

GAO

Testimony



LM144374

For Release
on Delivery
Expected at
9:30 A.M. EDT
Tuesday
July 16, 1991

FEDERAL LOBBYING

Federal Regulation of Lobbying
Act of 1946 Is Ineffective

Statement of
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Special Assistant to
the Comptroller General

Before the Subcommittee on Oversight
of Government Management
Committee on Governmental Affairs
United States Senate



Federal Regulation of Lobbying Act

Summary of Statement by
Milton J. Socolar
Special Assistant to the Comptroller General

The Federal Regulation of Lobbying Act has been largely ineffective since its enactment in 1946. Its purpose, stated briefly, is to provide for disclosure of those interested parties who finance lobbyists' efforts to influence the course of federal legislation. The act requires any organization or person who is paid to influence legislation to register with the Clerk of the House of Representatives and the Secretary of the Senate, to report who is being represented, and to report the receipts and expenses involved and the legislative objectives pursued.

To avoid constitutional infirmity, the Supreme Court in 1954 construed the act as requiring reporting only where the principal purpose of compensation or the principal activity of the recipient is to influence legislation through direct communication with members of Congress. Other significant activity clearly recognized as lobbying within the broad purpose of the act is, therefore, not covered by the act.

The act provides no enforcement authority to Senate and House offices designated to receive registrations and reports. These offices have issued no regulations to implement the act. The act provides only criminal penalties for noncompliance. The Clerk of the House does follow up on incomplete reports and provides some assistance to filers. The Secretary of the Senate's actions are more limited. Neither those offices nor the Department of Justice takes routine enforcement action for late or incomplete filing or nonfiling.

You asked that we determine the amount of receipts and expenditures reported under the act; whether persons engaged in lobbying are registering and reporting as required, whether reports filed are timely and complete, and whether there are measures that would improve compliance and administration of the act.

About 6,000 individuals or organizations registered and filed reports for 1989. Information required of registered lobbyists was often submitted late and incomplete. The 6,000 lobbyists reported total receipts of \$234 million and expenses of \$76 million for 1989. Some 62 percent of required reports were filed late in varying degrees and over 90 percent were incomplete. We could not determine the extent to which required filings were not made, but interviews we conducted suggest that there may be a significant number of nonfilers.

Before getting into the matter of measures that could be taken to improve compliance and administration of the act, let me say that the registration form and information provided to lobbyists who seek instruction concerning requirements of the act are models of confusion. The written instructions provided by the Clerk of the House are arcane and based upon interpretations of the act that predate the defining Supreme Court case of United States v Harriss. To compensate for the instructions being outdated the Clerk provides inquirers a copy of the Harriss case. The Secretary of the Senate generally provides only copies of the act and of the Harriss decision.

The registration form is confusing in that it uses the term "employer" to mean just that in one context and to mean "client" in another. Turning to the form itself, if an organization files, block A seems clear--name, address and nature of business plus the names of employees or agents who file. But the instructions below direct that "none" be inserted in block B--no identification of "client." If an employee files, should that person's name in block B be his or her organization (employer) or the client?

Measures to improve compliance and administration of the act would begin by clarifying the instructions and revising the registration form, under the act as now written and interpreted. Further improvement would include amending the act to (1) provide a better definition of lobbying to include contacts with congressional staff, (2) authorize examination and informal resolution of apparent violations, (3) require copies of written contracts between lobbyists and their clients, (4) authorize promulgation of regulations, and (5) provide statutory civil penalties for late or incomplete filings and nonfiling.

Mr. Chairman and Members of the Subcommittee:

We are again pleased to have the opportunity to testify on the Federal Regulation of Lobbying Act. Since 1971, GAO has testified or reported on the implementation of this act on eight separate occasions. (See app. I.)

Despite the implication of its title, the 1946 act was not intended to regulate lobbying or restrict legislative activities by the public. Rather, through recordkeeping, registration, and reporting requirements, the act provides for public disclosure of the identity and financial interests of persons engaged in lobbying. The act requires lobbyists to register and file quarterly reports with the Clerk of the House and the Secretary of the Senate. Lobbyists are required to file a separate registration and quarterly report for each client. The Clerk of the House and the Secretary of the Senate are responsible for receiving and maintaining the records of these filings; they have no authority to ensure compliance with requirements. The Department of Justice is responsible for investigating and prosecuting violators of the act.

