

# CLOSEOUT FILES



Resolved: In the United States,  
organized political lobbying does more  
harm than good.

# Introduction

Resolved: In the United States, organized political lobbying does more harm than good.

February is always pretty exciting and a big month for debate with Berkeley and Harvard falling on the same weekend. Overall, I think it's another good February topic (perhaps not as good as Russia or BRIC but respectable nonetheless). On the surface, the topic is just a better worded version of the January lobbyist topic a few years ago; however, a fair amount has happened since then. I remember rounds being pretty good then, so I doubt this month will disappoint.

The resolution is pretty clear. The only real point of contention in terms of wording is what does "organized political lobbying" include? Last time lobbying was a topic, a lot of teams arguing that lobbying was beneficial shied away from K Street and focused a lot on people lobbying their Congressmen individually by sending them letters. I'm not sure that's what the framers of the resolution had in mind when they drafted it, but it wasn't really abusive either. This month that kind of lobbying is pretty definitively not topical. Not all grassroots lobbying is the same though, and there is a grey area. Some grassroots lobbying movements are very organized and fall in the scope of the resolution, so con teams should use that to their advantage. It's somewhat risky focusing too much on grassroots though, so I definitely wouldn't stake the entire round on it.

Going into the round a lot of judges are probably going to be mildly biased towards the pro, but that shouldn't be insurmountable. The general population has a very negative perception of what lobbyists do thanks to the Jack Abramoffs and "bridges to nowhere" associated with the profession. These things are by no means the norm though and you have to look at the big picture especially if you're on the con.

As always one thing that I can not stress enough is do not run a defensive case, especially if you're on the con. There is a time and a place for those arguments, but it isn't in the constructive. You need some offense. Why waste an argument about ethics reform when you know you can probably fit it in as a response? Based on the rounds I've judged this year, a lot of teams are good at refuting their opponents arguments, but few teams successfully reiterate/rebuild their own arguments well (saying the other team hasn't addressed your point when they clearly have doesn't count ;).

Good luck debating! Hopefully I'll see some of you at Harvard. As always feel free to send us an email about any question you might have about the topic or to run stuff by us at [CloseoutFiles@yahoo.com](mailto:CloseoutFiles@yahoo.com).

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# Background

"In the United States, organized political lobbying does more harm than good."

lobbying

"Trying to influence decision makers. Interest groups use lobbying as a tactic to pursue the interests of their members, but individuals, too, can lobby. Lobbying can be done directly or indirectly, and can be aimed at any branch or level of government."

lobbyist

"One who tries to influence decision makers. The term originates from the physical layout of capitol buildings, where legislators deliberate in a chamber, and non-legislators must gather outside the chamber, in the lobby. Thus, those trying to influence lawmakers came to be known as lobbyists."

<http://www.helium.com/items/827523-is-lobbying-necessary-and-ethical>

Is lobbying necessary and ethical?

by [EMoore](#)

Lobbying is necessary and it is generally thought of as neither being ethical or unethical. Yet when generalities narrow themselves into particulars ethics often enter the picture. Since lobbying in general is what this article is all about, I will start by defining lobbying. What is it? How did it get its name? Why is it necessary and what renders it ethical or unethical?

## WHAT IS LOBBYING?

Lobbying is influence peddling and it is not so pure nor is it simple. Lobbying is an attempt to gather together others to join causes such as for or against campaign spending; for or against abortions; for or against lower taxes; for or against stricter border controls; for or against newer immigration restrictions and on and on.

Lobbyist, those working for pay for certain groups such as those attempting to effect changes in people's mind about such and such subjects such as who will be the next president of the United States, who should and who should not be in the [European Union](#), (EU), who is looking out for the over fifty group in the United States (AARP) and who oversees the medical field in the United States (AMA), are the flotsam and jetsam of the big business of persuasion.

## HOW DID LOBBYING GET ITS NAME?

One would suppose that it got its name from the word lobby. A lobby is the first big room that one enters into when entering a hospital or a hotel or some other large building. It is a gathering

place where one sits and waits for others before going on to other routine matters or before visiting or before retiring for the night, before going to a board meeting, or before going to a party in honor of a presidential hopeful. In this context a lobbyist is the one that shows the way.

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# Pro Analysis

The merits of lobbying has become one of the largest unsettled issues in the country. Lobbying has been out of the media for a while because of the current problems facing the country and the lack of an Abramoff-esque scandal. Luckily for the Pro, the common sentiment among people regarding lobbyists is usually very negative. To many people, lobbyists represent the corruption of government and big business having too much influence over the legislative process. There is no questioning the effectiveness of lobbying or we wouldn't be seeing a 129% increase in total lobbying spending from 1998-2008 according to the Center for Responsive Politics website [opensecrets.org](http://opensecrets.org). You will be able to find all of the statistics you would like regarding lobbying at that website, but keep in mind this topic will be won and lost with analytical arguments. This issue is far too contested to believe any one cite that says that after their rigorous analysis they have deemed that lobbying is beneficial or detrimental. You're going to need to show judges why lobbying is positive or negative if you want to see results on this topic.

Lobbyists work for the highest bidder, simple as that. They exist to represent interest groups and those groups are the ones that have the most money to gain or lose by potential legislation. Even though humanitarian groups have access to lobbyists, they are vastly outmatched by the quantity and quality of the lobbyists hired by wealthy corporations. According to Ross K. Baker of Rutgers University, "The defect in Madison's architecture is not that interest groups would proliferate, but that there would be such an imbalance between those seeking to get or maintain private gain and those advocating for the needs of humbler people. There are, of course, multitudes of lobbyists who advocate the needs of the handicapped, the elderly and endangered species, but they are often out-gunned by trade associations and industry lobbyists." If a situation occurs where you've got a humanitarian group and a corporate institution on either side of a government issue, it is likely that the group with the most money is going to have their way. Jackson Beall of Helium.com puts it best when he says, "The first reason I would like to bring forth as to why lobbyists so drastically damage our society is that lobbyists often sway legislative decisions away from what benefits the average citizen, to what benefits the large corporations for whom they are lobbying. Our legislative process was created to ensure that all constitutional rights of the people are upheld, and should not be tampered with for the sole purpose of molding the law around the financial interests of major corporations. Yet through lobbying, the process designed to protect our rights and allow the government to function, is constantly abused. Because of lobbyists corporations are allowed to use their millions to sway government decisions away from what benefits the people to what renders them the most profit." The fact of the matter is that a lobbyist's goal is not to get the best outcome for the population but rather to achieve the most benefit for whatever organization is lining their pockets. Unfortunately for the people, those organizations are most often large corporations extracting funding or influencing legislation at the expense of the greater good.

It is often referenced that lobbyists provide essential information to legislatures to help them make better decisions, but that is hardly what actually happens. The information lobbyists provide is fairly similar to the arguments and evidence that a public forum team presents in a

round. The point is not to educate your judge on both sides of an issue; the goal is to present arguments supporting one side while often presenting biased evidence. Jackson Beall of Helium.com once again presents the idea well when he states, "Lobbyists interfere with a legislator's ability to make fair decisions, because it is in a lobbyist's best interest to present biased information that will support only their opinions. Presenting biased information is not information at all but merely a shroud the further hazes the clarity of an issue to a representative, creating an illusion of fact where only misinformation is present. Lobbyist's campaigns are plagued with this misinformation. Worse, this misinformation is obviously obtained and distributed on purpose. This is not presenting the issue, but merely tricking the representative with falsities." The negative repercussions of misinformed representatives are vast and the information only becomes more convincing the better the lobbyist is.

The biggest problem with lobbyists is their connection to the legislative process and their incredible influence over representatives. To begin with, lobbyists provide a substantial amount of funding for representative's election campaigns. Donations to political action committees are the most common form of "gifts" to politicians. An argument can be made that it is even more important to have a well-funded campaign than it is to actually represent the peoples interests; therefore, it is vital for politicians to garner as much money as possible for the re-election campaigns. The Public Broadcasting Service states, "Lobbyists and their firms contribute heaps of cash to political campaigns, attend or host fundraisers and even act as fundraisers and campaign treasurers themselves. According to the Center for Public Integrity, since 1998, nearly 80 members of Congress have tapped congressional lobbyists to serve as treasurers of their campaign committees and as leaders of their political action committees. Says Common Cause, 'lobbyists raise campaign funds because they want to become indispensable to people in power, knowing that the service they perform will be rewarded by the access and influence they gain.'" In many cases, political contributions from lobbyists are necessary; therefore, they are expected to re-pay their debts somehow.

Lobbyists also use their donations to get placed as high level government officials. This transfer from representing private institutions to supposedly representing the people calls into question the ability of the government to choose policy that actually benefits the people. David Nuttle of Helium.com says, "Lobbyists nominate themselves, and other lobbyists and lawyers who work for their special interest, for 'key' positions in government. These nominations are typically made to a newly elected U.S. President, who owes a large political debt to those who made very large campaign contributions to help get him/her (for future reference) elected. The lobbyists know that their nominations will generally be accepted as part of standard political practice whereby those newly elected politicians grant favors to special interests helping to fund their campaigns. Once in their government positions, gained via the political games, these lobbyists and lawyers act as agents of influence (AOIs) for the special interests they were previously employed by. These individuals are seldom concerned with the common good since most of them know they will again be working for the same corporation (special interest) after what appears to have been their government service." Given this occurrence, lobbyists have also have incredible influence over the legislative and executive branch.

Lobbyists have a unique relationship with congressmen due to the revolving door phenomenon by which many former representatives move their offices to K street and join

lobbying firms. According to the Public Broadcasting Service, “Another issue of concern is the number of congressional staffers, executive staffers and former members of Congress taking highly lucrative jobs as lobbyists. According to a study by Public Citizen, 43 percent of eligible members of Congress who left office since 1998 have become lobbyists. During that same period, 273 former White House staffers also registered as lobbyists. While some see this as a logical move into a position where they can best apply their skills, it also raises concerns that tenure in Congress is just a stepping-stone toward a highly paid job as a lobbyist.” All Congressmen are aware of this situation; therefore, during their time as representatives they may be more willing to compromise with lobbyists to ensure their position after they either choose to step down or don’t get re-elected. Congressmen are simply looking for their exit strategy and, at times, that may mean focussing on lobbyists opposed constituents. PBS also reports, “In convincing Rep. Robert W. Ney not to run for re-election, House Majority Leader John A. Boehner (R-Ohio) reportedly told Ney that if he lost his House seat for the party, he could not expect a lucrative career on K Street-the avenue of the lobbyists.” Congressmen’s decision making process includes their relationships with lobbyists and that negatively affects their ability to make the decisions that will benefit their constituents. Promising a future at a lobbying firm is probably the most powerful tool lobbyists have to influence politicians. Lobbying firms also benefit from hiring former representatives because they are far more effective at influencing politicians. PBS states, “In 2005, lobbyists in the United States spent \$2.3 billion-up from \$1.5 billion just five years earlier-on behalf of their clients. But what exactly are clients buying? Abramoff was able to charge millions in fees for his lobbying because he had the kind of relationship with certain members of the Republican leadership that few others did. As ‘Capitol Crimes’ showed, special interest groups were willing to pay big money for that kind of access which in turn produced results. A direct pipeline to power means a much better chance that when push comes to shove, the chips will fall in your favor. Indeed, a lobbyist is only as powerful as the number of close relationships he or she has with those who hold the reins.” This relationship proves that lobbyists can easily put pressure on congressmen to present, support, or destroy certain bills. Without a question, a revolving door argument will be the most effective argument a pro team can make.

The effect of the public understanding the impact that lobbyists have on legislative process is a general dissatisfaction with the way the government commits resources and chooses policy. Individuals no longer feel their voice has as much value as that of a lobbyist, which it doesn’t, but that results in the population losing faith in the government’s ability to tend to their needs. According to the San Jose Mercury News, “The most significant impact of the wide-open race for money is that more and more Americans feel they are not part of the process in a country built on the premise that government is of, by and for the people. They feel it’s a big-money game, and there is little opportunity for the average citizen to influence public policy.” It is not surprising when we see lower than ever voter turnout (Obama election is an exception due to his unique impression on the American public, but I expect the numbers will return to their low levels for non-presidential year elections for congress) given peoples’ apathetic feeling towards politics. This is an argument that cannot really be supported by statistics but still holds as a legitimate logic point. The average citizen definitely doesn’t have more of a voice when

lobbyists are in the picture; therefore, it decreases individuals' incentives to participate in politics.

Lobbyists obviously negatively influence the political process as they complicate the system and decrease the efficient distribution of resources. Lobbyists are the medium by which corporate America uses corruptive means to exploit the government and impede democracy. Lobbyists are not there for the people; they exist for the money.

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# Con Analysis

While it is not improbable that Con teams can win on this topic, they are certainly put at a disadvantage. The only people who truly like organized lobbying are those individuals who benefit from the process. It is your job on the Con to show your judge how they personally gain from lobbyists through direct and indirect means. You can show judges how much benefit is given to humanitarian purposes, and how the population is safer and more economically stable. It will be important to present lobbyists as a necessity for representing the people and how individuals' needs could not be addressed as well without lobbyists.

You can start the debate by proving that lobbyists have a legitimate and defended position in the role in the legislative process. According to Ross K. Baker of Rutgers University, "It might come as a surprise to most people that lobbying is a constitutionally protected activity under the hallowed First Amendment. After the Founding Fathers cast the cloak of protection over freedom of religion, the press and the right to peacefully assemble, they added a category that could not be infringed upon by the federal government: 'to petition the government for a redress of grievances.'" I usually try to stay away from constitutional arguments because teams try to make them as the ultimate justification for what they are trying to support. Rarely do I see teams use the constitution effectively, so it is important to clarify the purpose of this argument. The fact that lobbying is defended in the constitution does not mean that lobbying is beneficial; it is possible to abuse something in the constitution. Present this argument as a justification for why lobbying exists and that it holds a true fundamental purpose in society.

Even though we commonly picture lobbyists as only representing major oil and financial institutions, it is very common that they represent humanitarian efforts and non-corporate organizations. In most of the cases, these organizations wouldn't be able to get the recognition or funding that they get when they use lobbyists. According to the Encyclopedia of American History, "Although multi-interest peak associations such as the AFL-CIO, the Farm Bureau Federation, and the NAM continue to lobby on a variety of congressional issues, critics of lobbying have moved on to new targets – for example, the 'military-industrial complex' and the impact of corporate campaign contributions on executives policymaking. In addition to primarily economic lobbies, the twentieth century has seen major lobbying efforts by prohibition groups like the Anti-Saloon League, civil rights groups like the National Association for the Advancement of Colored People (NAACP), reform groups like Common Cause, and peace groups like the National Peace Action Committee." There are organizations that exist for the purpose of benefitting society, and they would not be able to garner as much attention from government if it weren't for lobbyists unique ability to influence politicians. If you want, you can use these organizations to incite an emotional response from a judge by showing how many people are saved from miserable situations. The Public Broadcasting Service reports, "They may represent churches, universities, charities, senior citizens groups or environmental concerns, or they may represent Enron or the Northern Mariana Islands. Basically, a lobbyist's job is to persuade lawmakers to view an issue in their clients' interest and will urge them to vote in a way that benefits their clients, whether that means more federal research contracts for a college in a congressman's district, [or] more affordable drug prescriptions for the elderly..." The fact of the

matter is that lobbyists represent all sorts of different organizations, and that for every contentious issue there are lobbyists representing both sides.

One of the methods lobbyists use to influence politicians is to provide them with information to make more informed decisions. According to the Thomson Gale Legal Encyclopedia, "The role lobbyists play in the legislative arena can be compared to that of lawyers in the judicial arena. Just as lawyers provide the trier of fact (judge or jury) with points of view on the legal issues pertaining to a case, so do lobbyists provide local, state, and federal policymakers with points of view on public policy issues." Lobbyists can provide information that congressmen couldn't be able to obtain if it weren't for them. There are many situations where congress may not understand the repercussions of a potential policy and they can make better decisions about what is best for the country the more information they have available. The University of Houston states, "Lobbyists serve as useful allies to members of Congress. They provide needed information that might be difficult or slow to obtain from the Congressional Research Service." If the information offered by lobbyists were not beneficial, then lobbyists surely wouldn't be as prevalent as they are today. Lobbyists exist for a reason, they can educate representatives on information that they wouldn't have otherwise been able to get. Bill Sarpalius, former representative from Texas says, "Lobbyists provide valuable information regarding defense issues, educating Members and Congressional staff about new technologies for airplanes, ships, weapons and training for the armed forces. Lobbyists work to educate Congress about education, research, the space program, business development, business corruption and other issues. These are only a few examples. There are lobbyists educating Members and staff on the pros and cons of abortion, gun control, tobacco, Internet use, health care, the use of pharmaceutical drugs, protecting retirement benefits - again, I could go on and on." On every major issue facing congress, there are lobbyists from both sides presenting information; consequently, even if one sides advice is partial, the other sides voice is heard equally as loud. According to the Woodrow Wilson International Center For Scholars, "The perception of lobbyists is quite different inside versus outside the beltway. Those inside the beltway, particularly those on Capitol Hill, view lobbyists largely as allies who provide the information needed to make educated decisions about often very complicated topics." The people who actually deal with lobbyists don't believe they are as evil as the media portrays them to be. Lobbyists serve a legitimate role and if they didn't we should have expected to see a call for an all out ban on lobbyists by now. The changes that have been made to the system are mainly to prevent against outright corruption opposed to lobbying as a whole.

When we hear about lobbyists in the media, it is usually because of some scandal where a lobbyist uses corruptive means to sway politicians to allocate funding to a project that seems to only benefit big business. The most common example of a dishonorable lobbyist is Jack Abramoff and his Indian gaming scandal. Just as in any other profession, there are a few bad actors in the lobbying community but that does not make the entire industry corrupt. The Foundation for Public Affairs says, "While it's possible that Abramoff did, in fact, make an illegal payment to one or more members of Congress, observers need to be careful not to confuse legitimate campaign contributions with illegal activities. The fact is, people tend to give financial support to politicians who already agree with them on key issues." Campaign contributions are not necessarily bribes for politicians that need to be re-paid by implementing laws to benefit

those who made donations; it is reasonable to support those who already share your same beliefs. In addition, there is no incentive for organizations to hire corrupt lobbyists because, given the transparency of the industry, a scandal outing would immensely detrimental to the company's image. The Foundation for Public Affairs goes on to say, "Because of the Abramoff scandal, companies and associations are taking a harder look at which contract lobbyists they hire to represent their interests. Obviously, no one wants to be associated with an unethical consultant." The industry is self-policing and laws have been passed to try to eradicate the behavior that is clearly corruptive. Both sides should agree it is beneficial to eliminate those lobbyists who tarnish the industry, but that does not mean that the industry itself is detrimental. The Foundation for Public Affairs also states, "99% of lobbyists would never engage in the illegal and unethical activities in which Abramoff was involved. Lobbyists need to have a reputation for being trustworthy and knowledgeable to be successful in Washington, D.C." Scandals occur in every industry from Hollywood to the White House, but that doesn't mean that on average those bodies do more harm than good.

Throughout history, wealthy individuals have had much more influence on government than the average citizen. Businesses have always seemed to get their point across to politicians more effectively than individuals have been able to do. The connection between government and the economy necessitates, at times, prioritizing corporate benefits over public welfare. Even if there were not a system of lobbying available for business to use to influence politicians, corporations would still have access to congressmen and be able to sway decisions in their favor. The system of organized lobbying decreases the influence business has over government because it protects the ability of individuals to get their voice heard. The system is extremely transparent, you can see who's donated how much to whom and for what. A system with organized lobbying is far superior to the alternative of not allowing lobbyists at all.

# Pro Blocks

## **Supply information/Promote Democracy**

This is just rhetoric. One of the basic tenets of democracy is equality, but organized lobbying harms the people by unfairly granting the rich a disproportionate voice. Sure “constituents are free to lobby their elected officials. We can send letters that make our view on an issue known to our representative. We can even send and give our representatives information about an issue. What we cannot do is get regular hearings with them. Wine and dine them to apply subtle or not so subtle pressure on them to vote in favor of our interests. We don’t have the money and organized lobbying effort to compete with those that do. Corporate and other powerful special interests are there to enrich themselves at the expense of the “the people.” They have special access that we the voters don’t have. If they did nothing more than supply information to representatives, they could send it in written form” and we wouldn’t need lobbyists trolling around Capital Hill. “In years past, many people believed that lobbyists improved the efficiency of government by effectively presenting the positions of various special interests (as regards pending legislation) to members of the U.S. Congress, or state legislators. In recent years lobbyists have become far more aggressive in presenting those positions they are paid to advance. In addition, those who pay the lobbyists are often willing to also spend large sums on "political payola" (large, sustained political contributions) to influence the creation of legislation favoring their interests.”

It is true lobbyists do provide Congressmen with information; however, this is by no means a unique benefit. Congressmen have myriad other ways at their disposal to obtain information about what the people want/need. “Lobbyists interfere with a legislator's ability to make fair decisions, because it is in a lobbyist's best interest to present biased information that will support only their opinions. Presenting biased information is not information at all but merely a shroud that further hazes the clarity of an issue to a representative, creating an illusion of fact where only misinformation is present. Lobbyist's campaigns are plagued with this misinformation.” The American people would be far better off if Congressmen relied on unbiased information rather than lobbyist propaganda.

## **Few bad apples**

Just rhetoric. Ya some are worse than others, but the entire industry is devoted to influencing legislators to vote not in the name of the greater good but in the name of some special interest that is willing to buy votes and spread propaganda. Also arguably those few bad apples that they’re conceding exist have done enough harm to outweigh the little to no benefit the rest provide and warrant voting pro.

