

Name _____

Period _____

US History

Lobbying

What is lobbying?

Lobby: To attempt to influence government policy by talking to lawmakers and bureaucrats, and perhaps by using other means such as monetary contributions or assistance.

Lobbying: Efforts to influence legislation by influencing the opinion of legislators, legislative staff and government administrators directly involved in drafting legislative proposals.

Lobbyist: someone who is employed to persuade legislators to vote for legislation that favors the lobbyist's employer

Question: Why would certain industries employ lobbyists? What benefits do YOU think they might gain?

Lobbying

From Wikipedia, the free encyclopedia.

Lobbying is the practice of private advocacy with the goal of influencing a governing body, in order to ensure that an individual's or organization's point of view is represented in the government. A **lobbyist** is a person who is paid to influence legislation as well as public opinion. A more tactful description might be said to be someone who is engaged in public affairs.

Most major corporations and political interest groups hire professional lobbyists to promote their interests as intermediaries; others maintain in-house government or public relations departments. Think tanks aim to lobby through regular releases of detailed reports and supporting research to the media for dissemination.

Lobbying in the United States

Lobbyists in the United States target the United States Senate, the United States House of Representatives, and state legislatures. They may also represent their clients' or organizations' interests in dealings with federal, state, or local executive branch agencies or the courts. Lobbyists sometimes also write legislation and whip bills.

Question: Who are the typical "targets" of lobbyists in the United States?

History

The ability of individuals, groups, and corporations to lobby the government is protected by the right to petition in the First Amendment of the United States Constitution.

Intense lobbying began between 1869 and 1877, during the administration of President Ulysses S. Grant. The most influential lobbies wanted railroad subsidies and a tariff on wool. At the same time in the Reconstruction South, lobbying was a high intensity activity near the state legislatures, especially regarding railroad subsidies. The term itself came from Britain to describe approaches made to Members of Parliament in the lobbies of the House of Commons.

In the Progressive Era from the 1880s to the 1920s reformers frequently attacked lobbyists as corrupting politics.

In 1953, in a suit involving a congressional resolution authorizing a committee to investigate "all lobbying activities intended to influence, encourage, promote, or retard legislation," the Supreme Court narrowly construed "lobbying activities" to mean only "direct" lobbying (which the Court described as "representations made directly to the Congress, its members, or its committees"), and rejected a broader interpretation of "lobbying" out of First Amendment concerns. The Supreme Court thereby affirmed the earlier decision of the U.S. Court of Appeals for the District of Columbia Circuit.

Prior to the 1980s lawmakers rarely became lobbyists as the profession was generally considered 'tainted' and 'unworthy' for once-elected officials such as themselves; in addition lobbying firms and trade groups were leery of hiring former members of Congress because they were reputed to be 'lazy as lobbyists and unwilling to ask former colleagues for favors'. New higher salaries, increasing demand and a greater turnover in Congress and a change in the control of the House all contributed to a change in attitude about the appropriateness of former elected officials becoming lobbyists from that time onwards. The route between these roles became known as the revolving door.

Questions: During President Grant's administration, what were the most influential lobbies?

Why did reformers attack lobbyists during the Progressive Era?

Before the 1980's, why did lawmakers rarely become lobbyists?

Recent reform

In July 2005, Public Citizen published a report entitled "The Journey from Congress to K Street": the report analyzed hundreds of lobbyist registration documents filed in compliance with the Lobbying Disclosure Act and the Foreign Agents Registration Act among other sources. It found that since 1998, 43 percent of the 198 members of Congress who left government to join private life have registered to lobby. *The Washington Post* described these results as reflecting the "sea change that has occurred in lawmakers' attitudes toward lobbying in recent years." The report included a case study of one particularly successful lobbyist, Bob Livingston, who stepped down as Speaker-elect and resigned his seat in 1999. In the six years since his resignation, his lobbying group grew into the 12th largest non-law lobbying firm, earning nearly \$40 million by the end of 2004. During roughly the same time period, Livingston, his wife, and his two political action committees (PACs) contributed over \$500,000 to the PACs or campaign funds of various candidates.

The Jack Abramoff Indian lobbying scandal which started in the 1990's and led to a guilty plea in 2006 inspired the 'Legislative Transparency and Accountability Act of 2006' (S. 2349) which was debated on the Senate floor in March 2006. According to Time Magazine article in its April 10th issue, the Senate passed legislation the first week of April 2006 to reform U.S. lobbying practices. The Senate bill:

1. bars lobbyists themselves from buying gifts and meals for legislators, but it leaves a big loophole: firms and organizations represented by those lobbyists may still dole out freebies;
2. Privately funded trips would still be allowed if lawmakers get prior approval from a commissioned ethics committee;
3. It would also require lobbyists to file more frequent, more detailed reports on their activities, which would be posted in public domains. The bill was approved in 2006 by a 90-8 vote.

The Executive Branch Reform Act, H.R. 985 was a bill which would have required over 8,000 Executive Branch officials to report into a public database nearly any "significant contact" from any "private party." Although promoted as a regulation on "lobbyists," the bill defines "private party" as "any person or entity" except "Federal, State, or local government official or a person representing such an official." Thus, under the proposal, anyone who contacts a covered government official is in effect deemed to be a lobbyist, unless the communicator is another government official or government staff person. The bill defines "significant contact" to be any "oral or written communication (including electronic communication) . . . in which the private party seeks to influence official action by any officer or employee of the executive branch of the United States." The bill is supported by some organizations as an expansion of "government in the sunshine," but other groups oppose it as an infringing on the right to petition by making it impossible for citizens to communicate their views on controversial issues without having their names and viewpoints entered into a government database. The U.S. Department of Justice has raised constitutional and other objections to the bill.

On 21 January 2009, the day after he took office, U.S. President Barack Obama signed two executive orders and three presidential memoranda to help ensure his administration would be a more open, transparent, and accountable government. These documents attempt to rein in the influence of lobbyists, bring increased accountability to federal spending, and limit influence of special interests; they include a lobbyist gift ban and a "revolving door" ban. In May 2009, a Recovery Act Lobbying Rules set new limits on special interest influence.

Questions:

What did the report "The Journey from Congress to K Street" find about members who have left Congress since 1998?

Why do YOU think that Bob Livingston is considered a successful lobbyist? (Hint- what did he accomplish)

Why do YOU believe that it was important (or not important) for the Legislative Transparency and Accountability Act of 2006 to be passed? (Hint- look at the 3 things it required)

Why was the Executive Branch Reform Act opposed by certain organizations?

What did President Obama do once taking office to try to reduce the influence of lobbyists?



Questions:

According to this political cartoon, what did “Big Oil” gain from Congress?

According to the cartoon, what did Congress gain from “Big Oil”?

Who is being hurt by the relationship between “Big Oil” and Congress according to this cartoon?

Top Contributors to Federal Candidates and Parties (2006)

Rank	Organization	Amount	Dems	Repubs
1	MBNA Corp	\$265,939	32%	68%
2	HSBC Holdings	\$255,486	45%	55%
3	Capital One Financial	\$227,350	34%	66%
4	American Express	\$145,435	40%	60%
5	Sallie Mae	\$127,250	43%	57%
6	Farmers & Merchants Investments	\$106,750	15%	85%
7	American Financial Services	\$74,850	27%	73%
8	Cash America International	\$62,600	24%	76%
9	Advance America	\$50,000	96%	4%
10	CompuCredit Corp	\$43,400	28%	72%

Question:

Choose 2 of the companies listed to the left. What benefits do you think they hoped to gain by donating money to the Democrats and the Republicans?