You asked us to determine (1) whether people engaged in lobbying were registering and reporting as required by the act, (2) the timeliness and completeness of reports filed by lobbyists, (3) the amount of receipts and expenditures reported by

lobbyists, and (4) additional measures that could improve compliance with and administration of the act. We did not audit lobbyists' records because the law does not give us access to them.

REGISTRATION AND REPORTING

REQUIREMENTS GENERALLY REGARDED

AS INEFFECTIVE

For 1989, about 6,000 individuals or organizations registered or reported as lobbyists under the act. However, as we have testified before,¹ the act has resulted in disclosure of only a limited range of lobbying activities. There are two key reasons for this. First, the act's "principal purpose" requirement to influence legislation is vague, making it difficult to determine whether a person is principally engaged in lobbying activities and therefore required to register and report. Second, in 1954 the Supreme Court (in United States v Harriss) narrowly defined lobbying to include only direct communications with Members of Congress. Indeed, we found that several organizations stated on their reports their view that they were not required to file due to the limited scope of lobbying specified in the Harriss decision. The Department of Justice also reported in 1983 that the act is ineffective, inadequate, and unenforceable. Following

¹Disclosure of Lobbying Activities, statement by Milton J. Socolar, GAO, before the U.S. Senate, Committee on Governmental Affairs (November 15, 1983).

the 1954 decision, Justice shifted its focus from criminal prosecutions for enforcing the act to promoting voluntary compliance.

Because of the narrowness of the Supreme Court's interpretation of what constitutes lobbying and difficulties associated with determining whether persons were principally engaged in lobbying, we agreed with the Subcommittee not to attempt to determine for our current review whether persons who had engaged in lobbying-type activities had violated the law by not registering or reporting with the Secretary of the Senate or Clerk of the House of Representatives. Instead, we agreed to determine whether certain persons who were not registered lobbyists were engaged in lobbying-type activities.

To do this, we selected a universe of individuals listed in Washington Representatives 1990 whom a computer match showed were not registered with the Senate or House as lobbyists during 1989, the year covered by this directory. Published annually by Columbia Books, Inc., Washington Representatives is a directory listing individuals and organizations in Washington who engage in activities that include government affairs, public relations, legal services, and lobbying and includes trade associations, professional societies, labor unions, law firms, corporations, and a variety of special and public interest groups.

To compile the list of individuals and organizations, the publisher's staff comb newspapers, magazines, government agency records, including lobby registrations, and a variety of other sources. They then mail a questionnaire and determine from the response if such individuals or organizations qualify for entry in the directory. Those individuals and organizations that make it into the directory each year are sent an annual updated questionnaire by the publisher.

Not all individuals listed in Washington Representatives engage in congressional lobbying or contact congressional employees on behalf of others. (Some do not come into contact with the federal government at all in the course of their general activities.) However, this directory was the most readily available source we were aware of that contained names of individuals from a variety of circumstances who might engage in lobbying-type activities.

We did a computer match of a tape of 13,501 entries of individuals and organizations listed in Washington Representatives 1990 with a tape of names of individuals and organizations who were registered with the Senate or House for 1989. Using this procedure, we identified about 9,800 individuals and organizations who were listed in Washington Representatives but who were not registered as lobbyists. (See footnote 2, p. 6.) (Again, this does not mean that they all

should have been registered.) We then attempted to interview 50 individuals, selected randomly, from the list of 9,800.

We successfully interviewed 16 of the 50. (See app. II.) Of these 16, 12 said that they (1) contact either a Member of Congress or congressional staff, (2) deal with federal legislation, and (3) seek to influence actions of the legislative or executive branch, and 4 said they did not do all 3 activities. Following are two examples of the responses given to us regarding their profession and the general nature of their activities:

-- One individual stated he was a professional lobbyist. He described his activities as 50 percent gathering information for corporate clients, 25 percent direct advocacy with congressional contacts, and 25 percent fund raising for associations and for Members of Congress.

-- Another person responded that he was a tax attorney involved in legislative advocacy and some executive branch lobbying.

Although these results do not necessarily mean that the 12 individuals should have been registered, they do suggest that many persons are engaged in lobby-type activities who are not registered. Of the remaining 34 individuals we attempted to contact, 22 individuals were not available; 8 were no longer with

the firm listed in the directory; 3 refused to be interviewed; and 1 turned out to be a registered lobbyist.²

MANY QUARTERLY

REPORTS WERE FILED LATE

The act states quarterly reports are due by the 10th day of the month following the end of a quarter. Thus, first quarter (January 1 through March 31) reports are due by April 10. Using a Senate computer tape of both Senate and House filers for 1989, we found that 62 percent (19,744) of the 32,009 quarterly reports filed were submitted late--beyond the 10 days after the end of each quarter, the filing date required by law. Moreover, about 6,250 reports, or about 20 percent, had not been filed by the 20th day of the month in which the reports were due. (We reported a similar finding in our 1975 report for reports filed in 1974.) The only consequence of late filing is that the quarterly reports will not be reflected in the listing published in the Congressional Record until the following quarter. Table 1 shows how late the reports were.