## **Constitutional right**

Irrelevant. The debate is about whether or not they do more harm than good or not. Also just as an aside just because something is a law doesn't make it right, take slavery for example. In addition, I don't think lobbying in its current state is what the founding fathers had in mind when they drafted the constitution.

## **New reforms eliminate harms**

The fact that there was a reform effort is somewhat of a concession that there were serious harms with the system before, and on top of that the reform effort has been a complete failure. You have to keep in mind who we're talking about, and how sleazy most of them are. They'll stop at nothing to ensure their special interest gets their way, and they'll find any loophole they can. According to the USA Today, "Despite a ban on gifts to lawmakers and limits on campaign contributions, lobbyists and groups that employ them can spend unlimited money to honor members of Congress or donate to non-profits connected to them or their relatives." The reform hasn't been effective at stemming corruption. In addition despite its good intentions the obstacles set in place have simply made it harder for lobbyists firms with less resources to compete. As a result, lobbying has become even more unfair than it always was by giving the rich an even more disproportionate voice. Another thing to consider is that sure on paper laws prohibiting gifts and greater transparency are great; however, it ceases to mean much when the laws aren't enforced and people aren't abiding by the restrictions anyways. When something like 60% of lobbying firms fail to file all their paperwork, I doubt the new laws are being followed religiously either. You can't really blame Congress either for not cracking down and giving these reforms some real teeth. If they did, they wouldn't receive many of the perks they currently do, so essentially would be biting the hand that feeds them and on top of that it isn't in their best interest to crack down because almost half of them will end up being lobbyists themselves in a few years.

# Con Blocks

## **Lobbying is tool of rich and elite**

This is only true in the sense that lobbyist groups are accessible to all. Many lobbyist groups strive for the advancement and protection of the underclass. It doesn't take a large quantity of resources to get your voice heard by Congress. All it takes is a desire to be heard. A large bank account is by no means a prerequisite for being an effective lobbyist. According to a Gallup poll, more than 70% of the members of Congress who were surveyed rated personal letters from constituents as having a "great deal of influence" on their legislative decisions. "The most effective lobby campaigns involve the local constituency...If you get a letter from a constituent, you pay attention...He is somebody who votes for or against you." That's something money can't buy, and in this sense, big business lobbyists aren't as effective. Finally, there are many regulations to ensure that votes are not bought which means being rich is of no consequence.

## **Lobbyist groups have too much power**

Lobbyists don't have any inherent direct power. The purpose of lobbyist groups are to influence legislators, just because they can be successful doesn't mean they are too powerful. Throughout history this has been a very good thing. Groups like the ACLU and the NAACP have successfully lobbied the legislature and expanded civil liberties for women, minorities, as well as other excluded groups. The only real power lobbyists have is the right "peaceably to assemble, and to petition the Government for a redress of grievances." Perhaps Hitler and King George disagree, but I would hardly call that too much power.

## **Growth of lobbying industry**

Growth isn't inherently bad. According to the Washington Post, "During the Civil War, the White House staff consisted of two personal secretaries to President Abraham Lincoln. Today the Executive Office of the President budgets for more than 900 employees...There were many fewer legislators than today and the members had no staff. Currently there are more than 30,000 employees in Congress -- not coincidentally, that's just slightly more than the number of registered lobbyists. As the size and functions of government have grown, society has discovered more "grievances" to petition. In particular, spending by government has led to more petitions for one's perceived fair share." In addition, you could probably turn this argument. The growth of the industry is an indication of how accessible it is as opposed to simply a tool of the rich and elite. The industry has grown to the point where today you can find lobbyists lobbying for both sides of every imaginable issue. As a result, the growth of the lobbying industry has actually benefited democracy.

## **Lobbyist influence is corrupt**

According to the Institute for the Study of Labor, “First, we find that although lobbying is jointly related with influence, corruption is not. Second, we find that the effect of lobbying on influence is always statistically significant, while that on corruption seldom is (independently of how we measure the latter). And third, and most importantly, we find that the size of the effect of lobbying is much larger than that of corruption. These findings support the notion that lobbying seems to be a considerably more effective way for firms to exert political influence than corruption.” Yes it’s true there have been a couple bad apples in the past; however, this is by no means the norm. Concluding organized political lobbying does more harm than good because of the couple Jack Abramoff’s there have been is analogous to concluding based off of Dr. Kevorkian that doctors do more harm than good. It’s a ridiculous conclusion. In addition, lately there has been significant progress to help prevent corruption. The reform has been able to successfully help preserve the benefits of organized lobbying while eliminating some of the harms and weaknesses that may have existed in the past.

## **Wining and dining/Trips/junkets**

None of those things are really that harmful, and they were small prices to pay in order to help ensure our legislators were as well-informed about the rest of the world as possible. Since the Jack Abramoff scandal though, reforms have been successfully passed that prohibit lobbyists from doing any of those things. As a result, they’re no longer relevant today to the debate.

## **Revolving door**

There is nothing inherently corrupt about the revolving door. Also in many ways, former Congressmen are the ideal people to become lobbyists. They have a firsthand understanding of the legislative process and are well informed so can help assist those currently in office. Most the harms are purely hypothetical and extremely cynical. Moreover, ethics reform has already been enacted to ensure the revolving door doesn’t harm the American people.

## **Earmarks**

You have to look at this in perspective. Earmark spending only accounts for about 1% of congressional spending, and it isn't like earmark spending is inherently bad. For example a lot of it goes into technologically advancing our military and helping the economy. I don't even think you can entirely blame wasteful earmark spending on lobbyists; aren't the Congressmen that ultimately approve the legislation more at fault? Also earmark disclosure requirements have been recently beefed up, and abuse cases such as Halliburton simply can't occur anymore.

## Crossfire

C: Wouldn't you agree that lobbyists provide information to congressmen?

P: They do. But isn't information only helpful if it is truthful?

C: Are you saying that lobbyists lie to politicians?

P: Not necessarily, but the information lobbyists give is clearly biased towards the side who is paying them.

C: Do you think congressmen have less information because of lobbyists?

P: I think congressmen have less useful information and more biased information.

C: Well wouldn't you agree that there are lobbyists on both sides of most issues?

P: On many issues there are lobbyists on both side.

C: Then wouldn't politicians be receiving information from both sides of an issue?

P: I would hardly call that to be a fair representation of information because it is not a level playing field. Don't you agree that corporate America has far more access to lobbyists that the average American?

C: More than the average American by themselves but the fact of the matter is that most Americans belong to organizations to represent their needs such as AARP and the National Association of Realtors. It is not as if lobbyists only represent businesses, it is equally as likely that they promote the goals of many humanitarian groups. Are you saying that humanitarian groups don't deserve to have access to government?

P: That's not what I'm saying at all. I'm saying that lobbyists disproportionately represent businesses because businesses have far more money to spend than most humanitarian organizations.

P: Doesn't it worry you that many congressmen will go on to become lobbyists?

C: No it doesn't. It seems like a naturally progression for those who understand the process to stay within the same industry.

P: That is not the problem. The problem is that lobbyists influence congressmen by offering them jobs once they leave office. Congressmen can earn far more as a lobbyist than they can in Congress; therefore, they have an incentive to do favors for lobbyists.

C: Are you saying that politicians leverage their current job so that they may become lobbyists in the future?

P: I'm saying that congressmen may be willing the vote a certain way to please a lobbying firm that they may want to work for in the future.

C: Aren't congressmen responsible for pleasing their constituents?

P: Congressmen are looking out for their own interests.

C: And if these interests really weren't in the best interest of the people then the people would vote them out of office.

# Pro Outline

<u>Same Corrupt Practices Despite Reforms</u>	<u>20</u>
<u>Lobbyists Have Too Much Influence</u>	<u>21</u>
<u>Private Institutions have More Lobbying Power</u>	<u>25</u>
<u>Revolving Door</u>	<u>32</u>
<u>Decreases Political Participation</u>	<u>36</u>
<u>Size of Lobbying Has Grown</u>	<u>37</u>
<u>Earmarking</u>	<u>38</u>
<u>Lack of Adherence to Requirements</u>	<u>39</u>
<u>Guaranteed Returns</u>	<u>40</u>
<u>Lobbyists Provide Campaign Funding</u>	<u>41</u>
<u>Congress Doesn't Need Lobbyists for Information</u>	<u>42</u>
<u>White House Acknowledges the Detriments of Lobbying</u>	<u>44</u>
<u>Negative Environmental Effects</u>	<u>52</u>
<u>Lobbying and Health Care</u>	<u>54</u>
<u>Exxon Example</u>	<u>55</u>
<u>Wal-Mart Example</u>	<u>59</u>

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# Con Outline

<u>Changes to House and Senate Policy</u>	<u>63</u>
<u>The People Need Lobbyists For Representation</u>	<u>79</u>
<u>Lobbying is Part of the Process</u>	<u>81</u>
<u>Lobbyists Provide Necessary Resources</u>	<u>83</u>
<u>Not All Lobbyist Represent Big Business</u>	<u>85</u>
<u>Lobbyists Provide Good Results</u>	<u>86</u>
<u>Only a Few Bad Lobbyists</u>	<u>87</u>
<u>Abramoff Isn't the Standard</u>	<u>88</u>
<u>Lobbying Is Surprisingly Transparent</u>	<u>89</u>
<u>Lobbyists Provide Information</u>	<u>90</u>
<u>Lobbyists Educate Congress on New Technology</u>	<u>91</u>
<u>Lobbyists Represent Disadvantaged People</u>	<u>92</u>
<u>Lobbying is Constitutional</u>	<u>93</u>
<u>Lobbying Is Intrenched In the American System</u>	<u>94</u>
<u>Lobbying Has Increased With the Size Of Government</u>	<u>99</u>
<u>Lobbying Isn't the Problem</u>	<u>100</u>
<u>Same Number of Democrat and Republican Lobbyists</u>	<u>101</u>

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# Pro Evidence

## Same Corrupt Practices Despite Reforms

[http://www.usatoday.com/news/washington/2009-06-07-petcauses\\_N.htm](http://www.usatoday.com/news/washington/2009-06-07-petcauses_N.htm)

6/10/2009

USA Today

By [Fredreka Schouten](#) and [Paul Overberg](#)

Despite a ban on gifts to lawmakers and limits on campaign contributions, lobbyists and groups that employ them can spend unlimited money to honor members of Congress or donate to non-profits connected to them or their relatives. The public — until now — had little insight into the scope of this largely hidden world of special-interest influence. Under ethics rules passed in 2007, lobbyists for the first time last year had to report any payment made for an event or to a group connected to a lawmaker and other top federal officials.

USA TODAY undertook the first comprehensive analysis of the lobbying reports and found 2,759 payments, totaling \$35.8 million, were made in 2008. The money went to honor 534 current and former lawmakers, almost 250 other federal officials and more than 100 groups, many of which count lawmakers among their members. The total cost is roughly equivalent to what the U.S. government spends to operate Yellowstone National Park each year.

Most of the money — about \$28 million — went to non-profit groups, some with direct ties to members of Congress. In two cases, USA TODAY found, the donations to non-profits associated with a member of Congress came in response to a personal appeal for funds from the lawmaker. "It's another example of the many pockets of a politician's coat," says Ellen Miller of the Sunlight Foundation, a watchdog group. The spending amounts to an "end-run" around campaign-finance laws "that are designed to limit the appearance of undue influence," she says. The money came from companies, trade associations and labor groups that lobby Congress and the government on a range of issues, from seeking a share of last year's \$700 billion financial bailout package to trying to shape the debate on climate change.

The donations cover various activities — from a golf tournament that raises money for a lawmaker's non-profit to gifts to the alma mater of a powerful House committee chairman. "You can still have a gala or something or the other for a charity and earn some favor with members of Congress, which is what the gift ban was put in place to avoid," says Dan Danner, CEO of the National Federation of Independent Business and a veteran Washington lobbyist. The spending demonstrates the subtle ways that special-interest groups try to sway lawmakers, without making "something as crass as a payoff," says Kenneth Gross, a former Federal Election Commission official. He credits Congress for mandating the disclosure of the gifts and giving the public another view of the relationships between lobbyists and lawmakers.

## Lobbyists Have Too Much Influence

<http://www.citizen-times.com/article/20091201/OPINION01/91130050/New-lobbying-rules-are-a-welcome-change>

New lobbying rules are a welcome change

December 1, 2009

Some of the sort of "change" we were wanting to see from the Obama administration may be about to kick in.

Judging from the howls of outrage coming from the lobbying community, it may well be long overdue.

Here's the story: Early this fall, White House ethics counsel Norm Eisen, in a blog posting, encouraged government agencies to keep lobbyists off government advisory committees. The Washington Post reported the White House didn't issue an outright ban after lawyers had determined that wasn't advisable. The Post quoted Eisen as saying, "Some folks have developed a comfortable Beltway perch sitting on these boards while at the same time working as lobbyists to influence the government. That is just the kind of special interest access that the president objects to."

Indeed, the lobbying game has been stacked in favor of lobbyists for some time, and has served as a revolving door for people working in government. Serve a senator whose committee has a lot of influence on, say, the pharmaceutical industry, and lo and behold, you may find yourself with a comfortable lobbying job for a pharmaceutical firm when you leave public service.

And as a lobbyist, you might be able to serve on an advisory committee discussing rules, regulations and policies important to the folks you are lobbying for.

Now, lobbying has value, and most lobbyists are good people who play by the rules. But the system as it is can only be described as ludicrous. Regarding the advisory committees this initiative is aiming at, no one seems to be sure how many of them there even are, although the Post estimated 1,000 panels with more than 60,000 members. No one seems to be sure how many of those members are lobbyists.

Those panels advise agencies on anything and everything, from consumer protection to environmental rules to trade regulations to our military stance.

The move is drawing fire from lobbying groups, who say it will remove expert voices from the decision-making process and harm business.

## Lobbyists Have Too Much Influence Cont'd

<http://www.citizen-times.com/article/20091201/OPINION01/91130050/New-lobbying-rules-are-a-welcome-change>

New lobbying rules are a welcome change

December 1, 2009

Well, we'll see how this goes. We would a couple of observations, however: The number of registered lobbyists in Washington more than doubled in the first few years of this decade, as did the hefty fees said lobbyists received from their clients. Indeed, lobbying was one of the few real growth sectors as the rest of the U.S. economy either stagnated or fell apart.

It's not hard to think those two facts might be connected, or that the aforementioned decision-making process may have been skewed to the point it had only narrow interests, not the overall good, in mind.

Mary Boyle, a vice president at Common Cause, told the Post, "You may lose a lot of expertise, but these people are also paid to have a point of view; they have an agenda. We support what the administration is doing to get deep-seated special interests out of the business of running our government, so this seems like a step in the right direction."

This move may yield some unforeseen consequences, and it may need some fine-tuning. But looking at a country in economic crisis and a workforce in dire straits, it's hard to say it's changing a system that worked well.

Or a system that couldn't use some real change.

<http://www.helium.com/items/1155247-how-to-control-agent-of-influence-activities-by-lobbyists>

How lobbies influence American politics

by David Nuttle

In years past, many people believed that lobbyists improved the efficiency of government by effectively presenting the positions of various special interests (as regards pending legislation) to members of the U.S. Congress, or state legislators. In recent years lobbyists have become far more aggressive in presenting those positions they are paid to advance. In addition, those who pay the lobbyists are often willing to also spend large sums on "political payola" (large, sustained political contributions) to influence the creation of legislation favoring their interests.

The influence by lobbyists is also designed to persuade Congressmen to "earmark" billions of dollars for questionable projects having no basis of merit, and no real accountability to the public. All this is part of the game called "pork barrel politics."

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## Lobbyists Have Too Much Influence Cont'd

<http://www.helium.com/items/1155247-how-to-control-agent-of-influence-activities-by-lobbyists>

How lobbies influence American politics

by David Nuttle

In 2007, Congress approved over \$18 billion in earmarks to fund projects with little actual public benefit; e.g. a study of breeding habits for ground hogs. Pork barrel funds are also provided using no-bid government contracts to "funnel" billions of dollars to special interest who may or may not perform the work contracted for. In addition, our government pays special interests for items that are not needed, and soon salvaged after receipt. The U.S. Dept. of Defense (DOD) wastes about \$2 billion annually buying military hardware they have no use for.

As part of their efforts to find new and more creative ways to divert tax dollars to special interest that pay their salaries, lobbyists have now started using a modified version of agents of influence. Most people think of an agent of influence as a well-placed, trusted person who actively, consciously, and covertly serves the interest(s) of someone other than his or her employer. At times, an agent of influence may be an unwitting person who is manipulated to take action(s) to advance the interest(s) of others, without really being aware that doing so may harm those they claim to represent. For intelligence operations, the goal is to have an agent of influence (AOI) sympathetic to your goals in a position of power in an opposing government, or adversarial country. Ian Adams, in his book "Agent of Influence" explains how such operations work.

Lobbyists nominate themselves, and other lobbyists and lawyers who work for their special interest, for "key" positions in government. These nominations are typically made to a newly elected U.S. President, who owes a large political debt to those who made very large campaign contributions to help get him/her (for future reference) elected. The lobbyists know that their nominations will generally be accepted as part of standard political practice whereby those newly elected politicians grant favors to special interests helping to fund their campaigns. Once in their government positions, gained via the political games, these lobbyists and lawyers act as agents of influence (AOIs) for the special interests they were previously employed by. These individuals are seldom concerned with the common good since most of them know they will again be working for the same corporation (special interest) after what appears to have been their government service.

Perhaps the most famous person reported to be a possible agent of influence (AOI) is Vice President Dick Cheney. It is a know fact that Dick Cheney was an executive with Haliburton, a large petroleum company. The press also reported extensively on the no-bid billion dollar contract that Vice President Cheney arranged for Haliburton, for work in Iraq that was poorly performed or in some cases not performed at all. Shortly after becoming Vice President, Cheney arranged for an energy policy meeting that has been reported as a planning effort to assure that

## **Lobbyists Have Too Much Influence Cont'd**

<http://www.helium.com/items/1155247-how-to-control-agent-of-influence-activities-by-lobbyists>

How lobbies influence American politics

by David Nuttle

U.S. energy consumption remained primarily focused on petroleum. Since Cheney has refused to release any detailed information on this closed meeting, the exact details were never made public.

Rumor reports indicate that Vice President Dick Cheney had developed a list (for President Bush) of the reasons the U.S. should invade Iraq. No doubt, weapons of mass destruction (WMD) were on the list as a top priority. However, if reports are true, U.S. control of Iraqi oil (petroleum) was also on the list. In most cases, rumors should be ignored. But the American public does deserve to know all of the reasons for the Iraq War as presented to President George W. Bush. Only history will finally determine if Vice President Cheney was sometimes acting as an agent of influence for the petroleum companies. Perhaps knowing this fact will help explain why America has long been supporting petroleum interests rather than developing energy options.

In the final analysis, lobbyists are effectively in control of America and they will remain in control until voters demand changes as well as acting to defeat the politicians who have "rented" themselves (and their votes) to the lobbyists.

## Private Institutions have More Lobbying Power

<http://blogs.usatoday.com/oped/2007/09/in-defense-of-1.html>

By Ross K. Baker

*Ross K. Baker is a political science professor at Rutgers University. He also is a member of USA TODAY's board of contributors.*

Posted at 12:16 AM/ET, September 27, 2007 in [Baker](#), Business issues - Forum

People of the revolutionary generation probably imagined that individuals would make their way to Washington to personally make their case for government help. They could not have imagined the hordes of surrogates, many of them receiving princely sums, who would take up residence in the nation's capital and subsist on pressing the cases of others. The idea that a professional advocate such as Jack Abramoff would be corruptly influencing the federal government would have been altogether inconceivable to James Madison.

The defect in Madison's architecture is not that interest groups would proliferate, but that there would be such an imbalance between those seeking to get or maintain private gain and those advocating for the needs of humbler people. There are, of course, multitudes of lobbyists who advocate the needs of the handicapped, the elderly and endangered species, but they are often out-gunned by trade associations and industry lobbyists.

The defeat in the House of the recent effort to require U.S. automakers to [boost the fuel economy](#) of their cars is eloquent testimony to the clout of business. On the other hand, the high rollers who pushed for the elimination of the [inheritance tax](#) received a stinging rebuke when the repeal that they favored was defeated in the Senate. The big boys don't always get what they want, especially when the focus of the media puts the issue out in the open.

There are in lobbying, as in other enterprises, noble and degraded examples. So you have the Children's Defense Fund pushing for [an expansion](#) of the State Children's Health Insurance Plan and a smug and arrogant Abramoff manipulating the Bureau of Indian Affairs on behalf of his well-heeled clients.

Both are lobbying. Even so, it would be as unfair to assume that all lobbyists are like Jack Abramoff as it would be to liken all physicians to Jack Kevorkian.

## Private Institutions have More Lobbying Power Cont'd

<http://www.helium.com/items/195251-why-lobbyists-negatively-influence-the-us-legislative-process>

### **Why lobbyists negatively influence the US legislative process by Jackson Beall**

Real lobbying reform must end the practice of corporate lobbyists writing our laws," Marty Meehan. Ever since the founding of our great nation there has been one flaw that seems to surface time and time again in our capitalistic society and that is the inexcusable amount of power that so graciously seems to follow money. The bodies in our society with the most money have the most influential power over our legislative process. That is an unavoidable quagmire of a Capitalistic society, but that does not mean that this problem should not be addressed. So how do major corporations and other bodies with massive funds seem to so effectively sculpt our legislature? The answer is Lobbyists. Professional Lobbyists are the corporate devil's right hand. They are the medium through which the majority of all capitalistic corruption is sewn into our government. That is why I firmly believe that lobbyists negatively influence the legislative process.

