



Highlights of [GAO-10-499](#), a report to congressional addressees

Why GAO Did This Study

The Honest Leadership and Open Government Act of 2007 amended the Lobbying Disclosure Act of 1995 (LDA). This is GAO's third report in response to the LDA's requirement for GAO to annually (1) determine the extent to which lobbyists can demonstrate compliance with the LDA by providing support for information on their registrations and reports, (2) identify challenges and potential improvements to compliance for registered lobbyists, and (3) describe the efforts the U.S. Attorney's Office for the District of Columbia (the Office) has made to improve its enforcement of the LDA. GAO reviewed a random sample of 134 lobbying disclosure reports filed from the fourth quarter of calendar year 2008 through the third quarter of calendar year 2009. GAO also selected two random samples of federal political campaign contributions reports from year-end 2008 through midyear 2009. GAO sampled 100 reports listing contributions and 100 reports listing no contributions. This methodology allowed GAO to generalize to the population of 53,756 disclosure reports, 10,928 contributions reports, and 22,572 reports with no contributions. GAO also met with officials from the Office regarding efforts to focus resources on lobbyists who fail to comply with the LDA.

View [GAO-10-499](#) or [key components](#). For more information, contact Laurie Ekstrand at (202) 512-6845 or ekstrandl@gao.gov.

2009 LOBBYING DISCLOSURE

Observations on Lobbyists' Compliance with Disclosure Requirements

What GAO Found

While there are no specific requirements for lobbyists to create or maintain documentation related to disclosure reports they file under the LDA, GAO's review showed that lobbyists were generally able to provide documentation, although in varying degrees, to support items in their disclosure reports. This finding is similar to GAO's results from last year's review.

For income and expenses, two key elements of the reports, GAO estimates that lobbyists could provide written documentation for approximately 89 percent of the disclosure reports. After GAO's review, 15 lobbyists stated that they planned to amend their disclosure reports to make corrections on one or more data elements. As of March 18, 2010, 7 of the 15 amended their disclosure reports to make these corrections.

For political contribution reports, GAO estimates that 82 percent of the reports listing contributions could be supported by Federal Elections Commission (FEC) data or documentation provided by lobbyists. Among reports with no contributions listed, an estimated minimum of 3 percent of reports omitted one or more contributions that should have been reported. All of the lobbyists said that they did not report the information listed in the FEC database because of an oversight and plan to amend their reports.

The majority of lobbyists who newly registered with the Secretary of the Senate and Clerk of the House of Representatives in the last quarter of 2008 and first three quarters of 2009 filed required disclosure reports for the period. GAO could not identify corresponding reports on file for lobbying activity for about 11 percent of the registrants, likely because either reports were not filed or the reports that were filed contained information, such as client names, that did not match the registrations. The Secretary of the Senate and Clerk of the House routinely review the completeness of registrations and reports and follow up with lobbyists.

Most lobbyists felt that existing guidance for filing required registrations and reports was sufficient. However, GAO's review of documentation and lobbyists' statements indicates some opportunities to strengthen lobbyists' understanding of the requirements. The Secretary of the Senate and Clerk of the House update guidance periodically to respond to issues and comments as they arise.

In response to an earlier GAO recommendation, the Office developed a system to help monitor and track enforcement efforts. The Office continues to refine the system to meet the requirements conveyed in GAO's recommendation. To enforce compliance, the Office primarily focuses on sending letters to lobbyists who potentially violated the LDA by not filing disclosure reports. No civil actions or settlements with lobbyists have been pursued by the Office since 2005, although it is following up on hundreds of referrals each year.