² Our computer matching methodology did miss some individuals and organizations that were registered because of different spellings of names. However, a random test of nonmatches showed that less than 2 percent of the nonmatches were registered.

Table 1: Timeliness of Quarterly Reports Filed For 1989

<u>Range of</u> <u>Days Late</u>	<u>Number of</u> <u>Reports</u>	<u>Percent of</u> <u>Reports</u>
0	12,265	38.3
1 - 10	13,491	42.2
11 - 20	1,830	5.7
21 - 30	1,736	5.4
Over 30	<u>2,687</u>	<u>8.4</u>
	<u>32,009</u>	<u>100.0</u>

REGISTRATIONS AND REPORTS

WERE OFTEN INCOMPLETE

For 1989, lobbyists filed 3,403 initial registrations, and as previously indicated, 32,009 quarterly reports. We took a random sample which resulted in an examination of 209 initial registrations and 1,107 quarterly reports. For each of the registrations and quarterly reports we determined whether filers completed all items on the forms required by the law and the filing instructions on the forms.

We found that 177, or about 85 percent, of the initial registrations and 1,039, or about 94 percent of the 1,107 quarterly reports were incomplete. The initial registration forms lacked, for instance, the nature of business of the

organization/individual and employer (69 percent and 47 percent, respectively). The quarterly report forms lacked such information as contributors of \$500 or more (37 percent) for organizational filers and recipients of \$10 or more (36 percent). Table 2 shows the incomplete responses of quarterly reports:

Table 2: Incomplete Responses in Quarterly Reports For 1989

<u>Incomplete questions per report</u>	<u>Number of reports</u>	<u>Percent of reports</u>
0	67	6.0
1	228	20.6
2	248	22.4
3	230	20.8
4	175	15.8
5	85	7.7
6 - 10	61	5.5
11 - 33	13	1.2
Total	<u>1,107</u>	<u>100.0</u>

In addition, we found that 25 percent of the quarterly reports filed did not contain the correct identification number assigned to each lobbyist/client by the Clerk.

Incomplete reporting was also a problem we discussed in our 1975 report on the Federal Regulation of Lobbying Act. As we previously reported, the Secretary of the Senate did not believe he had the enforcement authority or responsibility for ensuring complete reporting of information or referring filers of incomplete reports to the Department of Justice for criminal prosecution. The Secretary will send an informational notice to filers of registrations only if an item is omitted. Under the

act, the Clerk of the House has an obligation to, and does, notify all active registrants of any nonreceipt of quarterly reports. In addition, the Clerk reviews for completeness the forms filed and sends letters to filers specifically citing the incomplete items. However, neither the Clerk nor the Secretary has any enforcement authority to ensure compliance and there is no policy to refer late or incomplete filings to Justice.

One way to aid and encourage compliance is to ensure that those required to file know and understand the requirements. The Clerk and the Secretary offer only limited assistance now. The Clerk of the House provides guidance for filling out the registrations and reports, and the Secretary of the Senate makes available the 1946 act and the report form which includes instructions. However, our findings indicate that issuance of interpretive regulations and additional guidance and assistance, both formal and informal, would be beneficial to prospective and current filers. In this regard, the many states that have lobby laws do this. In a 1990 survey by the Council on Governmental Ethics Laws, 18 of 39 states responding said they sponsored education/training seminars for lobbyists. Ten of these 18 states provided this training on a regular basis ranging from every quarter to every 2 years.

Ambiguous Reporting

Form and Instructions

We found the lobby report form and some of the instructions for completing it to be confusing and ambiguous. This lack of clarity may have contributed to some of the problems we identified.

For example, the lobby report form uses the term "employer" in two different contexts without distinguishing between the two. In one instance, it uses "employer" to refer to the organization doing the lobbying. (See app. III, Part A, question 2, of the form.) In another instance, it apparently uses "employer" to mean the client hiring the lobbyist. (See app. III, Part B of the form.) This confusion may be contributing to a major omission we identified. For 80 percent (433 of 541) of the quarterly reports we reviewed that were filed by organizations, we found no list of the lobbyists' employees or agents as the law and instruction form require. The form should be clarified to distinguish between employer/lobbying organization, individual lobbyist, and client.