The first reason I would like to bring forth as to why lobbyists so drastically damage our society is that lobbyists often sway legislative decisions away from what benefits the average citizen, to what benefits the large corporations for whom they are lobbying. Our legislative process was created to ensure that all constitutional rights of the people are upheld, and should not be tampered with for the sole purpose of molding the law around the financial interests of major corporations. Yet through lobbying, the process designed to protect our rights and allow the government to function, is constantly abused. Because of lobbyists corporations are allowed to use their millions to sway government decisions away from what benefits the people to what renders them the most profit. This event is not merely speculation, but is documented to be occurring every day. In the recent years it has been reported that General Electric Co. spent more than \$94 Million solely on lobbying. Northrop Grumman Corp. spent over \$83 Million. ExxonMobil, \$60 Million. The list goes on and on. It is obvious that when corporations are putting that much money into lobbying, they must be receiving a modest profit return, a return that would not be possible without the manipulation of U.S Laws. These manipulations often harm the public. A perfect example of this is the major Corporation Phillip Morris. In 1994 David Kessler of the FDA laid the foundations for a regulation on the sale of tobacco. By 1996 the final rules for these regulations were approved by President Clinton. Even though they were thought by a majority of the populations to be a contributor to the betterment of society, many of these regulations were never passed. Why, because ever since the initial proposal of these regulations, Phillip Morris, the leader in the tobacco industry, has been using its extensive financial resources to lobby against these regulations. In 1998 alone Phillip Morris spent over \$25 million lobbying against regulations and restrictions that would decrease their profits.

## **Private Institutions have More Lobbying Power Cont'd**

<http://www.helium.com/items/195251-why-lobbyists-negatively-influence-the-us-legislative-process>

**Why lobbyists negatively influence the US legislative process**  
**by Jackson Beall**

Over the past seven years Phillip Morris has spent over \$75 million on lobbying expenses allowing them keep all of these tobacco regulations extremely minimal, even though Tobacco has been one of the leading causes of death in the US for many years. In 1999 The World Health Organization reported, "In this year alone Tobacco has killed 4 million people," (Stanford University). This means that 1 in every 10 deaths world wide are directly tobacco related. Therefore even though these tobacco regulations and increased cigarette taxes could have decreased the amount of smoking, second hand smoke, and tobacco related deaths for the purpose of the betterment of society, Phillip Morris was able to, through lobbying, use its money to decrease these regulations and increase its profit. This abuse of our legislation system can not be tolerated. Lobbyists obviously have a negative influence on our society because through lobbying, corporations have taken a process designed to uphold the rights of the people, and turn it against them.

The second reason why I believe lobbyists have a negative influence on our legislative system is that lobbyists often use money to swing the outcomes of elections to a result favoring not the majority on the issue, but to the favored results of a minority with a very substantial financial backing. This not only disrupts the legislative process but discredits voters on the issue, undermining key aspect of democracy itself. This volatile plundering of the legislative process is not what some may call merely exercising the right to petition government, but is in fact a form of corruption that can not be tolerated in this great nation. Allowing money to receive more merit on an issue than the people of this country defies the very existence of our government. A perfect example of this "corruption" running unchecked in our society is the issue of universal health care. On this issue an extremely large majority of the parties involved in the issues were solidly for the issue. Major activists on the issues include the PNHP or Physicians for a national health Program, COACT, or Citizens Organized Acting Together, and Congress woman Tammy Baldwin. A recent poll indicated that nearly 65% of the American public was for the issue. On one side of the issue there was a near absolute majority supporting the Health Care initiative, and on the other side of the issue, the American Medical Association was firmly against it.

## Private Institutions have More Lobbying Power Cont'd

<http://www.helium.com/items/195251-why-lobbyists-negatively-influence-the-us-legislative-process>

**Why lobbyists negatively influence the US legislative process**  
**by Jackson Beall**

The American Medical Association is known for being the fourth highest spender for the purpose of lobbying, in the entire United States. And as the issue was presented, the majority conformed in support of it, but subsequently the American Medical Association put \$18.52 Million into lobbying against it. Even though there was a strong majority supporting the issue, the AMA's \$18.52 Million dollars still prevented this initiative from being passed. The outcome is a strong reminder of how money obviously is allowed to take preference in our society over the people. Lobbyists have often been seen as good citizens helping their representatives by giving their opinions, but this vision is an illusion. The good citizens were the COACT and the PNHP, who were crushed by the AMA with it's Millions and the Lobbyists representing them.

Many people will say that this is merely an isolated incident, yet that is untrue as well. Another prominent example of this occurring in our society was the Energy Bill of 2005. This bill gave oil companies more liberties, and poured money into the industry. Opposing it was a coalition of state governors, many environmentalist groups and the Public Citizen non-Profit interest group, and yet in favor of the initiative was the oil industry, which sent \$360 million dollars lobbying for the bill. The bill passed in August 2005. These two examples demonstrate lobbyist goals conflicting with public goals. In both cases the financially backed lobbyists were triumphant, and outcome that conflicts with democracy itself.

The third and final reason that I believe that lobbyists have a negative influence on the legislative process, is that lobbyists interfere with a legislator's ability to make fair decisions, because it is in a lobbyist's best interest to present biased information that will support only their opinions. Presenting biased information is not information at all but merely a shroud the further hazes the clarity of an issue to a representative, creating an illusion of fact where only misinformation is present. Lobbyist's campaigns are plagued with this misinformation. Worse, this misinformation is obviously obtained and distributed on purpose. This is not presenting the issue, but merely tricking the representative with falsities. In many situations this misinformation is not only biased but is completely false. According grist.org, a prominent online news source, Exxon Mobil has been sowing disinformation and deception among United States citizens and officials. In 2001, it was reported that Exxon Mobil had recently replaced the coal industry as the major funder of prominent "greenhouse skeptics", a handful of "Experts", who spout bogus science, raising doubts about climate change to preempt the public's demand for action on the issue. This exemplifies the type of propaganda techniques often employed by lobbyists.

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## Private Institutions have More Lobbying Power Cont'd

<http://www.helium.com/items/195251-why-lobbyists-negatively-influence-the-us-legislative-process>

**Why lobbyists negatively influence the US legislative process**  
**by Jackson Beall**

As has been thoroughly supported, lobbyists obviously do negatively influence the legislative process in the United States. They merely complicate the legislative process, diminishing its efficiency and driving its outcomes away from what benefits those for whom it was created. Lobbyists are the most prominent medium for corporate sponsored corruption in our government, a corruption that exploits the traits of Capitalism and suppresses those of democracy. Lobbyists are a tool of money and not of the people. Some may argue that with so many bills presented to officials each day, lobbyists are necessary research and inform of these bills, but there is a tremendous difference between informing and advertising a biased point of view. Advertising merely forces our society into corporate clutches. Lobbyists force our society into corporate clutches. Without lobbyists the United States would once again be a nation devoted to helping all of its people, not just the rich ones.

<http://www.helium.com/items/1002879-why-lobbyists-negatively-influence-the-us-legislative-process>

Why lobbyists negatively influence the US legislative process

Do special interests and lobby groups have an undue influence in the political process?

Do these groups need to be monitored to ensure that they do not distort the democratic nature of the elections in the republic?

Certain powerful lobby groups have bipartisan influence among influential lawmakers and political candidates. These special interests are secure in their belief that their checks and balances will secure them even-handed access as the cash from their followers earns political credit no matter who takes charge.

Some of the campaigns included members of lobbying groups and the advice that the candidates received may have been shaped by the partisan influence of the special interests. Some candidates also have the backing of these powerful lobbies.

With the constant need for cash to fuel their campaign engines, other candidates solicit campaign contributions from individual donors. With the large number of donors and many contributions being sent online, it is difficult to keep an account of the political and business affiliations between individual donors and lobby groups. Some candidates have returned contributions after discovering that the contributors were facing legal issues.

## Private Institutions have More Lobbying Power Cont'd

<http://www.helium.com/items/1002879-why-lobbyists-negatively-influence-the-us-legislative-process>

Why lobbyists negatively influence the US legislative process

A few candidates have stated that they do not accept money from lobby groups. However, with the huge sums of money being raised for local, state and national elections, there are loopholes that permit individuals who might be supporters or members of lobby groups to contribute to the campaigns of their chosen candidates.

As long the political process is dependent on large sums of money to function effectively and politicians pander to the lobby groups and special interests, the latter will continue to unduly influence the political process.

In this context, former President [Jimmy Carter](#) should be commended for boldly taking moral stands on a variety of issues and not falling prey to pressure from special interests. To be fair to current and aspiring politicians, they cannot be elected to political office if they run on a platform of removing the influence of the lobby groups and special interests.

Instead of depending on politicians to resolve the problem when they are dependent on the same problem in order to get elected, the public could draw inspiration from the political change in California and press for a referendum on removing the influence of special interests and lobbies in politics.

A failure to resolve the problem - of the undue influence of lobby groups and special interests - will make it more difficult for governments to implement policies that will benefit the general public and it will prevent leaders from pursuing a balanced foreign policy.

## **Private Institutions have More Lobbying Power Cont'd**

Southern Illinois University  
American Journal of Political Science  
2003

A second approach, often embraced by proponents of reform, is to frame the issue as a question of political equality and influence. Apologists of reform suggest that economic inequalities pose a serious threat to political equality, as monied interests and wealthy individuals are believed to exert a disproportionate share of influence in the political process (Fiss 1996; Foley 1994; Hasen 1996, 1999; Neuborne 1999a, 1999b; Raskin and Bonifaz 1993; Sunstein 1994; Wertheimer and Manes 1994). While legislators are unlikely to engage in quid pro quo arrangements, contributors do have more access to legislators and thus an unequal voice in lawmaking. Indeed, it is this disparity in access that is most troubling to those concerned about political equality:

The main issue remains the availability of the extra opportunities to persuade. Such opportunities resulting from campaign contributions corrupt the central relationships of mass, democratic representative government by permitting some citizens to acquire a preferred representational avenue, to be listened to more promptly or more intently or more often. (Sorauf 2002)

Such inequities in the ability to exercise political voice are troubling for democratic theory since political contributors are known to be highly unrepresentative of the American electorate (Sorauf 1992; Verba, Schlozman, and Brady 1995). A recent empirical study argues that, under the current campaign finance regime, the political system is biased in favor of economic interests (Gais 1998).

## Revolving Door

<http://www.opensecrets.org/revolving/index.php>

Center For Responsive Politics

Although the influence powerhouses that line Washington's K Street are just a few miles from the U.S. Capitol building, the most direct path between the two doesn't necessarily involve public transportation. Instead, it's through a door—a revolving door that shuffles former federal employees into jobs as lobbyists, consultants and strategists just as the door pulls former hired guns into government careers. While members of the executive branch, Congress and senior congressional staffers spin in and out of the private and public sectors, so too does privilege, power, access and, of course, money.

Whether they are a presidential appointee plucked from an elite position in corporate America to run a government commission or an outgoing member of Congress looking for a more lucrative job in the influence industry, OpenSecrets.org's Revolving Door database tracks anyone whose résumé includes positions of influence in both the private and public sectors. Government employees may have had the president's ear or may have simply been the doorkeeper of the congressional cloakrooms. Influence-peddlers merely have to be in a position to influence government policy on someone else's behalf, commonly as a "hired gun" at a K Street firm, an executive of a professional trade association or as a vice president of government relations for a large company.

Use the search options to the upper right to discover which public relations firms have signed up former White House employees, which lobbyists have brought their interests with them to the powerful appropriations committees, which interests are employing former members of Congress to lobby on their behalf...and much more.

<http://www.pbs.org/moyers/moyersonamerica/capitol/lobby.html>

The Land of Lobby

Political folklore has it that the term "lobbying" originated during the presidency of Ulysses S. Grant, when, brandy in one hand, cigar in the other, the former general would plant himself in the lobby of his favorite hotel and wait for the public to come offering and asking for favors. This apocryphal tale certainly paints a vivid picture of the art-gaggles of influence peddlers buzzing around the man in power, wheedling, cajoling, sweating and making hushed promises, carrying away either good news or bad.

It is a scene that has been repeated ad infinitum since government began, and it will continue as long government exists. Indeed, as long as lawmakers have ears, lobbyists will be found whispering into them.

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## Revolving Door Cont'd

<http://www.pbs.org/moyers/moyersonamerica/capitol/lobby.html>

### The Land of Lobby

In its purest sense, lobbying represents our First Amendment right as Americans to peaceably petition the government for a redress of grievances. It's a way to make our desires known to our leaders, to tell them what we think about laws and legislation. But increasingly, lobbying has become the purview of professionals, men and women hired by special interest groups seeking to influence which bills get made or killed, depending on what benefits their particular agenda. The specter of the quid pro quo always hangs over negotiations between lobbyists and lawmakers. Increasingly the lobbying equation has centered not just around access to lawmakers — but with seemingly guaranteed results. The interaction of lobbyist and politician carries with it the possibility for corruption, conspiracy, fraud, and a host of other unsavories, as the Jack Abramoff scandal has made abundantly clear.

In 2005, lobbyists in the United States spent \$2.3 billion-up from \$1.5 billion just five years earlier-on behalf of their clients. But what exactly are clients buying? Abramoff was able to charge millions in fees for his lobbying because he had the kind of relationship with certain members of the Republican leadership that few others did. As "Capitol Crimes" showed, special interest groups were willing to pay big money for that kind of access which in turn produced results. A direct pipeline to power means a much better chance that when push comes to shove, the chips will fall in your favor.

And for that same reason-because of their intricate knowledge of the system and their important ties to the players-a sizeable percentage of congressmen and staffers who have left the Hill since 1998 have joined lobbying firms. Indeed, a lobbyist is only as powerful as the number of close relationships he or she has with those who hold the reins. And beyond that, many former lawmakers have found that they can double or triple their congressional salaries in their new profession; it's no wonder then that the number of registered full-time lobbyists doubled between 2000 and 2005, to nearly 35,000.

Considering all the recent attention paid to lobbying in the wake of the Abramoff scandal, it is interesting to note that super-lobbyists like Abramoff existed more than 150 years ago in America. The most notable was undoubtedly Sam Ward, known as the "King of the Lobby," who in the 1860s and '70s made a fortune in Washington representing big-name companies and foreign interests. When testifying before Congress in 1875, he spoke plainly about the difficulties inherent in his oft-denigrated profession. "I am not ashamed-I do not say I am proud, but I am not ashamed-of the occupation," he said. "The disappointments are much more numerous than the successes. I have had many a very pleasant 'contingent' knocked away when everything appeared prosperous and certain, and I would not insure any bill, [even] if I were paid fifty per cent, to secure its passage."

## Revolving Door Cont'd

<http://www.pbs.org/moyers/moyersonamerica/capitol/lobby.html>

The Land of Lobby

"Congress has always had, and always will have, lobbyists and lobbying," says former Senate Majority Leader Robert Byrd. "We could not adequately consider our workload without them." But he also stresses the need for vigilance. "The history of this institution demonstrates the need for eternal vigilance to ensure that lobbyists do not abuse their role, that lobbying is carried on publicly with full publicity, and that the interests of all citizens are heard without giving special ear to the best organized and most lavishly funded."

Whether the recent scandals will propel Congress to enact lobbying reform still remains to be seen, but with almost half of all congressmen joining lobbying firms after serving their terms, one must question whether it is in their best interest to do so.

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

PBS

September 19, 2006 Capitol Crimes: The Land of Lobby

Another issue of concern is the number of congressional staffers, executive staffers and former members of Congress taking highly lucrative jobs as lobbyists. According to a study by Public Citizen, 43 percent of eligible members of Congress who left office since 1998 have become lobbyists. During that same period, 273 former White House staffers also registered as lobbyists. While some see this as a logical move into a position where they can best apply their skills, it also raises concerns that tenure in Congress is just a stepping-stone toward a highly paid job as a lobbyist. In convincing Rep. Robert W. Ney not to run for re-election, House Majority Leader John A. Boehner (R-Ohio) reportedly told Ney that if he lost his House seat for the party, he could not expect a lucrative career on K Street-the avenue of the lobbyists.

Even though there is a one-year moratorium on taking a job as a lobbyist, members of Congress and staff often bypass the moratorium by joining lobbying firms as advisors and not registered lobbyists. Common Cause has called for an increase in the moratorium from one year to two years, and to expand the definition of lobbying. The plea agreements of both Congressman Bob Ney and his former Chief of Staff Neil Volz cite violations of the one-year waiting period. [Read the report and the Ney plea agreement (PDF).]

While "Capitol Crimes" looked primarily at the abuses perpetrated by Jack Abramoff, there have been at least half a dozen other politicians and lobbyists tainted by lobbying scandals this year alone. And with the large pot of lobby money, the growing cost of campaigns, the and lawmakers willing to trade favors for funding, it seems likely that-barring a major ethics overhaul-this kind of behavior will continue.

## Revolving Door Cont'd

<http://www.theleftcoaster.com/archives/006609.php>

Saturday :: Jan 21, 2006

A Good Lobbyist is Hard to Find

*by Marie*

Because human beings tend to give more time and consideration to those they know, to trust them more, it's not surprising that organizations would hire so many former members of Congress and Congressional staffers. Lawrence O'Donnell thinks this is a good thing. Why should taxpayers fund the apprenticeships of future lobbyists? Most of whom will then get big bucks to represent special interests, mostly the interests of corporations, industries and organizations that seek to limit individual rights and freedoms. In my opinion this system does more harm than good for democracy. Any system that is wholly dependent on the ethics of individuals in it to prevent fraud and corruption is a bad system. The fact that the whole lobbying industry is driven by huge amounts of money guarantees that it will be the exceptional individual that retains high ethical standards. Therefore, it's not worth keeping. Ban the revolving door between public employment and employment as a lobbyist. (It doesn't matter that some former Hill employees become ethical, responsible lobbyists for "good" organizations. They are the exception. At one time psychotherapists resisted a complete ethical ban on personal relationships between therapist and patient or former patient because there were rare instances of such relationships turning out well. They learned to live with the ban because such exceptions only come into existence in the absence of up front, clearly defined rules.) The ban must also extend to family members.

## **Decreases Political Participation**

<http://www.campaignfinancesite.org/proposals/contribution3.html>

San Jose Mercury News

2000 October 15

Despite the scandals and the outrage over indicted campaign officials from both parties, special-interest influence and laundered money, the public seems resigned to big money in politics as one of the necessary evils that must be tolerated in a free society. The attitude seems to be that while it's wrong, demeaning and unduly influences the course of public policy, it is not likely to change, and even if it were reformed, it would just be abused again.

Reduced citizen participation: The most significant impact of the wide- open race for money is that more and more Americans feel they are not part of the process in a country built on the premise that government is of, by and for the people. They feel it's a big-money game, and there is little opportunity for the average citizen to influence public policy.

## Size of Lobbying Has Grown

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

PBS

September 19, 2006

Capitol Crimes: The Land of Lobby

Over the past five years, the number of lobbyists in Washington has doubled to nearly 35,000; the yearly amount spent on lobbying has increased by nearly a billion dollars to \$2.3 billion; and today more than 230 former congressmen, now lobbyists, continue walk the halls of the Hill, attempting to influence the way current congressmen vote. Is there too much lobbying going on? What happens to democracy when so much money and effort are poured into selling the agendas of special interests to our elected officials?

You can find out how much money is being spent to lobby for the things you care about. Take a look here [OpenSecrets.org](http://www.opensecrets.org) to find out if you are being represented by a lobbyist in Congress. To see how many lobbyists are working in your state legislature, visit Public Integrity. Amazingly, in Washington, there are approximately 65 lobbyists for each member of the House.

<http://www.theleftcoaster.com/archives/006609.php>

Saturday :: Jan 21, 2006

A Good Lobbyist is Hard to Find

*by Marie*

The lobby industry has grown for two reasons other than funding campaigns.. The more special access representatives are willing to give or can be manipulated into giving lobbyists, the more incentive there is for an organization to hire a lobbyist or hire more lobbyists. Second, the more organizations with lobbyists, the more other organizations need to hire lobbyists as a defensive measure against the other lobbyists. IOW, this is a positive feedback loop with no upper limit.

## Earmarking

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

PBS

September 19, 2006

Capitol Crimes: The Land of Lobby

Bill Moyers talked with Thomas Frank, author of *WHAT'S THE MATTER WITH KANSAS: HOW CONSERVATIVES WON THE HEART OF AMERICA* and Norman Ornstein of the conservative American Enterprise Institute and long-time Washington observer about the particular problems exhibited by the Abramoff scandal, and the general problems that perplex a political and campaign system that runs on money — a great deal of money. Ornstein is particularly troubled by the "earmarking" process in which representatives can use a legislative maneuver, without great oversight, to steer federal appropriations monies to pet projects...and possibly to campaign contributors. (You can learn more about earmarks in the "[Fixing the System](#)" Citizens Class.)

<http://www.heritage.org/Press/Commentary/ed121305b.cfm>

Heritage Foundation

Edwin, How Lobbyists Use Government to Turn Profits, Dec 13

Lobbyists are spending our tax money, and they're becoming ever more brazen about it. Not long ago, a local newspaper reported that a K Street lawyer had visited Culpepper County, Virginia. The government there planned to build a \$3.5 million sports complex with money it would borrow on the bond market.

