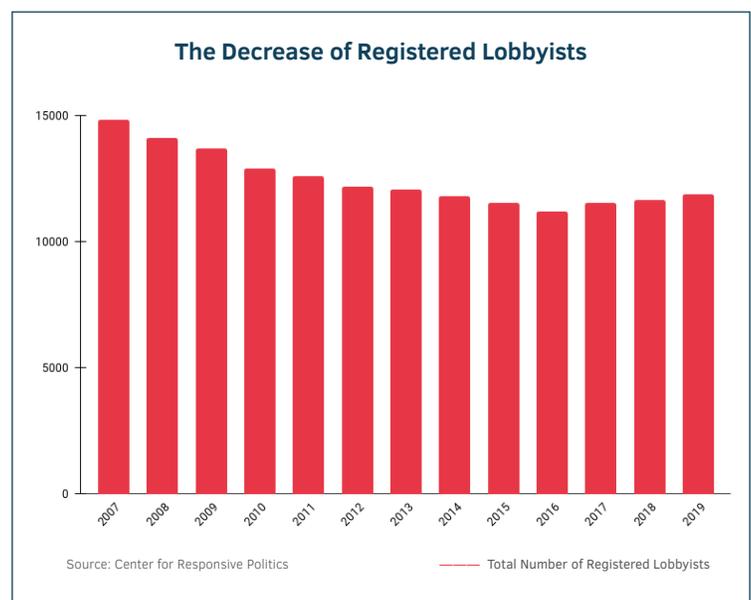
The Lobbying Disclosure Reform Act of 2020 (H.R. 8022) updates our nation’s lobbying law by addressing the increased reliance on “strategic lobbying services” and outside communications, public relations and polling firms.

“Lobbyists spent nearly \$3.5 billion to influence our elected leaders last year... our constituents deserve to know which interests are in the room.”

-Rep. Dean Phillips (D-MN)

Four Reasons to Update the LDA:

- 1. The 20% time threshold is too difficult to enforce and too easy to manipulate.** Currently, individuals do not need to register unless their time spent lobbying exceeds 20% of their total compensated time. Relying on a percentage test leads to underreporting and creates a system that is easy to game, leading to registration avoidance.
- 2. The LDA does not capture individuals engaging in strategic lobbying services** — a loophole used by many former elected officials and executive branch officials.
- 3. LDA registrations have declined while spending on lobbying in Washington has continued unabated.** The Center for Responsive Politics found that from 2007 to 2019, the number of registered lobbyists dropped from nearly 15,000 to less than 12,000.
- 4. Enforcement is weak and under-resourced, creating a culture of non-compliance.**



The Lobbying Disclosure Reform Act of 2020

The provisions in H.R. 8022 are grounded in the expert recommendations of the [American Bar Association's LDA Task Force](#), composed of industry practitioners, academics, advocates, and other experts who summarized their findings and official recommendations for strengthening the LDA in a 2011 report.

These provisions include:

- 1. Clarifies reporting thresholds.** Once a lobbyist has spent 12 hours in a quarter on lobbying, they must register. Currently, an individual only needs to register if they spend more than 20% of their time on lobbying activities per quarter.
- 2. Requires registered lobbyists to report the identities of those providing strategic lobbying services.** The bill would require current registrants to provide more transparency about who provides strategic lobbying services and what services they provide. Individuals providing such services would not need to register unless they exceeded the new 12 hour threshold per quarter.
- 3. Moves enforcement from U.S. attorney for DC to attorney general.** This move increases enforceability, as the attorney general oversees similar crimes.
- 4. Includes various transparency-increasing measures** – including enhanced online reporting.

“Updating the LDA with these commonsense provisions is a strong step to modernizing our lobbying laws and placing more power in the hands of the people rather than the lobbyists.”

-Rep. Ben Cline (R-VA)

“Responsible representative Government requires public awareness of the efforts of paid lobbyists to influence the public decision-making process in both the legislative and executive branches of the Federal Government.”

- Lobbying Disclosure Act of 1995