In this regard, the Canadian government uses a much clearer set of registration forms. (See app. IV.) Canada's Lobbyists Registration Act, enacted in 1988, requires individuals to file only registration reports. (Its system requires no financial reporting.) Its two types of registration forms clearly

distinguish between (1) lobbyists who lobby either directly or through an employer for a client and (2) lobbyists who lobby only on behalf of their employer. A Tier I form is for individuals who work for a firm that represents clients, and a Tier II form is for individuals who represent their employers for whom they are lobbying.

ESTIMATES OF TOTAL RECEIPTS
AND EXPENDITURES REPORTED FOR 1989

Although we do not know how accurate filers' reports are, we totalled receipts and expenditures reported by lobbyists for 1989 as published in the Congressional Record. We determined that for 1989 approximately 6,000 lobbyists reported total receipts of \$233.8 million and total expenses of \$76.2 million.

Lobbyists Often Reported
Receiving and Spending Nothing

Our examination of quarterly reports showed that lobbyists often reported receiving or spending nothing in the 22 various categories of receipts and expenditures listed on the report form. Over 90 percent of the 1,107 reports we examined showed lobbyists receiving or spending nothing in 16 of the 22 categories. (See app. V.) In combining the quarterly reports of each lobbyist/client that had filed at least 1 quarterly report for 1989, we identified 368 lobbyists/clients. Of these,

-- 116 lobbyists (32 percent) reported no receipts and 211 (58 percent) reported no expenses made on behalf of their clients during 1989.

-- 124 lobbyists (34 percent) reported receiving zero in the "received for services" category that includes salaries and fees.

Because there is no audit or examination of filers' records under the lobbying statute, we do not know whether the information reported is accurate. Although the Department of Justice does investigate complaints, it does not routinely monitor compliance with the act.

Two ways to better ensure reliability and enhance compliance are to (1) require lobbyists to file a copy of written contracts they have with each client and (2) audit lobbyists' records on a random basis. The Department of Justice's Criminal Division, in administering the Foreign Agents' Registration Act (FARA), requires registered foreign agents to file a copy of the written contract for each client. Copies of lobbyists' contracts with their clients will provide a better indication of what can reasonably be expected to be reported on their quarterly report. In addition, Justice has audit authority under FARA and does some auditing of registrants' records--some of whom are also registered congressional lobbyists.

RECOMMENDATIONS TO THE
SUBCOMMITTEE ON OVERSIGHT
OF GOVERNMENT MANAGEMENT

We recommend that the Subcommittee pursue the following legislative actions if it wants to achieve fuller disclosure of lobbying activities.

1. Clarify and expand the definition of lobbying. Both the determination of whether a person is principally engaged in lobbying and the narrow interpretation given lobbying by the Supreme Court need to be addressed. Contacts with congressional staff should be included in any new definition of lobbying.
2. Authorize the Clerk of the House and the Secretary of the Senate to examine and informally resolve apparent violations, require a copy of written contracts between lobbyists and their clients, examine lobbyists' records on a random basis, and promulgate regulations. If these functions are inappropriate for the Clerk of the House or the Secretary of the Senate, then perhaps administration of the act should reside in the executive branch. We do not believe Congress can reasonably expect full compliance with the act's disclosure requirements on a self-policing basis.

3. Provide civil penalties for late or incomplete filings and nonfiling. Although the act provides for criminal penalties for noncompliance, criminal prosecution may not always be appropriate or necessary to achieve compliance. As a precedent, the Ethics in Government Act of 1978 as amended provides for a \$200 civil penalty for late filing of employee financial disclosure reports.
4. Direct the Clerk and Secretary to provide assistance and guidance to both current and prospective lobbyists on meeting disclosure requirements, including filing complete and timely registrations and reports.

In addition, we recommend that the Subcommittee take the following actions to improve the administration of the act:

- Work with the Clerk and Secretary to clarify reporting instructions and simplify the reporting form.
- Explore with the Clerk, the Secretary, and lobbyists the reasonableness of the 10-day reporting time frame. The quarterly reporting form requires a breakdown of receipts and expenditures by several categories as well as information on certain contributors and recipients of funds. Given the amount of financial reporting required, 10 days may not be enough time for many filers to assemble all the required data.

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Mr. Chairman, this concludes my prepared statement. I would be pleased to answer any questions you or Members of the Subcommittee may have.