This lawyer had a "better" idea. He said he could get Congress to provide funding with an earmark, the process through which lawmakers set aside money in a spending bill to fund a specific pork barrel project. Culpepper would get its \$3.5 million from Uncle Sam, and all it would cost the county was the lawyer's fee, some \$90,000 over 18 months.

## **Lack of Adherence to Requirements**

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

PBS

September 19, 2006

Capitol Crimes: The Land of Lobby

By law, all registered lobbyists working on the Hill are required to publicly disclose which issues and bills they have worked on in recent years, less than half of lobbyists have filed their disclosure forms in a timely manner, if at all. Increased scrutiny by both the public and oversight agencies could help the situation — especially in the age of the Internet. Watchdog groups fault the House for lagging behind the Senate, which maintains a broadly searchable database of electronic images of lobbying forms. [Read the report and find out about [additional reform efforts](#).]

## **Guaranteed Returns**

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

PBS

September 19, 2006

Capitol Crimes: The Land of Lobby

### **Big Money and Big Problems**

There is no doubt: Lobbying is big business and it's growing. And choosing the right lobbyist can be very lucrative. For a relatively small investment in a lobbying campaign, corporations can receive a gargantuan return. THE WASHINGTON POST reported that one lobbying firm, the Carmen Group, calculated that for every \$1 million its clients spend on its services, it delivers, on average, \$100 million in government benefits.

## Lobbyists Provide Campaign Funding

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

PBS

September 19, 2006

Capitol Crimes: The Land of Lobby

Lobbyists and their firms contribute heaps of cash to political campaigns, attend or host fundraisers and even act as fundraisers and campaign treasurers themselves. According to the Center for Public Integrity, since 1998, nearly 80 members of Congress have tapped congressional lobbyists to serve as treasurers of their campaign committees and as leaders of their political action committees. Says Common Cause, "lobbyists raise campaign funds because they want to become indispensable to people in power, knowing that the service they perform will be rewarded by the access and influence they gain."

The following figures give a good idea of just how interlocking the worlds of politics and lobbying are:

- 232 former members of Congress are now registered lobbyists.
- Nearly 40 members of Congress retain lobbyists as treasurers of their re-election campaigns or political action committees.
- 12 former registered lobbyists have been hired to work in various offices of the White House, sometimes formulating public policy about the various issues they once lobbied.
- More than 1,300 registered lobbyists have personally given more than 1.8 million to George Bush over the last six years

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## Congress Doesn't Need Lobbyists for Information

<http://www.theleftcoaster.com/archives/006609.php>

Saturday :: Jan 21, 2006

A Good Lobbyist is Hard to Find

by Marie

An undefined problem can't be fixed -- ever. The big problems in this country are so obvious that their existence is only denied by idiots. However, they are undefined and as such, will not be fixed. We'll limp along with the problems, throwing a band-aid or two on it, until it either kills us or "fixes" itself. Iraq will more likely fall into the latter category because the people of that country will kick us out before we "kill" ourselves trying to "win." The US medical system and elected federal government are in the former. "Solutions" for both are a dime a dozen, and so simplistic that they are easily rejected with nothing more than rhetoric.

Abramoff, Inc. is a "big problem." One that Republicans and Democrats in Congress vow that they will fix. They won't. They'll probably only lop off a tentacle or two, the most visible ones. Except for the independently wealthy members of Congress, the rest of them aren't going to play golf at St. Andrews anytime soon. They could even go so far as to ban campaign contributions from lobbyists and their employers, and legislation favoring corporations and big business wouldn't change. Members of Congress don't have time to write legislation, or even read proposed legislation, because they are too busy raising campaign cash. Thus, the lobbyists will continue to write legislation and provide Representatives with the legislative "Cliff Notes" designed to secure their votes for it.

Both Parties claim that lobbyists provide a valuable service and therefore, we need to keep them. Only need to root out the "bad apples." They claim that if not for lobbyists, Congressional representatives would be ignorant, uninformed and isolated from the "real world." That if not for lobbyists, representatives would be dumb and lazy. That the voters, the real constituents, are nothing more than a nuisance to be manipulated in each election cycle. That "the people" know nothing and have no expectations of their representatives to govern as they would if they had the time to become fully informed on every issue.

Constituents are free to lobby their elected officials. We can send letters that make our view on an issue known to our representative. We can even send give our representatives information about an issue. What we cannot do is get regular hearings with them. Wine and dine them to apply subtle or not so subtle pressure on them to vote in favor of our interests. We don't have the money and organized lobbying effort to compete with those that do. Corporate and other powerful special interests are there to enrich themselves at the expense of the "the people." They have special access that we the voters don't have. If they did nothing more than supply information to representatives, they could send it in written form. Would have no need to hire people to troll the halls of Congress.

## **Congress Doesn't Need Lobbyists for Information Cont'd**

<http://www.theleftcoaster.com/archives/006609.php>

Saturday :: Jan 21, 2006

A Good Lobbyist is Hard to Find

by Marie

If members of Congress want or need information from specific organizations, they are free to solicit it. Are free to initiate a meeting with the representative in DC or anywhere else. They should not be free to accept so much as a cup of coffee from the lobbyist. Congressional fact finding missions should be publicly funded and bi-partisan. If they choose to include representatives of any organization in the mission, it should be based on the expertise of the representative, agreed to on a bi-partisan basis and the paid for by the organization. The list of practices that should be banned is long but includes travel on corporate jets, earmarked provisions in legislation and lobbyist election fundraising.

Lobbying is by its nature at odds with a democratic government. Unfortunately, it doesn't exist in a vacuum. It is embedded in how our elected government does business. It cannot be rooted out if the rest of the system remains unchanged. It will find a way to regrow, and like all clipped weeds, will become stronger in the process.

## White House Acknowledges the Detriments of Lobbying

<http://www.whitehouse.gov/blog/Why-We-Bar-Lobbyists-from-Agency-Advisory-Boards-and-Commissions>

[The White House Blog](#)

Why We Bar Lobbyists from Agency Advisory Boards and Commissions

Posted by Norm Eisen on October 21, 2009 at 01:03 PM EST

*Norm Eisen is special counsel to the president for ethics and government reform*

In the interest of transparency, we are posting a letter we received from lobbyists and others about the Administration's move to bar federally-registered lobbyists from federal boards and commissions. We are also publishing our response, which explains the reasoning behind this decision.

It all started with a blog post where we announced the new steps the Administration was taking to reduce lobbyist influence on these important boards and commissions:

The White House has informed executive agencies and departments that it is our aspiration that federally-registered lobbyists not be appointed to agency advisory boards and commissions. These appointees to boards and commissions, which are made by agencies and not the President, advise the federal government on a variety of policy areas. Keeping these advisory boards free of individuals who currently are registered federal lobbyists represents a dramatic change in the way business is done in Washington.

On October 19, we received this letter from a group of lobbyists (pdf) and others who serve on industry boards and commissions, expressing concern about our decision.

While we recognize the contributions some of those who will be affected have made to these committees, it is an indisputable fact that in recent years, lobbyists for major special interests have wielded extraordinary power in Washington DC, resulting in a national agenda too often skewed in favor of the interests that can afford their services. It is that problem that the President has promised to change, and this is a major step in implementing that change.

We make that point, along with others in our response (pdf).

## White House Acknowledges the Detriments of Lobbying Cont'd

[http://en.wikisource.org/wiki/Remarks\\_at\\_the\\_Lobbying\\_Reform\\_Summit](http://en.wikisource.org/wiki/Remarks_at_the_Lobbying_Reform_Summit)

Remarks at the Lobbying Reform Summit

by [Barack Obama](#)

Delivered at the Lobbying Reform Summit in Washington, D.C. on 26 January 2006.

Good morning. I want to start by thanking [American University](#) and the Committee for Economic Development for hosting this panel today. It's an honor to be here and an honor to be among such great company.

Over one hundred years ago, at the dawn of the last century, the [Industrial Revolution](#) was beginning to take hold of America, creating unimaginable wealth in sprawling metropolises all across the country.

As factories multiplied and profits grew, the winnings of the new economy became more and more concentrated in the hands of a few robber barons, railroad tycoons and oil magnates. In the cities, power was maintained by a corrupt system of political machines and ward bosses. And in the state of New York, there existed a young governor who was determined to give government back to the people.

In just his first year, he had already begun to antagonize the state's political machine by attacking its system of favors and corporate giveaways. He also signed a workers' compensation bill, and even fired the superintendent of insurance for taking money from the very industry he was supposed to be regulating.

None of this sat too well with New York's powerful party boss, who finally plotted to get rid of the reform-minded governor by making sure he was nominated for the Vice Presidency that year. What no one could have expected is that soon after the election, when President [William McKinley](#) was assassinated, the greatest fears of the corrupt machine bosses and powerbrokers came true when that former governor became President of the United States and went on to bust trusts, break up monopolies, and return the government to its people.

His name, of course, was [Theodore Roosevelt](#). He was a Republican. And throughout his public life, he demonstrated a willingness to put party and politics aside in order to battle corruption and give people an open, honest government that would fight for their interests and uphold their values.

Today, we face a similar crisis of corruption. And I believe that we deserve similar leadership from those in power as well.

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## White House Acknowledges the Detriments of Lobbying Cont'd

[http://en.wikisource.org/wiki/Remarks\\_at\\_the\\_Lobbying\\_Reform\\_Summit](http://en.wikisource.org/wiki/Remarks_at_the_Lobbying_Reform_Summit)

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The American people are tired of a Washington that's only open to those with the most cash and the right connections. They're tired of a political process where the vote you cast isn't as important as the favors you can do. And they're tired of trusting us with their tax dollars when they see them spent on frivolous pet projects and corporate giveaways.

It's not that the games that are played in this town are new or surprising to the public. People are not naive to the existence of corruption and they know it has worn the face of both Republicans and Democrats over the years.

Moreover, the underlying issue of how extensively money influences politics is the original sin of everyone who's ever run for office - myself included. In order to get elected, we need to raise vast sums of money by meeting and dealing with people who are disproportionately wealthy. This is a problem that predates [George Bush](#) or [Jack Abramoff](#), and I believe that a serious, bipartisan conversation about campaign finance reform is one that this town would do well to have in the months to come.

Yet, while people are familiar with these problems and they encompass both parties, I do think it's fair to say that the scandals we've seen under the current White House and Congress - both legal and illegal - are far worse than most of us could have imagined.

Think about it. In the past several months, we've seen politicians resigning for taking millions of dollars in bribes. We've seen the head of the White House procurement office arrested. We've seen some of our most powerful leaders of both the House and the Senate under federal investigation. We've seen the number of registered lobbyists in Washington double since George Bush came into office. And of course, we've seen the indictment of Jack Abramoff and his cronies.

Now, there's an argument made that somehow this is a bipartisan scandal. And the defense here is that everybody does it. Well, not everybody does it. And people shouldn't lump together those of us who have to raise funds to run campaigns but do so in a legal and ethical way with those who invite lobbyists in to write bad legislation. Those aren't equivalent, and we're not being partisan by pointing that out.

## White House Acknowledges the Detriments of Lobbying Cont'd

[http://en.wikisource.org/wiki/Remarks\\_at\\_the\\_Lobbying\\_Reform\\_Summit](http://en.wikisource.org/wiki/Remarks_at_the_Lobbying_Reform_Summit)

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The fact is, since this Republican leadership has come to power, this kind of scandal has been the regular order of business in this town. For years now, they have openly bragged about stocking K Street lobbying firms with former leadership staffers to increase their power in Washington. And yet, what is truly offensive to the American people about all of this goes far beyond people like Jack Abramoff. It's bigger than how much time he'll spend in jail or how many Republicans he'll turn in. Bigger than the [K Street project](#) and golf junkets to Scotland and lavish gifts for lawmakers.

What's truly offensive about these scandals is that they don't just lead to morally offensive conduct on the part of politicians; they lead to morally offensive legislation that hurts hardworking Americans.

Because when big oil companies are invited into the White House for secret energy meetings, it's no wonder they end up with billions in tax breaks while Americans still struggle to fill up their gas tanks and heat their homes.

When a Committee Chairman negotiates a Medicare bill at the same time he's negotiating for a job as the drug industry's lobbyist, it's hardly a surprise when that industry gets taxpayer-funded giveaways in the same bill that forbids seniors from bargaining for better drug prices.

When the people running Washington are accountable only to the special interests that fund their campaigns, of course they'll spend your tax dollars with reckless abandon; of course they'll load up bills with pet projects and drive us into deficit with the hope that no one will notice.

In 2004, over \$2.1 billion was spent lobbying Congress. That amounts to over \$4.8 million per Member of Congress. \$4.8 million per member so that oil companies can still run our energy policy and pharmaceutical companies can still raise our drug prices and special interests can still waste our tax dollars on pet projects.

How much do you think the American people were able to spend on their Senator or Representative last year? How much money could the folks who can't fill up their gas tanks spend? How much could the seniors forced to choose between their medications and their groceries spend?

Not \$4.8 million. Not even close.

## White House Acknowledges the Detriments of Lobbying Cont'd

[http://en.wikisource.org/wiki/Remarks\\_at\\_the\\_Lobbying\\_Reform\\_Summit](http://en.wikisource.org/wiki/Remarks_at_the_Lobbying_Reform_Summit)

Remarks at the Lobbying Reform Summit

by [Barack Obama](#)

Delivered at the Lobbying Reform Summit in Washington, D.C. on 26 January 2006.

This is the bigger story here, and this is why the recent scandals have shaken the American people's faith in a government that will look out for their interests and uphold their values. The well-connected CEOs and hired guns on K Street who've helped write our laws have gotten what they paid for. They got all the tax breaks and loopholes and access they could ever want. But outside this city, the people who can't afford the high-priced lobbyists and don't want to break the law are wondering, "When is it our turn? When will someone in Washington stand up for me?"

We need to answer that call because let's face it - for the last few years, the people running Washington simply haven't. And while only some are to blame for the corruption that has plagued this city, all are responsible for fixing it.

Now, I've been asked by my caucus to take a role in lobbying reform - a role I'm proud to have. As many of you know I'm from Chicago - a city that hasn't always had the cleanest reputation when it comes to politics in this country. But during my first year in the Illinois State Senate, I helped lead the fight to pass Illinois' first ethics reform bill in twenty-five years. I hope we can do something like that here.

I realize there are many proposals floating around out there, and I also realize that our friends on the other side of the aisle have many of their own. I think that's commendable. In fact, I look forward to working in a bipartisan fashion to get a solid bill passed.

But this has to be a serious bill, and it has to go a long way toward correcting some of the most egregious offenses of the last few years. This is not a time for window-dressing or putting a band-aid on a problem just to score political points. This is a time for real reform, and I think the Democrats' Honest Leadership and Open Government Act does this by including provisions that so far the Republican proposals do not.

Real reform means making sure that Members of Congress and the Administration tell us when they're negotiating for jobs with industries they're responsible for regulating. That way we don't have people writing a drug bill during the day and meeting with pharmaceutical companies about their future salary at night.

## White House Acknowledges the Detriments of Lobbying Cont'd

[http://en.wikisource.org/wiki/Remarks\\_at\\_the\\_Lobbying\\_Reform\\_Summit](http://en.wikisource.org/wiki/Remarks_at_the_Lobbying_Reform_Summit)

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Real reform means giving the public access to now-secret conference committee meetings and posting all bills on the Internet 24 hours before they're voted on, so the public can scrutinize what's in them.

Real reform means passing a bill that eliminates all gifts and meals from lobbyists, not just the expensive ones. If we truly agree that having a lobbyist constantly pick up the tab for lunch can help influence legislation, then they'll have no problem changing their position so that the ban includes meals of any price.

Real reform means ending the no-bid contracts for well-connected contributors that have wasted millions of taxpayer dollars in both Iraq and the Gulf Coast. And it means ending the practice of appointing your political buddies to positions they are wholly unqualified for. It means no more Brownies.

Finally, I think that real reform must include real oversight and accountability. Our bill sets up an independent Office of Public Integrity to keep an eye on lobbyists and to make sure they comply with the rules.

Now, personally, I think that there's an opportunity for us to go even further than some of the proposals that have come from both parties. And that's why last week I introduced the CLEAN UP Act, which would build on the Democrats' reform bill by giving the American public a clearer view of what's going on here in Washington.

See, one of the reasons why lobbyists like Abramoff and their allies in Congress have been able to manipulate the system is because most of their backroom deals are done in secret. Just the other day, we heard that because of pressure from health care industry lobbyists, Republican negotiators met behind closed doors and changed a budget bill to provide a \$22 billion giveaway to HMOs -- \$22 billion that would come right out of the pockets of American taxpayers. But of course, no one knew about the change until much later, and no lawmaker would admit to making it.

## White House Acknowledges the Detriments of Lobbying Cont'd

[http://en.wikisource.org/wiki/Remarks\\_at\\_the\\_Lobbying\\_Reform\\_Summit](http://en.wikisource.org/wiki/Remarks_at_the_Lobbying_Reform_Summit)

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This is an outrage, and my bill would change this by identifying secret provisions like these that weren't in the original bill, and it would let the public know who put them there, so that special interest giveaways couldn't be slipped in at the last minute. My bill also would shine the spotlight on those pet projects that lawmakers sneak into every spending bill by requiring that they earmarks be posted on the internet 72 hours before they're voted on. The watchdog group, [Citizens for Responsibility and Ethics in Washington](#), recently endorsed this bill, and I hope that the Senate will take it up soon.

Let me close with one final point. Even if we pass a good bill and rid Washington of the Jack Abramoffs of the world, it's going to take much more than gift bans and lobbying reform to restore the public's faith in a government. It will take not simply a change in laws, but a change in attitudes.

To do this - to earn back that trust - to show people that we're working for them and looking out for their interests - we have to start acting like it.

That means instead of meeting with lobbyists, it's time to start meeting with some of the 45 million Americans with no health care.

Instead of finding cushy political jobs for unqualified buddies, it's time to start finding good-paying jobs for hardworking Americans trying to raise a family.

Instead of hitting up the big firms on K Street, it's time to start visiting the workers on Main Street who wonder how they'll send their kids to college or whether their pension will be around when they retire.

All these people have done to earn access and gain influence is cast their ballot. But in this democracy, it's all anyone should have to do.

A century ago, that young, reform-minded governor of New York who later became our twenty-sixth President gave us words about our country everyone in this town would do well to listen to today. Teddy Roosevelt said that,

## **White House Acknowledges the Detriments of Lobbying Cont'd**

[http://en.wikisource.org/wiki/Remarks\\_at\\_the\\_Lobbying\\_Reform\\_Summit](http://en.wikisource.org/wiki/Remarks_at_the_Lobbying_Reform_Summit)

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"No republic can permanently endure when its politics are corrupt and base...we can afford to differ on the currency, the tariff, and foreign policy, but we cannot afford to differ on the question of honesty. There is a soul in the community, a soul in the nation, just exactly as there is a soul in the individual; and exactly as the individual hopelessly mars himself if he lets his conscience be dulled by the constant repetition of unworthy acts, so the nation will hopelessly blunt the popular conscience if it permits its public men continually to do acts which the nation in its heart of hearts knows are acts which cast discredit upon our whole public life."

I can only hope that in the weeks to come, the work we do here and in Congress will once again strengthen this nation's soul and bring credit back to our public life. Thank you.

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## Negative Environmental Effects

<http://www.questia.com/googleScholar.qst;jsessionid=LvqMVCV4G8p7XmvgkqJN3qVqVn4Lh1v7SDDdVydQGR7b2qXhCjpt!-137130899!155297779?docId=5000674025>

### **Overview: Globalization and Environmental Harm**

by Gregory Shank

The people running the United States government are from the energy industry. -- Fredrick D. Palmer (executive vice president of external affairs for Peabody Energy, the world's largest coal company)

If I was a porpoise, I'd say it's time to retain a lawyer. -- Loren Thompson (a defense analyst at the Lexington Institute, a conservative public policy center)

WHEN WE FIRST ENVISIONED AN ISSUE ON "TOXIC CAPITALISM," GEORGE W. Bush's first 100 days in the presidency had spewed a whirlwind of pro-business, environmentally harmful executive decisions and legislative initiatives. Bush's hard-line stance on the environment included an encyclopedic range of decisions on carbon dioxide, oil drilling, arsenic levels in drinking water, mining, forests, oceans, energy, public access to information on the potential consequences of chemical plant accidents, and the Endangered Species Act. Budget cuts were implemented for renewable energy sources, the Environmental Protection Agency (EPA), and the Interior Department; the Wetlands Reserve Program was to be dissolved. The administration attempted to restrict protections for marine mammals as part of a sweeping proposal to exempt the military from key provisions of environmental legislation, including the Clean Air Act, the Endangered Species Act, the Migratory Bird Treaty Act, and hazardous waste laws. To allow the Navy to deploy an anti-submarine "Low Frequency Active" sonar system that could threaten entire populations of whales, dolphins, seals, and other marine mammals, the Bush administration reversed federal policy based on the National Environmental Policy Act, claiming the law does not apply to vast tracts of ocean under U.S. control. Left in place was an executive order that does not allow for judicial review or recourse for the public (Shogren, 2002a; Seelye, 2002a).

Since these measures are out of step with the public on environmental and social concerns, the result has been the mobilization of a broad environmental movement. Clean air and safe drinking water are popular issues with voters, and the public believes global warming poses a real threat. Even EPA Administrator Christine Todd Whitman, who eviscerated state environmental regulations as New Jersey's governor, tried to warn Bush that abandoning his pledge to reduce global warming carbon dioxide emissions would hurt U.S. credibility overseas and alienate a greening conservative constituency at home.

## Negative Environmental Effects Cont'd

<http://www.questia.com/>

[googleScholar.qst.jsessionid=LvqMVCV4G8p7XmvgkqJN3qVqVn4Lh1v7SDDdVydQGR7b2qXhCjpt!-137130899!155297779?docId=5000674025](http://www.googleScholar.qst.jsessionid=LvqMVCV4G8p7XmvgkqJN3qVqVn4Lh1v7SDDdVydQGR7b2qXhCjpt!-137130899!155297779?docId=5000674025)

### **Overview: Globalization and Environmental Harm**

by Gregory Shank

Undaunted, the Bush administration pulled out of the 1997 Kyoto Protocol on global climate change, adding to its list of unilateralist rejections of international agreements on land mines, the international criminal court, and nuclear and biological weapons. Predictably, Bush's Kyoto decision provoked hostile demonstrations in Madrid, Stockholm, and Geneva and angry responses from officials of the European Union (Gelb span, 2002).

Because the U.S. emits one-quarter of the world's greenhouse gases, Bush's capitulation to the fossil fuel lobby--the coal industry and ExxonMobil--on capping carbon emissions from domestic power plants provoked resentment. North American emissions of carbon dioxide expanded over the last decade, while Europe's decreased and Japan's held steady. Energy and the environment are intersecting spheres. Vice President Cheney's energy plan minimized conservation and called for building at least one new power plant per week for the next 20 years, drilling for gas in the Arctic National Wildlife Refuge, weakening environmental regulations for refineries and pipelines, and relying more on nuclear power. Since 62 of Bush's 63-member energy advisory team have ties to oil, coal, nuclear, or other polluting interests, the plan smelled of crony capitalism when it proposed to deliver a wish list of deregulatory changes to these industries. The Republican energy plan would subsidize the oil, gas, coal, and nuclear industries to the tune of \$35.6 billion over 10 years (Bivens, 2002). Bush turned to "free-market environmentalists" from the industry-funded libertarian Right to defend a market-oriented approach of setting mandatory nationwide targets for emissions reductions, but letting industry decide how to comply. This approach depicts existing clean-air law as a burden on energy producers, with too many rules and too few incentives to be clean. ExxonMobil and the coal industry financed "greenhouse skeptics," who deny the reality of climate change.

Bush filled federal agencies with former oil, mining, auto, timber, and biotech lobbyists. His Interior Secretary, Gale Norton, favored voluntary compliance for industrial polluters as Colorado's attorney general and made a career of undermining strong federal environmental and public health protections as lead lobbyist at James Watt's Mountain States Legal Foundation and as co-chair of the Coalition of Republican Environmental Advocates with right-wing British Petroleum lobbyist Grover Norquist. Her deputy, J. Steven Griles, was a mining industry lobbyist. Bennett Raley, who advocates repealing ..

## Lobbying and Health Care

[http://www.pbs.org/newshour/bb/politics/july-dec09/healthcare\\_12-22.html](http://www.pbs.org/newshour/bb/politics/july-dec09/healthcare_12-22.html)

Dec. 22, 2009

Exploring the Big Money Behind Health Care Reform

When the Senate votes out its version of health care reform Thursday morning, hundreds of millions of dollars will have been spent lobbying for and against it. The Center for Responsive Politics finds the health care sector spent nearly \$400 million on the effort during the first nine months of this year. That includes lobbying Congress, federal agencies and the White House, high-priced persuasion practiced by hospitals, doctor groups, nursing homes and other players -- not included in that figure, another \$122 million spent by the insurance industry during the same period.

For more on how the money was spent and what results it did or didn't produce, we turn to Dave Levinthal of the Center for Responsive Politics, a not-for-profit group that tracks money in politics.

## **Exxon Example**

[http://www.exxposeexxon.com/Exxon\\_moneypolitics.pdf](http://www.exxposeexxon.com/Exxon_moneypolitics.pdf)

ExxonMobil is an industry leader in both political campaign contributions and lobbying expenditures. In campaign donations, Exxon typically ranks among the top two donors in the oil and gas industry and always within the top five. In lobbying dollars, Exxon outspends its competitors - accounting for about ten percent of the industry total.<sup>1</sup>

### **EXXON'S POLITICAL BANKROLL**

To be among the top spenders on political campaigns in the oil and gas industry is notable. The industry has donated \$180 million to political candidates since 1989, making it the eighth biggest spender out of 80 industries analyzed. Currently, ExxonMobil has donated over \$600,000 to political candidates - second only to Koch Industries, a small oil company known for its high spending on Congressional candidates. The oil industry clearly favors republicans to push its agenda on Capitol Hill and ExxonMobil is no exception. In 2006, 89 percent of ExxonMobil's donations went to republicans. In the 2004 election cycle, ExxonMobil outspent its peers in the industry with \$935,016 given to Congressional candidates through its political action committee (PAC) and executive donations. In 2000, ExxonMobil spent almost \$1.4 million on campaign donations - second only to the Enron Corporation. Since 2000, ExxonMobil has managed to give in excess of \$4 million to political candidates. In comparison, politicians received about \$1.4 million from the entire alternative energy sector during that same period. While campaign contributions are not the only factor influencing how a loyal Exxon-backed Congress will vote, the trend demonstrates that campaign contributions are a key factor in who gets elected and who stays in office.

### **EXXON'S LOBBYING LEGACY**

Between 1998 and 2005, ExxonMobil spent close to \$67 million on in-house and contract lobbyists, ranking the company first among all the oil and gas companies. Of all the companies and organizations lobbying in Washington, DC, ExxonMobil was the twelfth highest spender on lobbyists through 2004.<sup>2</sup> ExxonMobil spent \$7.56 million on lobbying in 2004 - \$2.3 million more than its closest competitor. In 2005, ExxonMobil spent \$7.14 million, but dropped to second place after Chevron radically increased its spending by almost three million. In comparison, BP spent \$2.8 million and Shell spent \$1.4 million on lobbying.

## Exxon Example Cont'd

[http://www.exxposeexxon.com/Exxon\\_moneypolitics.pdf](http://www.exxposeexxon.com/Exxon_moneypolitics.pdf)

### POLITICAL PEDDLING

The return ExxonMobil gets for the millions it spends on lobbyists and campaign contributions comes back in the billions. The industry as a whole receives up to \$113 billion per year in direct federal subsidies, according to experts.<sup>3</sup> Records filed with the Senate Public Records Office show that Exxon lobbyists focus most of their time on bills that address energy, global warming, environmental rules, and foreign policy. Targets of Exxon lobbyists are not just members of Congress, but nearly every agency as well. In 2005 alone, Exxon reported lobbying the State Department, White House, Environmental Protection Agency, Energy Department, Office of Management and Budget, Department of the Interior, and the Transportation Department. The 2005 Energy Bill is a prime example of how political dollars translate into legislation. The Energy Bill, in effect until 2010, authorized \$4 billion in federal subsidies to the oil and gas industry. Below are a few examples of handouts to Exxon.<sup>4</sup>

**PERKS FOR EXXON FROM THE 2005 ENERGY BILL** Deepwater Drilling. ExxonMobil is the self-declared leader in deepwater oil and gas, which it claims will account for 20 percent or more of its production by 2010. The Energy Bill dolled out \$1.5 billion in oil subsidies for ultra-deepwater activities. Tax Royalty Relief. Oil companies supposedly pay a royalty to the government for the privilege of extracting resources off public land owned by all Americans. The Energy Bill dolled out billions worth of unnecessary “royalty relief” for ExxonMobil and other oil and gas companies. Ironically, Exxon has already settled several lawsuits for \$52 million for not paying or underpaying royalties. In Alabama Exxon was found guilty of royalty fraud and fined \$3.6 billion, which the company has appealed since 2000.

**LNG: Liquefied Natural Gas permits.** ExxonMobil plans to build at least two new liquefied natural gas (LNG) facilities in Texas. Yet, when ExxonMobil wanted to build a LNG facility in Alabama in 2003 it faced vociferous opposition from the locals who were concerned about potential health hazards and by Republican Governor Bob Riley. The Governor demanded that an independent safety assessment be done before the project went forward. A year later ExxonMobil canceled its plans. The 2005 Energy Bill changed the rules so that the state no longer has the right to determine the location of LNG facilities. Instead, location assessments will be done by federal agencies, which are typically more industry-friendly.

**Public health laws.** Laws under the Clean Water Act and the Clean Air Act used in the permitting of LNG facilities and natural gas pipelines were also weakened by the Bill. It is now vastly easier for ExxonMobil to get approval for its LNG facilities – despite legitimate objections from the state or local community.

## Exxon Example Cont'd

[http://www.exxposeexxon.com/Exxon\\_moneypolitics.pdf](http://www.exxposeexxon.com/Exxon_moneypolitics.pdf)

### WHY IT MATTERS

There is no denying that America needs a separation of oil and state. ExxonMobil's backward policies on global warming and oil dependence make that separation even more urgent. The company's policies are like an anchor holding America down from achieving a safer, cleaner energy future. ExxonMobil is the largest and most profitable private oil company in the world. Coupled with its spending on politicians and lobbying, and it is also among the most influential. Exxon's policies on energy and environment make it a rogue company among its peers. ExxonMobil is the only major oil giant arguing that renewable energy is a bad investment, that global warming isn't a real threat, and that U.S. energy independence is undesirable and impossible. These policies are among the greatest threats to the future of America's national security and energy policy.

### Renewable Energy

While other oil companies have recognized the threat of global warming and are investing in renewable energy, Exxon CEO Rex Tillerson dismisses renewable energy as "uneconomic." In a 2006 speech on Capitol Hill, Mr. Tillerson argued that developers of energy alternatives should be left alone to compete with the oil and gas industry. Without reference to the billions of dollars handed out to the oil and gas industry, he deplored renewable energy incentive programs. "Interventions only distort the market," he said.<sup>5</sup> ExxonMobil's policy on alternatives is stunting the speed in which alternatives become available. It is also holding back their employees from applying their talents to developing innovative solutions and the critical know-how necessary for future competition. To its credit, Exxon does put a relatively small sum into Stanford's Global Climate and Energy program (GCEP). GCEP's research however is focused on making fossil fuels burn cleaner, which are useful endeavors but do little to advance renewable energy or address the myriad problems of oil dependence.

### Global Warming

The Bush administration describes Exxon as the biggest opponent of mandatory reductions of global warming pollution. Yet, it also thanks Exxon for its "active involvement" in the crafting of U.S. climate policy.<sup>6</sup> ExxonMobil's denial of global warming started well over a decade ago under former CEO Lee Raymond. In 1990, the Intergovernmental Panel on Climate Change (IPCC), the world's foremost authority, came out with its first assessment of global warming and urged governments to cut greenhouse gases by 60 to 80 percent. It was around then that Exxon and Mobil began a multi-million dollar disinformation campaign to confuse the science and block government action.<sup>7</sup>

## Exxon Example Cont'd

[http://www.exxposeexxon.com/Exxon\\_moneypolitics.pdf](http://www.exxposeexxon.com/Exxon_moneypolitics.pdf)

When CEO Rex Tillerson took over in January 2006 he inherited the policy. Taking a page from the playbook of the tobacco industry, Exxon still spends millions on front groups that deceive the public and create the illusion of a debate about the science of global warming. In 2006, Mr. Tillerson told shareholders that global warming does not pose a financial risk to the company.<sup>8</sup> Despite the scientific consensus worldwide that global warming pollution must be dramatically cut, Mr. Tillerson ignores the issue by insisting that “because of their abundance and economic advantages fossil fuels will remain the dominant sources of energy for many decades to come.”<sup>9</sup>

ExxonMobil does not participate in any voluntary reporting systems of global warming pollution nor does it set public reduction targets like the other oil giants. The company’s contribution to global warming is estimated to be five percent of the world’s total.<sup>10</sup> Energy Independence ExxonMobil executives are adamantly against U.S. energy independence, despite its potentially positive impact on U.S. national security. They argue instead for continued dependence on oil producing nations, such as Saudi Arabia where the company has sunk heavy investments.<sup>11</sup> Saudi Arabia holds 22.3 percent of the world’s remaining oil reserves.

With an unsubstantiated declaration that no amount of alternatives will ever replace oil and gas, Exxon’s the American people to overcome formidable challenges. The company’s arguments ignore myriad proposals that would dramatically reduce America’s oil demand (utilizing fuel economy and energy efficiency) and increase the availability of renewable alternatives (particularly wind, solar, and biomass).

Although it lobbies against U.S. energy independence, Exxon also lobbies in favor of opening the Arctic Refuge and other sensitive areas to oil drilling. At times, the company argues that opening the Arctic would improve energy independence, which the U.S. Energy Information Administration has countered. Directly after meeting with CEO Rex Tillerson in May 2006, House Speaker Dennis Hastert (R-IL) called on Congress to concentrate on prying open the Arctic Refuge. Today, ExxonMobil is the only oil giant still a member of Arctic Power, the single-issue lobby group devoted to opening the Refuge to drilling. BP, Chevron and ConocoPhillips all pulled out under pressure from their shareholders and the public. EXXON EXXPOSED We are at a crossroads in American energy policy. Polls show that the majority of Americans support a transition away from oil using renewable alternatives. Real change is within reach. Politicians are increasingly under pressure by voters to support renewable energy solutions. In fact, the Separation of Oil & State Coalition, a member of Exxpose Exxon, reports that 52 percent more members of Congress are currently free of oil industry donations than in 2004. We are winning. By exposing Exxon’s political peddling, you can empower your members of Congress to cast off the yoke of Big Oil and redirect their loyalties back to the American public.

## Wal-Mart Example

[http://walmartwatch.com/issues/political\\_influence/](http://walmartwatch.com/issues/political_influence/)

### Issues | Political Influence

Prior to 1998, Wal-Mart failed to grasp the power of a Washington-based lobbying army. With enormous wealth and a friendly legislature, Wal-Mart and the Walton family came to the realization that they could advance goals such as school vouchers, restricting tariff protections, limiting port security, the elimination of the estate tax, and obtaining lucrative subsidies. Wal-Mart Subsidy Watch by Good Jobs First documented that Wal-Mart has received more than \$1.2 billion from over 244 taxpayer-funded subsidies status, job training/recruiting funds, and general grants

### Using Public Handouts

In company coffers, public dollars in surprising amounts:

- **More Than \$1 Billion In Public Subsidies.** A May 2004 report documented how Wal-Mart received more than \$1 billion from at least 244 taxpayer-funded subsidies -- including free or reduced price land, Tax Increment Finance (TIF) districts, infrastructure assistance, property tax breaks, state corporate income tax credits, sales tax rebates, tax-exempt bond financing, enterprise zone status, job training/recruiting funds and general grants. [Mattera and Purinton, Good Jobs First, "Shopping for Subsidies," May 2004]
- **Millions To Widen the Street to Its Headquarters.** A federal highway bill signed by President Bush in 2005 included \$35 million to widen Eighth Street in Bentonville -- the road to Wal-Mart's corporate headquarters. The company says it asked U.S. Rep. John Boozman (R-AR) to secure funding -- even though local highway officials said the driveway was not a high priority. [Associated Press, 3/25/05; Arkansas Democrat-Gazette, 8/11/05; Benton Daily Record, 8/21/05]
- **\$9.5 Million for a San Diego Development.** A San Diego development project anchored by a Wal-Mart and a Sam's Club received about \$9.5 million in public subsidies -- yet the stores contribute only about \$800,000 in annual sales tax to the city. [Brennan Center for Justice]
- **Costs Outweigh Benefits.** A Penn State report on the economic impact of local subsidies found that "[t]he public costs that [Wal-Mart] imposes by raising the poverty rate suggest that public infrastructure subsidies may not be warranted." [Stephan J. Goetz, Hema Swaminathan, "Wal-Mart and County-Wide Poverty," Social Science Quarterly, 6/06]

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## Wal-Mart Example Cont'd

[http://walmartwatch.com/issues/political\\_influence/](http://walmartwatch.com/issues/political_influence/)

### Cozying Up to Regulators

Influence in government means access -- which can win sweetheart deals with agencies tasked to protect us:

- **Fixing Prices.** Wal-Mart's Asda must pay millions to end a price fixing investigation in the United Kingdom. Wal-Mart Stores Inc.'s Asda unit and five other companies agreed to pay as much as 173.3 million pounds (\$344.7 million) to settle an investigation by the U.K.'s antitrust regulator into the coordination of cigarette prices. [Bloomberg News, 7/11/08]
- **Employing Teens in Unsafe Conditions.** In January 2005, after an investigation of 27 stores in three states, Wal-Mart reached a settlement with the United States Department of Labor for violations of the Fair Labor Standards Act. Wal-Mart paid a \$135,540 fine for allowing 85 workers, aged 16 and 17, to participate in activities prohibited to minors -- "including loading and occasionally operating or unloading scrap paper balers, and operating fork lifts." Wal-Mart signed an agreement with the Department's Wage and Hours Division regarding future child labor conditions. [U.S. Department of Labor Press Release, 2/14/05.]
- **Negotiating for Weak Enforcement.** An audit by the Office of Inspector General (OIG) of the child labor agreement between Wal-Mart and the Department of Labor found "serious breakdowns in the WHD [Department of Labor's Wage and Hour Division] process for negotiating, developing, and approving such agreements. These breakdowns resulted in the WHD entering into an agreement that gave significant concessions to Wal-Mart. Specifically, the agreement provided for advance notification by WHD of Wal-Mart investigations, and gave Wal-Mart the ability to avoid civil money penalties (CMP) under certain conditions. In exchange, the agreement primarily committed Wal-Mart to continue measures that were already in place or required by law. Also, WHD did not consult with the Office of the Solicitor (SOL) in developing and approving the agreement."

Connecticut Attorney General Richard Blumenthal said: "This report constitutes an unexpected and virtually unprecedented indictment of the U.S. Department of Labor's sweetheart deal with Wal-Mart. [It] should lead us to be more vigilant and vigorous in enforcing our state child protection laws." [Link to anchored Endnote: U.S. Department of Labor, Office of the Inspector General, Office of Audit, 10/05; Hartford Courant, 11/1/05.]

### Rewriting the Tax Laws

## Wal-Mart Example Cont'd

[http://walmartwatch.com/issues/political\\_influence/](http://walmartwatch.com/issues/political_influence/)

For billionaires, the millions needed to influence elections adds up to small change -- but through those millions, the Waltons poised themselves for a massive return on investment:

- **Wal-Mart Gains More Control Over Credit Card Service Fees** The bill, known as Conyers-Cannon (H.R. 5546), would give a huge financial windfall to the giant retailers, who could rig the system to lower the fee they pay when a customer pays with a credit card. Wal-Mart's windfall also could be a death knell for local banks already floundering through the worst housing crisis since the Great Depression. Losing steady revenue from credit card servicing fees could force many community banks and credit unions out of business, knocking out a key pillar of capital formation and economic development in our low- and middle-income communities. [Alabama Voices, 7/18/08]
- **Working to Permanently Repeal Estate Tax.** "The Waltons have joined a coterie of wealthy families trying to save fortunes through permanent repeal of the estate tax, government watchdogs say. ... The Waltons declined to discuss their political activities. But a USA TODAY review of public documents reveals a small-town Arkansas family emerging as a political juggernaut on tax issues, extending Wal-Mart's influence over U.S. society even more." [USA Today, 4/6/05]
- **Gave \$600,000 to Lobbying Firm; Could Save Billions.** Lobbyist disclosure records show the Walton family paid Patton Boggs LLP, an influential Washington-based lobbying firm, \$600,000 since 1999 in an effort to repeal the estate tax. In 2005, the Walton family would have saved \$32.6 billion if the estate tax were repealed. [Public Citizen, "Spending Millions to Save Billions," April 2006]
- **Millions in Lobbying Expenditures in 2007.** In 2007, Wal-Mart stepped up its lobbying expenditures: \$1.8 million in the first six months of the year. That's more than 10 times what Sears spent its efforts, and almost 20 times what Target paid. This doesn't even include Wal-Mart's contributions to the Retail Industry Leaders Association (RILA). [AP, 12/26/07]
- **Gave \$2.6 Million to Hard-Right Conservatives.** USA Today reported that in the months leading to the 2004 elections, Alice Walton personally poured at least \$2.6 million into the right-wing, pro-Bush group Progress for America. The donation was Progress for America's "sixth-biggest gift." Progress For America backed the 527 committee 'Swift Vets and POWs for Truth,' which attacked Sen. John Kerry during the 2004 Presidential election, and supports "a conservative legislative agenda to reform Social Security, confirm President Bush's judicial nominees, overhaul the tax code and end lawsuit abuse conservative. [USA Today, 4/6/05; Public Integrity [Source](#); Progress for America Source]

## Wal-Mart Example Cont'd

[http://walmartwatch.com/issues/political\\_influence/](http://walmartwatch.com/issues/political_influence/)

### Weakening Public Schools

In the name of 'reform,' Waltons spend millions to shift public funds to private schools:

- Spending Over \$700 Million on 'Reform'. USA Today reported, "The Waltons -- the USA's richest family -- have quietly become top philanthropists in education reform, including controversial charter-school and school-voucher causes. They have donated at least \$ 701 million to education charities since 1998." [USA Today, 3/11/04]
- Promoting Publicly Funded Vouchers. Critics call the private scholarships a stalking horse for publicly funded vouchers. And Walton concedes as much, insisting that private vouchers will never go far enough. Only with publicly funded ones will "we secure the future of charter schools and all the other reforms," says [John] Walton. [Business Week, 2/7/00]
- Financing Pro-Voucher Movement. A study by the People for the American Way detailed Walton's pro-voucher donations. "One of Walton's most telling contributions was the financial backing he gave to found the American Education Reform Foundation (AERF), a voucher advocacy group," according to the report. "AERF was a driving force behind efforts to get voucher initiatives on the ballot again in California in 1996 and 1998, and has since relocated to Indianapolis." According to conservative journal Human Events, the Waltons also spent just shy of \$1 million in 2000 to fund the Black Alliance for Educational Options -- which proceeded to mount national media campaign in favor of vouchers before the elections. [People for the American Way [Source](#) (PDF)]
- Supporting Pro-Voucher Ballot Measures. The San Jose Mercury News reported that "[John] Walton, son of Wal-Mart founder Sam Walton, was the chief financial backer of the ill-fated Proposition 174 -- a school voucher proposal shot down 70 to 30 percent by voters in 1993." Walton donated \$250,000 for the Yes-on-174 campaign. According to the Detroit News, John Walton spent slightly more than \$2 million in Michigan in 2000 to support Proposition 1, a similar pro-voucher ballot initiative. [San Jose Mercury News, 3/23/96; San Francisco Chronicle, 10/27/93; Detroit News, 11/1/00]
- Voucher Groups Welcome Walton Involvement. "Having someone like John Walton in this movement makes it easier for other business people to enter the fray," says Clint Bolick, litigation director of the Institute for Justice, a conservative group that promotes vouchers. [Business Week, "Going to Bat for Vouchers," 2/7/00]

# Con Evidence

## Changes to House and Senate Policy

Citizen.org

Public Citizen

Source: Craig Holman and Nicole Lazaris

Last Updated: April 10, 2008

## Detailed Comparison of the Lobbying Laws and Ethics Rules

### Approved by the 110<sup>th</sup> Congress

The House approved a separate House ethics rules package (H.Res. 6, subsequently amended) on January 5<sup>th</sup>, 2007, the first day of the 110<sup>th</sup> Congress. The Senate combined similar ethics rules changes for the Senate with the full lobbying and ethics reform legislative package approved by both chambers of Congress. The “Honest Leadership and Open Government Act of 2007” (S. 1) was adopted by a vote of 411-to-8 in the House on July 31, 2007, approved by the Senate days later by a vote of 83-to-14 on August 2, and signed into law by the President on September 14, 2007. In addition to amending congressional rules, the lobbying and ethics reform package provided statutory amendments to the Lobbying Disclosure Act, the Federal Election Campaign Act, the Ethics Reform Act, the Indian Self-Determination and Education Assistance Act, the Foreign Agents Registration Act and revised congressional pension provisions in the Civil Service Retirement System. Most of the new lobbying laws and ethics rules are similar for both chambers of Congress, but there are some notable variations.