PREVIOUS GAO TESTIMONIES AND REPORT ON FEDERAL
REGULATION OF LOBBYING ACT OF 1946

1. The Proposed Legislative Activities Disclosure Act, statement by Elmer B. Staats, GAO, before the House of Representatives, Committee on Standards of Official Conduct (March 16, 1971).
2. The Federal Regulation of Lobbying Act -- Difficulties In Enforcement And Administration, (GAO/GGD-75-79, April 2, 1975).
3. Regulation of Lobbying, statement by Robert F. Keller, GAO, before the House of Representatives, Subcommittee on Administrative Law and Governmental Relations, Committee on the Judiciary (September 12, 1975).
4. Disclosure of Lobbying Activities, statement by Robert F. Keller, GAO, before the House of Representatives, Subcommittee on Administrative Law and Governmental Relations, Committee on the Judiciary (April 6, 1977).
5. Disclosure of Lobbying Activities, statement by Robert F. Keller, GAO, before the U. S. Senate, Committee on Governmental Affairs (August 2, 1977).
6. Disclosure of Lobbying Activities, statement by Robert F. Keller, GAO, before the House of Representatives, Subcommittee on Administrative Law and Governmental Relations, Committee on the Judiciary (March 7, 1979).
7. Disclosure of Lobbying Activities, statement by Robert F. Keller, GAO, before the U. S. Senate, Committee on Governmental Affairs (September 26, 1979).
8. Disclosure of Lobbying Activities, statement by Milton J. Socolar, GAO, before the U. S. Senate, Committee on Governmental Affairs (November 15, 1983).

**Survey of Washington Representatives:
Responses to Selected Questions from 16 Respondents**

Q. In the course of your activities on behalf of your organization or clients, do you engage in: (*READ EACH CATEGORY.*) (*CHECK ONLY ONE BOX IN EACH ROW.*)

	Yes	No	Not Sure
Contact with federal legislative branch personnel, that is, either a Member of Congress <u>or</u> congressional staff. "Contact" includes telephone calls, fax transmissions, letters, telegrams, and face-to-face conversations.	13	3	0
Contact with federal executive branch personnel	14	2	0
Litigation before federal agencies	3	13	0
Litigation before the federal courts	3	13	0
Political fund raising activities for presidential or congressional elections	3	13	0
Contact with members of the press regarding issues of federal policy	11	4	1
"Grass roots" efforts to influence federal policy decisions	6	9	1
Counseling or advising clients on issues of federal policy	11	4	1

Q. In the course of your activities on behalf of your organization or clients, do you deal with the following type of actions of the federal government? (*READ EACH CATEGORY.*) (*CHECK ONE BOX IN EACH ROW.*)

	Yes	No	Not Sure
Federal legislation	12	4	0
Federal executive branch policy	9	4	3
Federal budget decisions	9	7	0
Federal agency regulations	11	5	0
Federal contracts, grants, or loans	3	11	2
Federal licenses or permits	3	13	0
Any other federal agency decisions	5	10	1

Q. In the course of your activities on behalf of your organization or clients, do you: *(READ EACH CATEGORY.) (CHECK ONE BOX IN EACH ROW.)*

	Yes	No	Not Sure
Seek information from legislative or executive branch personnel	16	0	0
Provide information to legislative or executive branch personnel	16	0	0
Seek to influence any actions of the legislative or executive branch (including those described in Question 5.)	13	3	0

Q. In the course of your activities on behalf of your organization or clients, do you come into contact with: *(READ EACH CATEGORY.) (CHECK ONE BOX IN EACH ROW.)*

	Yes	No	Not Sure
Cabinet or Subcabinet level officials	12	4	0
The White House staff	8	8	0
Other Presidential appointees	10	6	0
Members of the Senior Executive Service	11	5	0
Other executive branch officials or staff	12	4	0

FEDERAL LOBBYING REPORT FORM

PLEASE RETURN 1 ORIGINAL TO THE CLERK OF THE HOUSE OF REPRESENTATIVES, OFFICE OF RECORDS AND REGISTRATION, 303 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20545
PLEASE RETURN 1 ORIGINAL TO THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, 333 BART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20540

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW.