Type of Lobbying and Ethics Regulation	The Law and Rules as Applies to the House	The Law and Rules as Applies to the Senate
GIFT RULES	<p><b>HOUSE RULE XXV, SENATE RULE XXXV</b></p> <ul style="list-style-type: none"> <li>• Congressional ethics rules limit gifts to Members of Congress and their staff from non-lobbying entities as follows:               <ol style="list-style-type: none"> <li>(i) Gifts are capped at less than \$50 per item and less than \$100 per year from any individual to a Member of the Congress and staff.</li> <li>(ii) There are no special reporting requirements for gifts that are not travel related.</li> </ol> </li> <li>• Gifts from lobbying entities are essentially banned, with numerous exceptions.</li> </ul>	

<p><b>Prohibit lobbyists from giving gifts to Members and staff</b></p> <p><b>Prohibit lobbyists from giving gifts to Members and staff, cont...</b></p>	<ul style="list-style-type: none"> <li>• A Member or employee of the House or Senate may not accept a gift of any value from a registered lobbyist, a private entity that retains or employs a registered lobbyist (“lobbying organization”) or an agent of a foreign principal, subject to certain exceptions described below. Furthermore, in situations where an employee of a lobbying firm acts on behalf of the firm, the gift ban covers such employees, even if the employee is not a registered lobbyist.</li> <li>• An entity maintained or controlled by a Member or employee of the House or Senate, such as a leadership PAC, may not accept a gift of any value from a lobbyist, lobbying organization or a foreign agent.</li> <li>• Exceptions to the lobbyist gift ban for such items as campaign contributions are described below.</li> </ul>	
<p><b>Prohibit lobbyists from hosting parties for lawmakers at the national conventions</b></p>	<p>In the House, Representatives may not attend a party at the national nominating convention hosted by lobbyists or lobbying organizations to honor a Member of Congress (other than a presidential or vice presidential nominee). Such parties, however, are acceptable if they honor <b>two or more Members</b> as a caucus or group.</p>	<p>In the Senate, Senators <b>my not</b> attend a party at the national nominating convention hosted by lobbyists or lobbying organizations that honors one or any number of Members of Congress (other than a presidential or vice presidential nominee).</p>
<p><b>Prohibit lobbyists from funneling gifts through charity events</b></p>	<p>In the House,</p> <ul style="list-style-type: none"> <li>• Representatives and staff <b>may</b> accept gifts of free attendance at a charity event from lobbyists and lobbying organizations if the gifts are indirectly laundered through charity sponsors.</li> <li>• Representatives and staff may accept free attendance at a charity event, even if it is sponsored by a lobbyist or lobbying organization.</li> </ul>	<p>In the Senate,</p> <ul style="list-style-type: none"> <li>• Senators and staff <b>may not</b> accept gifts of free attendance at a charity event paid for by lobbyists or lobbying organizations and funneled through charity sponsors.</li> <li>• Senators and staff may accept free attendance at a charity event, so long as it is <b>not</b> sponsored by a lobbyist or lobbying organization.</li> </ul>

<b>Free attendance at in-state events; lobbyists prohibited</b>	No specific exemption from the gift rule for in-state events for Representatives, though such exceptions as “widely attended events” may apply.	Senators and staff may accept free attendance at certain in-state conferences, symposiums, panel discussions, forums, dinner events, site visits, viewings, receptions, and other similar events. To qualify, the event cannot serve a meal that costs more than \$49.99. It must be sponsored primarily by constituents, attended by at least five constituents, not attended by registered lobbyists, and must otherwise comply with widely-attended events.
<b>Tickets to sporting events</b>	Tickets to sporting and entertainment events offered as gifts to Members and staff of both the House and the Senate must be valued at face value or in the absence of a face value, at the value of a ticket with the highest face value for the event. Such gifts may not be accepted from lobbyists, lobbying organization or foreign agents. Gifts of tickets are subject to the less than \$50 per gift limit for all other persons.	
<b>Gifts to legal defense funds</b>	In the House, Representatives and staff may not accept contributions to their legal defense funds from lobbyists and foreign nationals. All others may contribute up to \$5,000 per year.	In the Senate, Senators and staff may not accept contributions to their legal defense funds from lobbyists, foreign nationals, corporations, unions and campaign committees. All others may contribute up to \$10,000 per year.

<p><b>Exceptions to the gift rules</b></p>	<p>A Member or employee of the Congress may accept gifts outside the gift ban or that exceed the gift limit if they are subject to one of <b>24 exceptions</b>, 23 of which are shared by both the House and the Senate. These are fairly common sense exceptions, allowing lobbyists and others to offer gifts of campaign contributions, gifts from family and genuine personal friends, gifts from colleagues in Congress, gifts of informational materials, honorary degrees, and so forth.</p> <p>Of these exceptions to the gift rules, the two most important – especially regarding the ban on gifts from lobbyists – are:</p> <p><b>1. Free attendance at a widely attended event that is officially related to Congressional duties.</b> An event may qualify for the widely attended exception if it serves primarily a business or educational function and it is open to members from a given industry or profession, or to a range of persons interested in the issue at hand. An event is considered widely attended when at least 25 persons from outside Congress are expected to attend. Free attendance does not include entertainment collateral to the event, such as tickets to a sporting or some other purely recreational event. Members and staff may accept full dinners as part of the free attendance at a widely attended event, if the food and drink are taken in a group setting with substantially all of the other attendees.</p> <p><b>2. Food or refreshments of a nominal value offered other than as part of a meal,</b> known as the “toothpick rule.” Under this exception to the gift ban, the ethics committees distinguish the provision of “food” from the sharing of a “meal.” A reception or social event where the attendees consume appetizers and drinks, or a continental style breakfast where coffee and donuts are served, is not considered a meal and therefore is covered by this exemption.</p>
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<p><b>“OFFICIALLY-CONNECTED” TRAVEL RESTRICTIONS</b></p>	<p><b>HOUSE RULE XXV, SENATE RULE XXXV</b></p> <ul style="list-style-type: none"> <li>• <b>Travel by Members of Congress is generally considered “official” travel when paid for by the government, and “officially-connected” travel when paid for by private sponsors. The new travel rules address privately-sponsored travel.</b></li> <li>• <b>The travel rules are distinguished from the gift rules largely by geographical radius around the Capitol or a Member’s home district. Within a 35-mile radius of the Capitol or home district, the gift rules dominate. Outside that 35-mile radius, many of the gift rules, such as limits on expenditures for meals and hospitality, are superseded by the travel rules.</b></li> </ul>
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<p><b>Restrict privately sponsored trips</b></p>	<p>Organizations that employ lobbyists are prohibited from sponsoring trips for Representatives or staff, except for:</p> <ul style="list-style-type: none"> <li>• One day trips, exclusive of travel time; or two days trips if travel distance so requires.</li> <li>• Institutions of higher education are exempt from this restriction. Lobbyists and foreign principals <b>may</b> plan such trips (but not finance them).</li> </ul> <p>Organizations that do not employ lobbyists, and all colleges and universities, may sponsor trips up to four days duration for domestic trips and seven days for international trips.</p>	<p>Organizations that employ lobbyists are prohibited from sponsoring trips for Senators or staff, except for:</p> <ul style="list-style-type: none"> <li>• One day trips, exclusive of travel time; or two days trips if travel distance so requires.</li> <li>• Charitable 501(c)(3) organizations, even if the charity is registered under LDA, is exempt from this restriction. Lobbyists and foreign principals may <b>not</b> plan or pay for such trips.</li> </ul> <p>Organizations that do not employ lobbyists, and all 501(c)(3) charities, may sponsor trips up to three days duration for domestic trips and seven days for international trips.</p>
<p><b>Prohibit lobbyists from participating in trips</b></p>	<p>Lobbyists, lobbying firms and foreign principals are prohibited from arranging or financing trips (other than de minimis involvement in one-day trips) for Representatives or staff. Lobbyists may plan and arrange for trips sponsored by institutions of higher education.</p> <p>Registered lobbyists may not accompany a Representative or staff on any segment of the trip to or from the event, unless it is sponsored by an institution of higher learning.</p>	<p>Lobbyists, lobbying firms and foreign principals are prohibited from arranging or financing trips (other than de minimis involvement in one-day trips) for Senators or staff.</p> <p>Registered lobbyists may not accompany a Senator or staff on any segment of the trip to or from the event.</p>

<b>Restrict use of corporate jets to transport Members on trips</b>	<p>Representatives may not use personal, official or campaign funds to pay for flights on private aircraft, unless the aircraft is owned by the Member or family member; or the flight is for personal use only and the aircraft is owned by a personal friend.</p> <p>House candidates may use campaign funds or leadership PAC funds to pay the full cost of a charter flight on an aircraft operated by a commercial air carrier or the government (unless the aircraft is owned by the candidate or family member), divided by the pro rata cost of the number of candidates on the flight.</p>	<p>Senators must pay the full charter rate for trips on private jets, unless the aircraft is owned by the Member or family member, divided by the pro rata cost of the number of congressional officers onboard.</p> <p>Candidates for federal office may use campaign funds or funds provided by any political committee to pay the full cost of a charter flight on an aircraft operated by a commercial air carrier (unless the aircraft is owned by the candidate or family member), divided by the pro rata cost of the number of candidates on the flight.</p>
<b>Limits on reasonable expenses</b>	<p>Transportation expenses must be limited to business-class fares, unless exceptional circumstances warrant higher fares, subject to approval by the ethics committee.</p> <p>Event expenses, such as lodging and meals, must be commensurate with what is provided to non-congressional attendees.</p>	<p>Transportation expenses must be limited to business-class fares, unless exceptional circumstances warrant higher fares, subject to approval by the ethics committee.</p> <p>Event expenses, such as lodging and meals, must be commensurate with what is provided to non-congressional attendees.</p> <p>Reasonable expenses do not include alcoholic beverages.</p>
<b>Require pre-approval of trips</b>	<p>Members and staff must receive pre-approval for all privately sponsored trips from the ethics committee. They must submit a request for pre-approval along with written certification from the private sponsor that the trip is in compliance with all the conditions and restrictions for privately sponsored travel. Requests should be submitted within 30 days of the planned trip. These advance certifications and authorizations are to be posted on the Internet by the Clerk of the House and Secretary of the Senate.</p>	

<b>Disclosure of trips</b>	Pre-certifications and approval of trips are to be posted on the Internet as soon as possible. Within <b>15 days</b> of returning, Representatives and staff must file a post-travel disclosure form, which includes a good faith estimate of expenses as well as the sponsor, nature of the trip and a description of meetings and events attended. Post-travel disclosure forms will also be posted on the Internet.	Pre-certifications and approval of trips are to be posted on the Internet as soon as possible. Within <b>30 days</b> of returning, Senators and staff must file a post-travel disclosure form, which includes a good faith estimate of expenses as well as the sponsor, nature of the trip and a description of meetings and events attended. Post-travel disclosure forms will also be posted on the Internet.
<b>REVOLVING DOOR RESTRICTIONS</b>	<b>18 USC 207 (ETHICS REFORM ACT)</b> <ul style="list-style-type: none"> <li>• <b>The Ethics Reform Act of 1989 prohibits Members of Congress, very senior congressional staff and senior executive branch officials from making “lobbying contacts” with their former colleagues for a brief “cooling off” period after leaving service.</b></li> <li>• <b>Planning and supervising lobbying drives and conducting other “lobbying activity” is permissible under the law immediately after leaving public service.</b></li> <li>• <b>Revolving door policy also involves restrictions on public officials negotiating private employment while in public office.</b></li> </ul>	
<b>Length of the “cooling off” period on lobbying</b>	In the House, the “cooling off” period is one year for Representatives and very senior staff making 75% or more of a Member’s salary. It remains unchanged from the original act of 1989.	In the Senate, the “cooling off” period has been extended to two years for Senators and very senior executive branch officials (e.g. cabinet officers). The cooling off period remains one year for very senior Senate staff making 75% or more of a Member’s salary.
<b>Prohibit during the “cooling off” period any paid lobbying activity, such as planning and supervising lobbying drives</b>	Lobbying activity is <b>not</b> prohibited during the cooling off period. Former public officials may immediately take employment as heads of lobbying firms and lobbying organizations, conduct any other lobbying activity, and even register as lobbyists, as long as they avoid making direct “lobbying contacts” with their former colleagues.	

<p><b>Persons who may not be contacted during the cooling off period</b></p>	<p>In the House,</p> <ul style="list-style-type: none"> <li>• Former Representatives shall not make lobbying contacts for one year with Members or employees of either chamber of Congress.</li> <li>• Former officers of the House shall not make lobbying contacts for one year with any Member or employee of the House of Representatives.</li> <li>• Former senior House staff shall not make lobbying contacts for one year with the Member’s office or committee for whom they served.</li> </ul>	<p>In the Senate,</p> <ul style="list-style-type: none"> <li>• Former Senators shall not make lobbying contacts for two years with any Member or employee of either chamber of Congress.</li> <li>• Former officers of the Senate shall not make lobbying contacts for one year with any Member or employee of the Senate.</li> <li>• Former senior Senate staff shall not make lobbying contacts for one year with any Member or employee of the Senate.</li> <li>• Former very senior executive branch officials shall not make lobbying contacts for two years with the executive agency for whom they served or with executive branch officials appointed by the President.</li> </ul>
<p><b>Notification of “cooling off” period</b></p>	<p>Members of Congress and congressional staff subject to the “cooling off” period shall be notified of the start and end dates of the prohibition against lobbying contacts, and such notice shall be posted on the Internet by the Clerk of the House and Secretary of the Senate.</p>	

<p><b>Restrictions on negotiations for future employment</b></p>	<ul style="list-style-type: none"> <li>• Prior to the election of a successor, Representatives shall not negotiate future employment with a private entity unless notice is given to the ethics committee within 3 days of commencement of negotiations.</li> <li>• Representatives must recuse themselves from official matters in which a conflict of interest or appearance of a conflict exists with a potential employer, the basis of such recusal shall be publicly disclosed at that time by the House Clerk.</li> <li>• Senior staff must notify the ethics committee within 3 days of any negotiations of future employment and recuse themselves from any potential conflict of interest.</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to the election of a successor, Senators shall not negotiate future employment with a private entity unless notice is given to the Senate Secretary within 3 days of commencement of negotiations, which is disclosed to the public at that time.</li> <li>• Senators may not negotiate employment in a job that involves “lobbying activity” until after a successor is elected.</li> <li>• Senior staff must notify the ethics committee within three days of beginning negotiations for future employment, and to recuse themselves from any official action in which a conflict of interest or appearance of a conflict exists with a potential employer.</li> </ul>
<p><b>Prohibit special privileges for Members who become lobbyists</b></p>	<p>Representatives-turned-lobbyists are denied special access to the House floor and congressional exercise facilities while registered as a lobbyist.</p>	<p>Senators-turned-lobbyists are denied special access to the Senate floor, gym and parking lot while registered as a lobbyist.</p>
<p><b>Prohibit lobbying contacts with Members’ family who are registered lobbyists</b></p>	<p>The spouse of a Representative may not make a lobbying contact with anyone on the Member’s staff, if the spouse is a registered lobbyist.</p>	<p>Immediate family members of a Senator may not make a lobbying contact with any office of the U.S. Senate, if they are registered lobbyists. Senate spouses who were serving as registered lobbyists at least a year before the most recent election of the Senator to office, or a year before marriage to the Senator, are exempt.</p>

<b>End the “K Street Project”</b>	Members and staff may not influence employment decisions of private organizations, particularly lobbying firms, “solely on the basis of partisan affiliation.” Members and staff may not link access to congressional officials based on the party affiliation of employees hired by a lobbying organization. Violations are subject to a fine and imprisonment for up to 15 years.	
<b>Ban on lobbying by committee consultants</b>	Consultants and their firms providing contractual services to a House committee are banned from lobbying that committee.	
<b>Representation of tribal organizations</b>	Current and former federal officers and employees may represent tribal organizations in connection with their tribal affairs before a governmental agency or judicial body at any time, provided they give written notice of their involvement in the matter to the agency or court.	
<b>“Lookback” for past governmental employment by lobbyists</b>	Lobbying disclosure registrants must disclose any previous executive branch or congressional employment within the last 20 years on their LDA reports. Previously, registrants were only required to report governmental employment within the last two years.	
<b>DISCLOSURE OF LOBBYING ACTIVITIES AND CAMPAIGN FUNDRAISING</b>	<p><b>2 USC 1601 et seq. (LDA), 2 USC 431 et seq. (FECA) and 22 USC 612 et seq. (FARA)</b></p> <p><b>The Lobbying Disclosure Act of 1995 (LDA):</b></p> <ul style="list-style-type: none"> <li>• <b>Provides clear definitions of who is a lobbyist and what is reportable lobbying activity;</b></li> <li>• <b>Creates empirical thresholds triggering the registration and reporting requirements; and</b></li> <li>• <b>Establishes the Clerk of the House and the Secretary of the Senate as the offices responsible for implementing the lobbying disclosure laws.</b></li> </ul> <p><b>The Federal Election Campaign Act of 1971 (FECA):</b></p> <ul style="list-style-type: none"> <li>• <b>Requires the registration of federal candidates, parties and political committees that meet certain thresholds;</b></li> <li>• <b>Mandates candidates, parties and political committees to report their contributions and expenditures and to disclose this financial activity to the public on the Internet; and</b></li> <li>• <b>Establishes the Federal Election Commission (FEC) as the agency responsible for implementing the campaign finance laws.</b></li> </ul>	

<b>Frequency of Reporting</b>	<ul style="list-style-type: none"> <li>• Registrants must file their LDA reports on a quarterly basis, rather than semi-annually.</li> <li>• Additional LDA reports on direct campaign contributions, as well as contributions and expenditures to leadership PACs, presidential libraries, events to honor congressional or executive branch officials, and meetings or conferences with covered officials, must be filed semi-annually with the Clerk of the House and the Secretary of the Senate. After two years and upon determination of the House Clerk and the Senate Secretary, these reports may be required to be filed on a quarterly basis.</li> <li>• FEC reports on bundled contributions from lobbyists shall be filed by candidates, leadership PACs and political parties on a quarterly basis.</li> </ul>
<b>Mandatory electronic filing and disclosure of lobbying reports</b>	<ul style="list-style-type: none"> <li>• LDA reports must be filed electronically, and made available to the public on a Web page maintained by the Clerk of the House and Secretary of the Senate in a searchable, sortable and downloadable format.</li> <li>• Lobbying reports on behalf of foreign governments or parties under the Foreign Agents Registration Act (FARA) must be made available on the Internet by the Department of Justice in a searchable, sortable and downloadable format.</li> </ul>
<b>Disclosure of campaign finance activity</b>	<ul style="list-style-type: none"> <li>• On LDA reports, lobbyists must report on a semi-annual basis direct campaign contributions, as well as contributions and expenditures to political committees, leadership PACs, presidential libraries, events to honor congressional or executive branch officials, and meetings or conferences with covered officials.</li> <li>• On FEC reports, candidates, leadership PACs and political parties must report the name, address and employer of each lobbyist who bundled contributions from two or more sources directly or through fundraisers amounting to more than \$15,000 in a semi-annual period.</li> </ul>
<b>Disclosure of stealth lobbying coalitions</b>	Lobbying coalitions must disclose on their LDA reports organizations and corporations that contribute more than \$5,000 toward the coalition's lobbying effort per quarter and actively participate in the planning, supervision or control of lobbying activities. Such disclosure is not required if the coalition posts the names of the organizations and corporations who meet this disclosure threshold on its Web site.
<b>Disclosure of governmental clients</b>	Lobbyists must disclose on their LDA reports whether a client is a state or local governmental entity.

<b>CONGRESSIONAL PROCEDURES</b>	<b>RULES OF CONGRESS</b> <ul style="list-style-type: none"><li>• <b>Procedures of Congress are separately governed by the rules of the House and the rules of the Senate.</b></li><li>• <b>Only the House is required to approve new rules at the beginning of each session.</b></li><li>• <b>The House and the Senate may reconsider their respective rules of procedure at any time.</b></li></ul>
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<p><b>Earmark Reforms</b></p> <p><b>Earmark reforms, cont...</b></p>	<ul style="list-style-type: none"> <li>• No bill, joint resolution or conference report shall be considered on the House floor unless it is accompanied with a list identifying all its congressional earmarks, the intended recipient or beneficiary of each earmark, and the Representative sponsoring each earmark.</li> <li>• The list of earmarks and their sponsors must be printed in the Congressional Record prior to a floor vote.</li> <li>• Letters from Representatives explaining the nature of each earmark are available to the public in paper format from the Clerk of the House.</li> <li>• Any Representative may raise a point of order to end consideration of a bill, joint resolution or conference report that fails to disclose its earmarks.</li> <li>• The earmark disclosure rule may not be waived.</li> <li>• Earmarks may not be conditioned upon any vote cast by another Representative.</li> <li>• Sponsors of an earmark must certify that they and their spouses have no personal financial interest in an earmark.</li> </ul>	<ul style="list-style-type: none"> <li>• No bill, joint resolution or conference report shall be considered on the Senate floor unless it is accompanied with a list identifying all its congressional earmarks, the intended recipient or beneficiary of each earmark, and the Senator sponsoring each earmark.</li> <li>• The list of earmarks and their sponsors must be available to the public on the Internet at least 48 hours prior to a floor vote.</li> <li>• The chairman of the committee or Senate Majority Leader certifies that all earmarks have been properly identified.</li> <li>• Any floor amendment that contains an earmark must be identified with the sponsor and printed in the Congressional Record.</li> <li>• The sponsor of an earmark must certify that neither the Senator nor the Senator's immediate family has a pecuniary interest in the earmark.</li> <li>• Any Senator may raise a point of order to strike a specific earmark or earmarks "air dropped" into a conference report that are not properly identified.</li> <li>• These restrictions may be waived by a vote of three-fifths of the Members of the Senate.</li> </ul>
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<b>Holds on legislation</b>		Any Senator may place a hold on legislation, but the identity of the Senator must be disclosed within 6 days.
<b>Disclosure of legislation prior to a vote</b>	<ul style="list-style-type: none"> <li>• Conference bills must be in print and published in the Congressional Record at least 3 days prior to a final floor vote, except in the last 6 days of a session.</li> <li>• Copies of final conference bills must be distributed to all Representatives at least two hours before a final vote.</li> </ul>	<ul style="list-style-type: none"> <li>• Conference bills must be in print and disclosed on the Internet at least 48 hours before a final floor vote.</li> <li>• Conferees shall not insert new material in conference reports that was not agreed to by one chamber, nor shall they strike material that was agreed to by both chambers.</li> <li>• These requirements may be waived by a three-fifths vote of the Senate.</li> </ul>
<b>Pay-as-You-Go</b>	New spending that would increase the budget deficit within a five-year or 10-year timeframe must be offset by cost savings or revenues, unless waived by a majority vote.	
<b>Open meetings</b>	<p>In the House,</p> <ul style="list-style-type: none"> <li>• Managers of conference committees shall make every effort to ensure that all Members of the committee are given notice of the meeting and have a reasonable opportunity to attend.</li> <li>• House conferees must sign the final report at one time and in one place.</li> </ul>	<p>In the Senate,</p> <ul style="list-style-type: none"> <li>• All conferees shall be given adequate notice of meetings and are allowed to participate in full on the matters before the committee.</li> <li>• All Senate committees and subcommittees shall make available through the Internet a video or audio recording or transcript of all public meetings within 21 days of the meeting.</li> </ul>

<b>Ethics training</b>	<p>In the House,</p> <ul style="list-style-type: none"> <li>• The House ethics committee offers regular ethics training seminars to all Representatives and staff.</li> <li>• All employees are required to receive at least one hour of ethics training annually. Officers and senior employees must receive at least two hours of ethics training annually.</li> <li>• Ethics training for Representatives is optional.</li> </ul>	<p>In the Senate,</p> <ul style="list-style-type: none"> <li>• The Senate ethics committee provides regular ethics training seminars to all Senators and staff.</li> <li>• All Senators and staff must receive ethics training.</li> </ul>
<b>ENFORCEMENT</b>	<p><b>2 USC 1606, 5 USC App. 104, 5 USC 8332, and CONGRESSIONAL RULES</b></p> <ul style="list-style-type: none"> <li>• <b>Monitoring reporting violations of lobbyists is the responsibility of the Secretary of the Senate and the Clerk of the House in Congress, and the Office of Government Ethics (OGE) for the executive branch, each of which may refer violations to the Department of Justice (DOJ) for legal sanctions.</b></li> <li>• <b>Monitoring compliance to the travel or gift rules is the responsibility of the ethics committees in Congress, which may assess a variety of penalties on Members and staff depending on the violations, and the OGE and DOJ for the executive branch.</b></li> </ul>	
<b>Penalties for violations of the lobbying disclosure requirements</b>	<p>Lobbyists and lobbying firms may be fined up to \$200,000 for civil violations (up from \$50,000), and for criminal violations may be imprisoned for up to 5 years for “knowingly and corruptly” violating the law.</p>	
<b>Penalties for violations of the ethics rules</b>	<ul style="list-style-type: none"> <li>• House and Senate ethics committees may assess a variety of penalties on their respective Members for violations of the ethics rules.</li> <li>• Any Member or staff who knowingly and willfully files false personal financial disclosure reports may be subject to fines up to \$50,000 (up from \$10,000) and imprisoned for up to 1 year.</li> <li>• Lobbyists may be held liable for violations of the gift and travel rules.</li> </ul>	
<b>Loss of congressional pensions</b>	<p>A Member convicted of bribery, fraud, acting as an agent of a foreign principal, prohibited foreign trade practices, financial gain from unlawful property, tampering with witnesses, or perjury, shall not be eligible for a congressional pension.</p>	

<b>Establish an independent ethics entity to monitor compliance</b>	An Office of Congressional Ethics is created to supplement the investigation of possible violations of ethics rules by the House ethics committee. OCE consists of six non-Members, three appointed each by the Speaker and the Minority Leader. OCE may initiate investigations, but lacks any subpoena power. OCE may dismiss investigations but not determine whether a violation in fact occurred, and may refer its research to the ethics committee for further actions.	
<b>Mandatory investigations</b>	The House ethics committee must open an investigation of any Member formally charged with a crime within 30 days.	
<b>Disclosure of enforcement actions</b>	<ul style="list-style-type: none"> <li>• Senate ethics committee must issue annual reports tallying the number of ethics investigations, violations and penalties.</li> <li>• Secretary of the Senate and Clerk of the House must issue semi-annual reports on the number of referrals made for noncompliance.</li> <li>• Attorney General reports on a semi-annual basis the number of referrals and enforcement actions taken by the Department of Justice for violations of LDA.</li> <li>• Comptroller General shall audit lobbyists, lobbying firms and registrants on a random basis for compliance to LDA and issue annual reports to Congress.</li> </ul>	

## The People Need Lobbyists For Representation

The Gazette (Montreal)  
January 21, 2008 Monday

Some experts say episodes like the Mulroney-Schreiber affair have overshadowed the fact that lobbying is a legitimate - even fundamentally democratic - activity that has been a fixture of the Canadian political landscape since the late 19th century.

"It is really important not to overemphasize the unsavoury aspects. We need lobbyists," said Paul Pross, professor emeritus at Dalhousie University in Halifax, and one of Canada's few academic experts on the lobbying industry.

"The complexities of government are so extensive these days, your ordinary citizen and many, many businesses just can't afford to spend the time and effort to unravel the process."

"Lobbying is an ancient craft. Whenever you've got power, you have interests that need to be represented to power. That's the role of the lobbyist: to make that representation."

<http://www.helium.com/items/827523-is-lobbying-necessary-and-ethical>

Is lobbying necessary and ethical?

by [EMoore](#)

### WHY IS LOBBYING NECESSARY?

Lobbying is necessary because it gets the word out. It tells the rest of the world what is going on about a certain practice that needs to be overhauled, stopped or condemned by a large group of people. The largest lobbying group that I can think of is the [United Nations](#). It came about after World War 11 and was designed to come to the aid of countries that was in need of help and second, to be ready to defend them should other countries attempt to violate their rights.

Other lobbying groups are The [American Medical Association](#), although it is not generally thought of as such. Although, in reality, it is as much into influence peddling as are those who are in Washington, D.C. dealing in political matters. It concerns itself with the state of the country's health and the ethical practices of its doctors. In other words, the AMA deals in medical politics.

## **The People Need Lobbyists For Representation Cont'd**

democrats.sen.ca.gov

KUEHL, California State Senator

A CITIZEN'S GUIDE TO LOBBYING

2006

The basic premise of government in the United States was stated simply by Abraham Lincoln in the Gettysburg Address: "a government of the people, by the people, for the people..."

Unfortunately, many people are intimidated by the governmental process, not knowing where to turn to solve a problem or how to influence a policy decision. This pamphlet explains how to effectively participate in the legislative, or law-making process. The legislative process is most effective when people share their views with their elected representatives. By lobbying, average citizens can influence an elected official's position on an issue.

## Lobbying is Part of the Process

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

PBS

September 19, 2006

Capitol Crimes: The Land of Lobby

"Congress has always had, and always will have, lobbyists and lobbying," says former Senate Majority Leader Robert Byrd. "We could not adequately consider our workload without them." But he also stresses the need for vigilance. "The history of this institution demonstrates the need for eternal vigilance to ensure that lobbyists do not abuse their role, that lobbying is carried on publicly with full publicity, and that the interests of all citizens are heard without giving special ear to the best organized and most lavishly funded."

For years, the reality has been that people must organize in order to have their voices heard in politics. From the very early days of Congress, citizens have joined together in order to lobby with greater efficacy: The representatives of shipwrights lobbied lawmakers on the effects of tariffs; merchants' lobbyists pushed for an end to the tax on molasses; federal clerks requested an increase in pay; military officers sought reimbursement for personal funds expended during the Revolution. In short, individuals with common interests banded together and selected someone to plead their case before Congress, the White House or any other body that had the power to influence the situation. And so lobbying became an efficacious and accepted form of political activity. (Read a history from lobbying from the U.S. Senate.)

Political Science at the University of Memphis

Mahood [H.R., Interest Groups in American National Politics, pg. 69]

2000

Lobbyists and lobbying have become an indispensable part of our political processes. Once scorned as a corruptive influence, the lobbying profession serves to link government and citizen organizations in common pursuits. To be sure, a good deal of lobbying is done on behalf of well-organized interests, often to the detriment of the unorganized. But as discussed here, current policymaking virtually requires the technical expertise and knowledge that lobbyists can provide. Governmental decision making at all levels incorporates both the political and substantive information of various lobbying interests.

## Lobbying is Part of the Process Con'd

Lobbying facilitates the democratic process Graziano, professor of political science at , 2001 [Luigi, Lobbying, Pluralism and Democracy, pg 22]

As for the services provided by lobbyists, assessment is generally positive and at times enthusiastic ('A good lobbyist is a wonderful thing').<sup>18</sup> One Republican Representative says: 'Lobbyists are useful to my office: they help isolate the issues and bring them to my attention ... to weigh the pros and cons of an issue'.<sup>19</sup> 'Congressmen - others add - are not experts'<sup>20</sup> and need information 'in the particular area of one group's responsibility'.<sup>21</sup> The Chief Education Adviser to the Senate Labor and Human Resources Committee, speaking about the reauthorization of the National Science Foundation (1988), stressed a different dimension: 'We used the groups as messengers to the rest of Congress, to persuade Members to vote for the bill.'<sup>22</sup>

The overall view is that lobbying 'is an integral part of the democratic process',<sup>23</sup> a 'great strength in American democracy'<sup>24</sup> and so on. When it is pointed out that many interests are left out in the cold, the answer is, unconsciously echoing some of the themes in early pluralism (Bentley, 1967, 1969; Truman, 1971; see Chapter 8), that, as long as they want to, anyone can organize and have access to political authority.

[http://www.wilsoncenter.org/index.cfm?event\\_id=4244&fuseaction=events.event\\_summary](http://www.wilsoncenter.org/index.cfm?event_id=4244&fuseaction=events.event_summary)

Woodrow Wilson International Center For Scholars  
Congress, Lobbyists, and the Public Interest  
May 18 2001

Jonathan Rauch, senior writer for The National Journal and author of *Government's End: Why Washington Stopped Working* (1999), pointed out the enormous disconnect between the view of lobbyists inside, versus outside the beltway. Those inside the beltway tend to see the benefits of lobbying, while the general population believes that lobbyists are buying votes.

Rauch's main thesis is that lobbying has created a dynamic situation where special interest groups tend to breed still more interest groups. For every lobbying group with a given agenda, another group is created to counteract the first. Rauch claims that at this point it is near impossible to reverse this trend, but we as a society can manage it better so as to realize the positive effects of lobbying.

## Lobbyists Provide Necessary Resources

University of Houston- Downtown

Adolfo, Do Members Of Congress Reward Their Future Employers?

2006

Lobbying organizations have not simply changed by increasing in number. They are also taking advantage of legal and technological changes that allow them to provide information and resources to members of Congress effectively and efficiently. Lobbyists serve as useful allies to members of Congress. They provide needed information that might be difficult or slow to obtain from the Congressional Research Service. At times, lobbyists assist in the drafting of legislation. While much of the information that lobbyists provide is technical in nature, they also provide information about the position that the legislators' constituents might take on certain issues. Lobbyists can use this information to pressure legislators or to prepare for public relations problems during election cycles.

[http://www.wilsoncenter.org/index.cfm?event\\_id=4244&fuseaction=events.event\\_summary](http://www.wilsoncenter.org/index.cfm?event_id=4244&fuseaction=events.event_summary)

Woodrow Wilson International Center For Scholars

Congress, Lobbyists, and the Public Interest

May 18 2001

The perception of lobbyists is quite different inside versus outside the beltway. Those inside the beltway, particularly those on Capitol Hill, view lobbyists largely as allies who provide the information needed to make educated decisions about often very complicated topics. The general American populace, outside the beltway, including much of the media, have a far less benign impression of lobbyists as those who buy votes with campaign contributions.

Lobbyists play a large role in Rep. David Price's (D-NC) job. He is frequently meeting with representatives from associations, advocacy groups, and corporations on various issues. He added that 90 percent of these office appointments are with his constituents, "Lobbying is heavily constituent oriented."

According to Price, people seeking government research grants are darkening his doorstep more frequently, ready to illustrate for him the human impact of any given bill and for him, this is beneficial. "Lobbying is honorable and of great help to the policy process," Price said. Lobbying provides much needed information and guidance and takes place overwhelmingly with like-minded members of Congress.

Robert S. Walker, Chairman and CEO of the Wexler Group, a lobbying firm, and former republican representative from Pennsylvania has been able to see lobbying from several vantage points: Congressional staffer, representative, and lobbyist.

## Lobbyists Provide Necessary Resources Con'd

[http://www.wilsoncenter.org/index.cfm?event\\_id=4244&fuseaction=events.event\\_summary](http://www.wilsoncenter.org/index.cfm?event_id=4244&fuseaction=events.event_summary)

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According to Walker, lobbyists help Congressional staff to understand specialized knowledge in a public policy context. He warned however that with the large staffs today, messages that are communicated to staff do not always make it back to the member.

The relationship between lobbyists and members is much more interactive. Walker agreed with Price that lobbyists have a responsibility to give an honest representation of the other side of the story and to answer legislators' probing questions candidly.

"If lobbyists did not exist, we would have to invent them!"

Lobbyists' principal function is to serve as a conduit of information. They are needed to focus and distill the masses of information available on any given issue. The most effective lobbyist will educate the member in the public policy context and will mobilize local interests.

<http://www.helium.com/items/827114-is-lobbying-necessary-and-ethical>

Helium

Is lobbying necessary and ethical?

Allen Teal

Without lobbying, much of United States congressional work would never be started. Congress would probably only need to meet a few months per year. The lobbyists provide huge amounts of information to congressional leaders. Every state in the nation has lobbyists at the national level. Even governors work as lobbyists at times to promote the needs and wants of their respective states.

Lobbyists identify areas of need to elected officials in Washington D. C., and provide huge quantities of detailed information about various projects. This saves the nation untold millions of dollars that congress would need to research these things if left on their own.

The idea of the lobbyist is not a terrible thing. There will always be lobbyists. Every person who speaks to their representative or senator about a person concern is a lobbyist. The professional lobbyist is just a bigger version of the same thing. With a representative style of government, elected officials need some way to stay in touch with ways to solve needs for large numbers of people. Lobbyists fill this need. It is only when lobbyists step across the influence-making line to bribery and other illegal means that the ethical barrier is severely breached.

## **Not All Lobbyist Represent Big Business**

[http://www.pbs.org/moyers/citizensclass/capitol\\_crimes/the\\_land\\_of\\_lobby/#comments](http://www.pbs.org/moyers/citizensclass/capitol_crimes/the_land_of_lobby/#comments)

September 19, 2006

Capitol Crimes: The Land of Lobby

To be clear, not all lobbyists represent big business, not all of them are Abramoff-style operator and not all of them toe the line between legality and criminal corruption. In fact, most lobbyists are respectable folks legitimately conveying the interests of organized groups to those whose actions and votes have an effect on the way we live in America. They may represent churches, universities, charities, senior citizens groups or environmental concerns, or they may represent Enron or the Northern Mariana Islands. Basically, a lobbyist's job is to persuade lawmakers to view an issue in their clients' interest and will urge them to vote in a way that benefits their clients, whether that means more federal research contracts for a college in a congressman's district, more affordable drug prescriptions for the elderly or bigger tax loopholes for corporations.

<http://www.helium.com/items/827114-is-lobbying-necessary-and-ethical>

Helium

Is lobbying necessary and ethical?

Allen Teal

Any large company, group, or collective will normally have lobbyists at the national level and frequently at the state level. At the state level, most lobbyists do their work a little less obviously than at the federal where they figure to get more bang for their buck. So, this mean that farmers, labor unions, grocers, car manufacturers, are all represented by private lobbyists. Other nations of the world also keep lobbyists on the payroll to get foreign aid and favors for their country.

## Lobbyists Provide Good Results

Answers.com

(ENCYCLOPEDIA OF AMERICAN HISTORY, Lobbying

Although multinterest peak associations such as the AFL-CIO, the Farm Bureau Federation, and the NAM continue to lobby on a variety of congressional issues, critics of lobbying have moved on to new targets – for example, the “military-industrial complex” and the impact of corporate campaign contributions on executives policymaking. In addition to primarily economic lobbies, the twentieth century has seen major lobbying efforts by prohibition groups like the Anti-Saloon League, civil rights groups like the National Association for the Advancement of Colored People (NAACP), reform groups like Common Cause, and peace groups like the National Peace Action Committee.

Carmengroup.com

Carmen Group Lobbying

2006

Carmen group specializes in creating strategies to guide clients through complex legislative, regulatory, jurisdictional, and proposal processes to accomplish projects of merit related to disaster recovery. Our policy experts apply Carmen Group’s Proven Process and unrivaled experience with the federal funding process and the operations of federal relief agencies to create fast, effective responses that contribute meaningful progress. Carmen Group specializes in providing local and state agencies long-term disaster prevention. While we represent flood protection agencies across the country, one of our key successes is the development, approval and funding of the \$250 million Napa River Flood Protection Project. This state-of-the-art flood project, now half-way through construction, had serious design, formulation, community acceptance and funding issues stemming from a preliminary federal recommendation for 15-foot high walls in downtown Napa as the flood protection project. Through our efforts, we helped break through barriers in Congress, the federal agencies and the White House and secured funding and approvals. Today, this project is considered one of the premier Corps’ projects in the country and the leading example of an environmentally sensitive flood protection project.

## Only a Few Bad Lobbyists

Mont. Public Radio

Geoff Feiss

January 25, 2006

Therein lies the problem. I think the current scandal in Washington can be reduced to a matter of accountability. So while it is certainly easy and politically popular to rail against lobbyists and lobbying, let's consider our inalienable rights to assemble, speak our minds, and petition our government, recognizing the responsibility we all have not to abuse the liberty we are given.