"PRELIMINARY" REPORT ("Registration") To "register," place an "X" below the letter "P" and fill out page 1 only.
"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19	R E P O R T	<table border="1"> <tr> <th colspan="4">QUARTER</th> </tr> <tr> <td>P</td> <td>1st</td> <td>2d</td> <td>3d</td> </tr> <tr> <td></td> <td></td> <td></td> <td>4th</td> </tr> </table>	QUARTER				P	1st	2d	3d				4th
QUARTER														
P	1st	2d	3d											
			4th											

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

(Mark one square only)

IDENTIFICATION NUMBER _____

Is this an Amendment?
☐ YES ☐ NO

A. ORGANIZATION OR INDIVIDUAL FILING

1 State name, address, and nature of business

2 If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter

☐ CHECK IF ADDRESS IS DIFFERENT THAN PREVIOUSLY REPORTED

B. EMPLOYER - State name, address, and nature of business. If there is no employer, write "None"

C. LEGISLATIVE INTERESTS AND PUBLICATIONS in connection therewith:

1 State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated place an "X" in the box at the left so that this Office will no longer expect to receive Reports

2 State the general legislative interests of the person filing and set forth the specific legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills

3 In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) description; (b) quantity distributed; (c) date of distribution; (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift)

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4 If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C 4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

STATEMENT OF VERIFICATION

I declare under penalty of perjury that the information contained herein is true and correct.

Executed on _____ (date) _____ (Signature)
_____ (Typed)

Check ONE of the following boxes

☐ I am reporting AS AN INDIVIDUAL

☐ I am _____ of the above-named organization and I am authorized to make this verification on behalf of such organization

NOTE on ITEM "A."-(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(1) "Employer."-To file as an "employer," state (in item "B") the name, address, and nature of business of the "employer." (If the "employer" is a firm (such as a law firm or public relations firm), partners and salaried staff members of such firm may join in filing a Report as an "employee.")

(2) "Employee."-To file as an "employee," write "None" in answer to item "B."

(b) **SEPARATE REPORTS.** An agent or employer should not attempt to combine his Report with the employer's Report.

(1) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(2) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

NOTE on ITEM "B."-Reports by Agents or Employers. An employer is to file, each quarter, as many Reports as he has employees, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer; but all members of the group are to be named and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report - naming both persons as "employers" - is to be filed each quarter.

NOTE on ITEM "C."-(a) The expression "in connection with legislative interests" as used in this Report means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." The term "legislation" means bill, resolution, amendment, nomination, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"-§ 302(e).

(b) Before undertaking any activity in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(c) After beginning such activities they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None" write "NONE" in the space following the number.

Receipts (other than loans)

- 1 \$ _____ Dues and assessments
- 2 \$ _____ Gifts of money or anything of value
- 3 \$ _____ Printed or duplicated matter received as a gift
- 4 \$ _____ Receipts from sale of printed or duplicated matter
- 5 \$ _____ Received for services (e.g., salary, fee, etc.)
- 6 \$ _____ TOTAL for this Quarter (Add "1" through "5")
- 7 \$ _____ Received during previous Quarters of calendar year
- 8 \$ _____ TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received—The term "contribution" includes a loan — § 302(a)

- 9 \$ _____ TOTAL now owed to others on account of loans
- 10 \$ _____ Borrowed from others during this Quarter
- 11 \$ _____ Repaid to others during this Quarter
- 12 \$ _____ "Expense Money" and Reimbursements received this quarter
- Contributors of \$500 or More** (from Jan. 1 through this Quarter)
- 13 Have there been such contributors? ☐ Yes ☒ No
- 14 In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last day of this Quarter total \$500 or more, attach hereto plain sheets of paper approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor," and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:
- | Amount | Name and Address of Contributor ("Period" from Jan. 1 through _____, 19__) |
|------------|--|
| \$1,500.00 | John Doe, 1621 Blank Bldg., New York, N.Y. |
| 1,785.00 | The Roe Corporation, 2511 Doe Bldg., Chicago, Ill. |
| \$3,285.00 | TOTAL |

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None" write "NONE" in the space following the number.

Expenditures (other than loans)

- 1 \$ _____ Public relations and advertising services
- 2 \$ _____ Wages, salaries, fees, commissions (other than item "1")
- 3 \$ _____ Gifts or contributions made during Quarter
- 4 \$ _____ Printed or duplicated matter including distribution cost
- 5 \$ _____ Office overhead (rent, supplies, utilities, etc.)
- 6 \$ _____ Telephone and telegraph
- 7 \$ _____ Travel, food, lodging, and entertainment
- 8 \$ _____ All other expenditures
- 9 \$ _____ TOTAL for this Quarter (Add "1" through "8")
- 10 \$ _____ Expended during previous Quarters of calendar year
- 11 \$ _____ TOTAL from Jan. 1 through this Quarter (Add "9" and "10")

Loans Made to Others—The term "expenditure" includes a loan — § 302(b)

- 12 \$ _____ TOTAL now owed to person filing
- 13 \$ _____ Lent to others during this Quarter
- 14 \$ _____ Repayments received during this Quarter
- 15 **Recipients of Expenditures of \$10 or More**
- If there were no single expenditures of \$10 or more, please so indicate by using the word "NONE."
- In the case of expenditures made during this Quarter by or on behalf of the person filing, attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following headings: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:
- | Amount | Date or Dates | Name and Address of Recipient | Purpose |
|------------|------------------|---|--|
| \$1,750.00 | 7-11 | Roe Printing Co., 3214 Blank Ave., St. Louis, Mo. | Printing and mailing circulars on the "Marshbanks Bill." |
| \$2,400.00 | 7-15, 8-15, 9-15 | Bratten & Bratten, 3127 Gremlin Bldg., Washington, D.C. | Public relations service at \$800.00 per month. |
| \$4,150.00 | TOTAL | | |

NOTE on ITEM "D"—(a) IN GENERAL. The term "contribution" includes anything of value. Where an organization or individual uses printed or duplicated matter as a campaign attempting to influence legislation, money received by such organization or individual for such printed or duplicated matter is a "contribution." The term "contribution" includes a gift, subscription, loan, advance, or deposit of money, or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.—§ 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(1) In general, item "D" is designed for the reporting of all receipts from which expenditures are made or will be made in connection with legislative interests.

(a) **Receipts of Business Firms and Individuals.**—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report even though it does have expenditures to report.

(a) **Receipts of Multi-purpose Organizations.**—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts such organizations may specify what that percentage is and report their dues, assessments, and other contributions on that basis. However, each contributor of \$500 or more is to be listed regardless of whether the contribution was made solely for legislative purposes.

(c) **IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.**—(1) In general, in the case of many employees, all receipts will come under item "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(a) **Employer as Contributor of \$500 or More.**—When your contribution from your employer (in the form of salary, fee, etc.) amounts to \$500 or more, it is not necessary to report such contributions under "D 13" and "D 14," since the amount has already been reported under "D 5" and the name of the "employer" has been given under item "B" on page 1 of this report.

NOTE on ITEM "E"—(a) IN GENERAL. The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.—§ 302(b) of the Lobbying Act.

(b) **IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.** In the case of many employees, all expenditures will come under telephone and telegraph (item "E 6") and travel, food, lodging, and entertainment (item "E 7").

CANADIAN LOBBYING REPORT FORM**TIER I
LOBBYISTS REGISTRATION**

This information is collected under the authority of the Lobbyists Registration Act, and will be a matter of public record.

It is stored in Personal Information Bank: CCA/P-PJ-995.

For registry use only	
DATE	of
DOC #	

RETURN (Please type or print in a legible manner.)

A: Individual

Surname		Given names and initials	
Title			
Legal name of your firm		Facsimile no	
Your business address		City	
Number	Street	()	
Province	Postal code	Country	Telephone no
			()

B: Client

Legal name of corporation, organization or person on whose behalf you lobby			
If client is a corporation or organization, give the name of the principal representative with whom you deal			
Address		City	
Number	Street		
Province	Postal code	Country	Telephone no
			()
Name of parent(s) of the client corporation (FOR ADDITIONAL PARENT(S) USE SEPARATE SHEET)			
Head Office address		City	
Number	Street		
Province	Postal code	Country	Telephone no
			()
Name of subsidiary(ies) of the client corporation (FOR ADDITIONAL SUBSIDIARY(IES) USE SEPARATE SHEET)			
Head Office address		City	
Number	Street		
Province	Postal code	Country	Telephone no
			()

C: Subject-matter (See paragraph 5(2)(d) of the Act): Define the subject-matter of your undertaking by reporting one or more applicable combinations of a number, representing the area of concern, and a letter, representing the type of activity (e.g., 16A).