<http://www.pac.org/page/ethics/ResponsetoAbramoffScandal.shtml>

The Foundation for Public Affairs

Response to Abramoff Scandal

2006

99% of lobbyists would never engage in the illegal and unethical activities in which Abramoff was involved. Lobbyists need to have a reputation for being trustworthy and knowledgeable to be successful in Washington, D.C.

## **Abramoff Isn't the Standard**

<http://www.pac.org/page/ethics/ResponsetoAbramoffScandal.shtml>

The Foundation for Public Affairs  
Response to Abramoff Scandal  
2006

While it's possible that Abramoff did, in fact, make an illegal payment to one or more members of Congress, observers need to be careful not to confuse legitimate campaign contributions with illegal activities. The fact is, people tend to give financial support to politicians who already agree with them on key issues. For a regular campaign contribution to become a bribe, there must be a payment made in return for a specific action. This kind of "quid pro quo" is certainly illegal – but it is an extremely rare occurrence.

Because of the Abramoff scandal, companies and associations are taking a harder look at which contract lobbyists they hire to represent their interests. Obviously, no one wants to be associated with an unethical consultant.

<http://transcripts.cnn.com/TRANSCRIPTS/0601/07/cnnitm.01.html>

Abramoff Scandal Rocks Capitol Hill;  
CNN IN THE MONEY  
Aired January 7, 2006 - 13:00 ET

KENNETH GROSS, LOBBYING EXPERT: Nice to be here Jack.

CAFFERTY: The perception on Main Street is that the Abramoff story is simply the tip of a very ugly iceberg, that the system is corrupt that our government's for sale, and if you got enough money and have the right phone numbers in your rolodex, you can buy whatever you want from our lawmakers in Washington, D.C. Is that perception accurate or is Abramoff simply the rogue elephant in the herd of otherwise honorable influence peddlers down there?

GROSS: I think that probably is an overstatement of what is business as usual in Washington. I think, considering the breadth and magnitude of what went on here, I would have to characterize Mr. Abramoff, his conduct as aberrational. Do we have entertainment? A lot of political officials going there all the time? Are the political contributions going on all the time? Yes. But the magnitude here makes it stand out.

## **Lobbying Is Surprisingly Transparent**

[http://www.alldc.org/press/pr\\_072605.pdf](http://www.alldc.org/press/pr_072605.pdf)

Should Congress strengthen its oversight of lobbying?

American League of Lobbyists

Written for the CQ Researcher, July 2005

The current LDA requires lobbyists to report who they represent; the issues they are working on; the committees, agencies or administration personnel they meet with; how much they are being paid, and — believe it or not — this information is available to the public. These rules also come with stiff penalties for non-compliance, including possible jail time.

## Lobbyists Provide Information

Answers.com

Thomson, 2006 (LEGAL ENCYCLOPEDIA)

The role lobbyists play in the legislative arena can be compared to that of lawyers in the judicial arena. Just as lawyers provide the trier of fact (judge or jury) with points of view on the legal issues pertaining to a case, so do lobbyists provide local, state, and federal policymakers with points of view on public policy issues.

publicintegrity.org

THE CENTER FOR PUBLIC INTEGRITY,

Lobbying the Watchdogs

May 3, 2005

Kerekes said his group works with the GAO in order to provide accurate information for the investigations and also a “sound basis for policymaking.” He said the GAO periodically contacts the DEI itself when it launches an investigation involving energy industry, but added, “I guarantee we would proactively contact them to make sure they have all the accurate information.”

Draver said the balance of view expressed to the GAO could be “a concern,” but said he thinks the investigators are “professional enough” not to let the loudest voices of special interests interfere with the integrity of their reports. “We stress that we are nonpartisan, but that does not mean we close our eyes and our ears,” Draver said. “It can be helpful; more information is better than less.”

academic.marist.edu

Tom Shannan, CEO of Communications Firm, EMPIRE STATE REPORT

April, 1998

Perhaps the best reason is that New York is so diverse and complex that legislators can’t possibly hope to understand all the ramifications, intended and unintended, that could result from the several thousand pieces of legislation that are considered each year. The principal business of the lobbyist is to explain those ramifications.

## **Lobbyists Educate Congress on New Technology**

Roll Call

Bill Sarpalius. [Former Representative, D-Texas].

“Not Every Lobbyist Is Like Jack Abramoff”

February 16, 2006

Lobbyists provide valuable information to elected officials regarding the safety or lack thereof of the food that is consumed in this nation. Is the food you eat free from pesticides? Has the meat you consume been inspected? Lobbyists work to provide information to protect senior citizens and have worked diligently to educate Congress about available and affordable health care benefits for all.

Lobbyists provide valuable information regarding defense issues, educating Members and Congressional staff about new technologies for airplanes, ships, weapons and training for the armed forces. Lobbyists work to educate Congress about education, research, the space program, business development, business corruption and other issues. These are only a few examples. There are lobbyists educating Members and staff on the pros and cons of abortion, gun control, tobacco, Internet use, health care, the use of pharmaceutical drugs, protecting retirement benefits - again, I could go on and on.

## **Lobbyists Represent Disadvantaged People**

Dara Z. Strolovitch. Assistant Professor of Political Science, University of Minnesota.  
“Do Interest Groups Represent the Disadvantaged? Advocacy at the Intersections of Race, Class, and Gender.”  
Journal of Politics.  
November 2006.

...these organizations have also become a crucial conduit for the articulation and representation of disadvantaged interests...organizations such as the National Association for the advancement of Colored People, the National Organization for Women, and the Center for Law and Social Policy are a significant and visible presence in Washington politics.

Human Events  
Don Feder. [Nationally Syndicated Columnist].  
“Sometimes Lobbyists Protect Us From Something Far Worse.”  
December 1, 2000.

In reality, lobbyists are as likely to represent the interests of diminutive figures who've banded together for self-defense. The National Association of Realtors has 750,000 members, agents who live in dread of Washington doing something really dumb to the housing market.

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## Lobbying is Constitutional

<http://blogs.usatoday.com/oped/2007/09/in-defense-of-1.html>

USA Today

By Ross K. Baker

*Ross K. Baker is a political science professor at Rutgers University. He also is a member of USA TODAY's board of contributors.*

There was a moment in one of the recent Democratic debates in which former senator John Edwards practically accused Sen. Hillary Clinton of being in league with the devil. For some time, he had been attacking her for accepting contributions from lobbyists. Now, using the occasion of a just-passed lobbying reform bill awaiting the signature of a skeptical president, he exceeded even his previous needling of her by suggesting guilt-by-association. Turning to the audience, he charged that lobbyists, such as those who contribute to Clinton, "[rig the system against all of you](#)." Edwards' accusations deftly played into a belief common even among well-educated Americans that lobbying, if not actually illegal, is a blot on American politics. The problem with this belief is that it is misinformed.

It might come as a surprise to most people that lobbying is a [constitutionally protected activity](#) under the hallowed First Amendment. After the Founding Fathers cast the cloak of protection over freedom of religion, the press and the right to peacefully assemble, they added a category that could not be infringed upon by the federal government: "[to petition the government for a redress of grievances](#)."

Few contemporary efforts to influence government action come by way of a formal petition. But the idea of giving citizens access to government was seen by the writers of the Constitution as something worth safeguarding. And it is, indeed, worth safeguarding because every group in America, at one time or another, has got a gripe and turns to Congress or the federal bureaucracy.

Groups engaged in activities that might seem wholly unconnected with politics, such as the [American Automobile Association](#) (the folks who get your car started on cold mornings), maintain a presence in Washington to monitor what goes on in Congress. When lawmakers and congressional staffers return from their summer recess, the army of lobbyists storms Washington alongside them.

Religious and military organizations, despite the apolitical nature of our armed forces and the Jeffersonian wall of separation between church and state, stick very close to Congress. So close are the Methodists and the Reserve Officers Association that their Washington offices literally overlook the Senate office buildings. To be sure, the vast bulk of the roughly 35,000 lobbyists in town represent businesses and industries. Nonetheless, as citizens of a commercial republic, should this really surprise us?

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## Lobbying Is Intrenched In the American System

<http://www.washingtonpost.com/wp-dyn/content/article/2006/09/08/AR2006090801610.html>

### Washington's Once And Future Lobby

By Jeffrey H. Birnbaum

Sunday, September 10, 2006

The Jack Abramoff scandal has incited predictable outrage among Washington's political class this year, and with the midterm elections approaching, candidates across the country are promising to clean up the city's lobbying culture. Ned Lamont, Connecticut's upstart Democratic candidate for Senate, went out of his way this summer to attack the capital's influence peddlers and their patrons. "We know who the lobbyists are taking care of," he said ominously on CBS's "Face the Nation." And as Maryland Lt. Gov. Michael S. Steele, the state's leading Republican candidate for Senate, recently proclaimed in an advertisement, "We've got congressmen on the take and lobbyists eager to make a deal. The whole system's broken." Such theatrics notwithstanding, don't imagine for a moment that anything will really change. Lobbying has grown massively in just the past few years, becoming a multibillion-dollar industry, and it will continue to expand long after Abramoff is imprisoned and released. Lobby-law firms, trade associations, interest groups and labor unions -- known collectively as K Street -- have experienced a quantum leap in clout and are now, more than ever, a permanent and pervasive force in Washington, essential to the daily workings of government and politics. Lobbyist bashing, no matter how shrill, will not diminish that power.

Every 10 years or so, reformers have sought to rein in these paid persuaders, but the influence of lobbyists has only expanded. Today, twice as many registered lobbyists -- about 30,000 -- ply their trade than did so just six years ago. And overall spending on federal lobbying has nearly doubled, to \$200.2 million per month in 2005 from \$116.3 million per month in 1999. By all accounts, business is booming.

One reason behind this growth is the lobbying industry's simple-yet-dazzling economics. For a relatively small investment in a lobbying campaign, corporations can receive a gargantuan return. The Carmen Group Inc., a mid-size firm, has calculated that for every \$1 million its clients spend on its services, it delivers, on average, \$100 million in government benefits. A yield that immense, common in federal lobbying, is unheard of anyplace else. K Street wasn't always so lucrative. In the 1990s, lobbying was mostly a defensive effort, with corporate interests fending off unwanted restrictions. But in this decade, industries have increasingly gone on the offensive, treating Washington like a profit center rather than a place to minimize losses. Since President Bush took office in 2001, the White House and both legislative chambers have been controlled by pro-business politicians, and corporations have lined up for tax breaks and lighter regulations. In Bush's first term, Congress passed and the president signed five bills containing significant corporate and personal tax cuts.

## Lobbying Is Intrenched In the American System Cont'd

<http://www.washingtonpost.com/wp-dyn/content/article/2006/09/08/AR2006090801610.html>

### Washington's Once And Future Lobby

By Jeffrey H. Birnbaum

Sunday, September 10, 2006

At the same time, the size of government has ballooned, and lawmakers have become ever more willing to share the wealth. Federal spending grew by 49 percent from 2000 to 2006, to \$2.66 trillion. And an increasing share of that amount was handed out in narrowly focused projects called earmarks, for which an entire sub-industry of lobbyists has emerged. According to the Congressional Research Service, the number of earmarks in appropriations bills alone more than tripled to 15,887 in 2005 from 4,155 in 1994 -- and most of them were shepherded by lobbyists.

Earmarking is not hard work. Lobbyist Jeffrey S. Shockey earned about \$2 million from four dozen clients in 2004 and he needed only one associate, people familiar with his operation said. All a lobbyist must do is fill out some forms and write up a short proposal for the money; find a lawmaker (preferably on either the House or Senate appropriations committee) to sponsor the earmark; and make a few follow-up calls during the year to the lawmaker's staffers, nudging them to move the proposal along. In return, lobbyists try to keep their lawmakers happy. Shockey kept in particularly close touch; he is now a top aide to his frequent patron, Rep. Jerry Lewis (R-Calif.), chairman of the House Appropriations Committee.

Some companies previously shunned such back-scratching as distasteful -- and paid a heavy price. Microsoft Corp. didn't hire a full-fledged staff of lobbyists or donate heavily to political causes until after the Justice Department sued it for antitrust behavior in 1998. Dozens of corporations learned from Microsoft's mistake and opened their own D.C. offices. In just the past couple of years, Google, Valero Energy Corp., Herbalife International, Walgreens and GoDaddy.com have opened for business in the District. Wal-Mart has also beefed up its presence as Democrats have attacked its business practices. And the hedge fund industry, worried about attracting extra regulation, has tripled the amount it spends on federal lobbyists since 2003, so far to sterling effect.

Government has become so complex that only experts -- say, ex-congressional staff members turned lobbyists -- can decipher and navigate it. Anyone who wants to penetrate the system has little choice but to hire lobbying firms. And for good reason: Washington is no longer the insular and distant regulator it was before World War II. It insinuates itself into almost every facet of Americans' lives, from school assessments to corporate accounting to homeland security.

In turn, lawmakers have come to rely on lobbyists to provide much of their campaign cash, most of the information and voter support that propel their legislative initiatives, and many of the off-hour perks that keep them well-traveled and well-fed. These benefits are so valuable that

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## Lobbying Is Intrenched In the American System Cont'd

<http://www.washingtonpost.com/wp-dyn/content/article/2006/09/08/AR2006090801610.html>

### Washington's Once And Future Lobby

By Jeffrey H. Birnbaum

Sunday, September 10, 2006

Congress -- even faced with an ornery, anti-Washington electorate -- is poised to pass, as soon as this week, a sliver of an already weak lobby-reform bill, and discard anything that would limit its contact with lobbyists. Almost no one on Capital Hill wants to discourage the sugar daddies on K.

Lobby groups have become players in virtually everything government does; often, they are the key players. During the first six months of 2005, for example, the AARP (and its \$20 million advertising and lobbying blitz) was instrumental in shooting down Bush's plan to add private accounts to Social Security. And this year, a Republican bill that would have combined a minimum-wage increase with a cut in the estate tax was stopped dead by a coalition of labor unions led by UNITE HERE, which publicized a provision in the bill that could have reduced wages for some workers who rely on tips. At least five senators cited the provision as a major reason they voted no.

One bill that did pass this summer updated the nation's pension and trade laws; like every other piece of legislation, it was shaped by lobbying. Representatives for Delta and Northwest airlines won special pension protections to ease their financial woes. And at least 73 imported products -- such as nail clippers and vicuña hair -- received targeted tariff relief, virtually all because of pressure from Washington lobbyists.

Despite the latest scandals, lobbying has become a respectable, appealing profession. A couple of decades ago, it was considered too unsavory to attract former Congress members. But now, lobbyists have become so influential -- and so rich -- that more and more lawmakers and their aides consider the profession a second career. A recent study by the liberal group Public Citizen reported that nearly half of all lawmakers who return to the private sector join the lobbying ranks. Former top congressional officials can easily earn \$300,000 a year or more as lobbyists -- or about double their government salaries.

Many former lawmakers are proud to be lobbyists and consider themselves part of a vital establishment -- one sometimes known as the Fifth Estate, after the three branches of government and the media. This level of comfort has no doubt made contacts between lobbyists and lawmakers increasingly sympathetic. Why would congressional aides and lawmakers want to anger the lobbyists who approach them when they aspire to become lobbyists themselves?

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## Lobbying Is Intrenched In the American System Cont'd

<http://www.washingtonpost.com/wp-dyn/content/article/2006/09/08/AR2006090801610.html>

### Washington's Once And Future Lobby

By Jeffrey H. Birnbaum

Sunday, September 10, 2006

Former congressman Bill Paxon (R-N.Y.) remembers fondly when he was looking for work as a lobbyist in 1998 and interviewed at Akin Gump Strauss Hauer & Feld LLP. "It was such a pleasure," he said. He sat down with senior partner Robert S. Strauss, who told him, "Bill, we're not in this for the short term. We want to hire people who will offer quality advice to quality clients for a long period of time." And, Paxon said, "that's proven true." He has been a senior adviser at the firm since 1999. He is also part of a lobbying family; Paxon's wife, former congresswoman Susan Molinari (R-N.Y.), is chairman of a firm named the Washington Group.

As Paxon discovered, lobby companies and associations are built to last. Akin Gump and most other K Street organizations are carefully populated with Republicans and Democrats so that they can stay in business no matter which party runs the show. They also donate big bucks to politicians of both parties. In fact, most of the money raised by House members is collected either "by or through groups that lobby," said Michael J. Malbin, executive director of the nonpartisan Campaign Finance Institute. Senators also receive a lot of their dough from the K Street set. (Members of the House and Senate spent a total of \$623.4 million for their 2004 reelection campaigns.) All of which makes the anti-lobbyist rhetoric ring rather hollow. Even lobbying antagonists have their ties. Connecticut's Lamont accepts contributions from so-called leadership political action committees, which routinely receive money from labor and corporate organizations. And Lt. Gov. Steele's coffers have swelled thanks to fundraising by a group of Republican lobbyists in Washington that unabashedly calls itself Team Steele.

"Lobbyist-bashing may provide some convenient sound bites this fall, but it doesn't have much of a connection to the way Washington normally operates," said Alex Vogel of the bipartisan lobbying shop Mehlman Vogel Castagnetti. He should know. Vogel is a former chief counsel to Senate Majority Leader Bill Frist (R-Tenn.). As the company's Web site notes, "Alex's engagement with Majority Leader Frist continues. He currently provides counsel to Volunteer PAC, the Majority Leader's political action committee, and World of Hope, his charitable organization."

Such connections are hard, if not impossible, to break. "For the more than 30 years I've been around here, people have always complained about lobbyists," said Wright H. Andrews Jr. of the lobbying firm Butera & Andrews. "But they don't understand. My own mother didn't understand. She cried when I told her what I was going to do." But he explained, "After people have been here a while, they find out that the lobbying community is an essential part of the legislative process."

## **Lobbying Is Intrenched In the American System Cont'd**

<http://www.washingtonpost.com/wp-dyn/content/article/2006/09/08/AR2006090801610.html>

### **Washington's Once And Future Lobby**

By Jeffrey H. Birnbaum

Sunday, September 10, 2006

Joel Jankowsky knows this firsthand. He left the staff of House Speaker Carl B. Albert in 1977 and became the first official lobbyist at Akin Gump. Now, nearly 30 years later, Jankowsky oversees 45 full-time lobbyists and a dozen other professionals who plead before government regularly. He and his colleagues serve 161 clients and generate nearly \$30 million in annual revenue. His once-rare transition from top congressional aide to private lobbyist has become common, and his firm's practice continues to bloom.

After the midterm elections, Jankowsky predicts, the lobbying industry will get even busier and grow larger -- no matter which party prevails. History says he's right.

## Lobbying Has Increased With the Size Of Government

<http://www.washingtonpost.com/wp-dyn/content/article/2006/01/06/AR2006010602251.html>

Washington Post

Sunday, January 8, 2006

The size of the lobbyist population is proportional to the size of government. During the Civil War, the White House staff consisted of two personal secretaries to President Abraham Lincoln. Today the Executive Office of the President budgets for more than 900 employees. Lincoln was lobbied, but usually for a job in the postal service. There were many fewer legislators than today and the members had no staff. Currently there are more than 30,000 employees in Congress -- not coincidentally, that's just slightly more than the number of registered lobbyists. As the size and functions of government have grown, society has discovered more "grievances" to petition. In particular, spending by government has led to more petitions for one's perceived fair share.

[http://www.spectator.org/dsp\\_article.asp?art\\_id=9989](http://www.spectator.org/dsp_article.asp?art_id=9989)

How to Tell Good Lobbyists From Bad

G. Tracy Mehan, III served at EPA in the administrations of both Presidents Bush.

6/22/2006

I have had my share of disagreements with business lobbyists over policy and regulatory matters, at both the state and federal levels. Yet, I always recognized that they carried out an essential function if one values the independence and vitality of the private sector and the market economy. You cannot keep expanding the reach of government at all levels and not expect red-blooded Americans to do what they need to do in order to protect their interests and shape government policy according to their best judgment as to their private interests and that of the country as a whole.

## Lobbying Isn't the Problem

<http://www.weeklystandard.com/Content/Public/Articles/000/000/006/608qgluf.asp>.

Weekly Standard

January 30, 2006

The current drive for lobbying reform is purely cosmetic. And it skirts the real issue. Lobbyists, for all their selfish intentions and dubious methods, aren't the problem. Members of Congress and the way they spend taxpayers' money are....So what's needed isn't lobbying reform, which deals merely with the symptom. What's needed is congressional reform.

publicintegrity.org

Alex Knott, September 21, 2005 (THE CENTER FOR PUBLIC INTEGRITY,

Lobbying the White House, pg. 1-2,

“It can be alleged that they can leverage their contact base and knowledge base to help out clients.” Bertram J. Levine, co-author of a book about lobbyists, told the Center. Most lobbying can be beneficial, he added, even though it may involve inherent conflicts of interest. “If there is any problem in the way that this is done,” Levine said, “the problem would reside with the policymakers and how they do their jobs.”

## Same Number of Democrat and Republican Lobbyists

<http://abcnews.go.com/Politics/wireStory?id=2644788>.

ABC News.

Larry Margasak. [Staff Writer].

"Dems Pledge to Sever Ties to Lobbyists." ABC News.

November 10, 2006

But some lobbyists, tired of being condemned for Washington's influence culture, remain skeptical. "Let's not place the entire blame on lobbyists, so you can have a press conference, and then call us the next day and ask for campaign contributions," said Paul Miller, president of the American League of Lobbyists. "There are just as many Democratic lobbyists as Republican lobbyists."