Language used to define subject-matter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	English <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
French <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other <input type="checkbox"/>	Please specify.				
				9 9					

D: Certification

I hereby certify that the information contained in this return is true to the best of my knowledge and belief		
Signature of lobbyist	Day	Month
		Year



Consumer and
Corporate Affairs Canada

Consommation
et Corporations Canada

Lobbyists Registration
Branch

Direction de l'enregistrement
des lobbyistes

TIER II LOBBYISTS REGISTRATION

DEFINITION

Tier II Lobbyist

A Tier II lobbyist is every employee of a person or organization for whom a significant part of the duties is to communicate with public office holders, on behalf of the employer, in an attempt to influence the Government of Canada in respect of: (a) the development of a legislative proposal; (b) the introduction, passage, defeat or amendment of any bill or resolution; (c) the making or amending of any regulation; (d) the development or amendment of any policy or program; or (e) the awarding of any monetary grant, contribution or any other financial benefit. (See subsection 6(1) of the Lobbyists Registration Act)

INSTRUCTIONS

A Tier II lobbyist shall file with the registrar the information requested below, not later than two (2) months after the coming into force of the Act or after first undertaking any activities described above. Within two (2) months after the end of each calendar year, a Tier II lobbyist shall provide the registrar with an updated registration

Under subsection 6(2) of the Act, the lobbyist is required to advise the registrar in writing, as soon as practicable, of any changes in the information previously filed. Such notice should include the registration number assigned to the original return to which the changes apply. The registration number will be communicated to the lobbyist through an acknowledgement.

The termination of lobbying duties is a change in the information. A Tier II lobbyist must therefore notify the registrar of such termination.

Returns or notices may be filed by mail or delivery in person. (See subsection 3(2) of the Regulations)

Failure to comply with any provision of the Act, or making any false or misleading statement in any return to be filed under the Act, is subject to a fine and/or imprisonment.

This information is collected under the authority of the Lobbyists Registration Act and will be a matter of public record. It is stored in Personal Information Bank CCA/P-PJ-095.

RETURN (Please type or print in a legible manner)

APPLICABLE YEAR: 19 __

A: Individual and employer information

Surname		Given names and initials	
Title		Telephone no ()	
Legal name of employer		Facsimile no ()	
Address of the employer Number Street		City	
Province	Postal code	Country	Telephone no ()

B: Certification

I hereby certify that the information contained in this return is true to the best of my knowledge and belief			
Signature of lobbyist		Day	Month
		Year	

Please send completed return to:

Registrar of Lobbyists
Consumer and Corporate Affairs Canada
Place du Portage II, 4th Floor
165 Hôtel de Ville Street
Hull, Quebec
Canada
K1A 0C9
(819) 953-7144
Facsimile (819) 953-9247

For registry use only	
DATE	of
DOC #	

EXTENT THAT FINANCIAL CATEGORIES WERE REPORTED
ON QUARTERLY REPORTS FOR 1989

<u>Category</u>	<u>Number reporting zero</u>	<u>Percentage reporting zero</u>	<u>Number reporting something</u>	<u>Percentage reporting something</u>
Loans lent to others during this quarter	1,066	100.0%	0	0%
Printed or duplicated matter received as a gift	1,068	100.0	0	0
Loans repaid to others during this quarter	1,067	99.9	1	0.1
Receipts from sale of printed or duplicated matter	1,067	99.8	2	0.2
Loans borrowed from others during this quarter	1,062	99.8	2	0.2
Loans--repayments received during this quarter	1,061	99.7	3	0.3
Loans--total now owed to person filing	1,061	99.5	5	0.5
Gifts of money or anything of value	1,058	99.5	5	0.5
Loans--total now owed to others on account of loans	1,057	99.5	5	0.5
Public relations and advertising services	1,059	98.8	13	1.2
Gifts or contributions made during quarter	1,057	98.7	14	1.3
Dues and assessments	1,043	98.1	20	1.9
Printed or duplicated matter, including distribution cost	1,000	93.4	71	6.6
All other expenditures	986	92.1	84	7.9
Wages, salaries, fees, commissions	970	90.5	102	9.5
Office overhead (rent, supplies, utilities, etc.)	967	90.3	104	9.7
Expense money and reimbursements received this quarter	912	86.5	142	13.5
Telephone and telegraph	906	84.6	165	15.4
Travel, food, lodging, and entertainment	805	75.1	267	24.9
Total expenses for 1989	618	57.8	451	42.2
Received for services (e.g., salary, fee, etc.)	465	43.3	610	56.7
Total receipts for 1989	375	34.9	701	65.1

Ordering Information

Copies of GAO reports cited in this statement are available upon request. The first five copies of any GAO report are free. Additional copies are \$2 each. Orders should be sent to the following address, accompanied by a check or money order payable to the Superintendent of Documents, when necessary. Orders for 100 or more copies to be mailed to a single address are discounted 25 percent.

U. S. General Accounting Office
P. O. Box 6015
Gaithersburg, MD 20877

Orders may also be placed by calling (202) 275-6241.