2016 LOBBYING DISCLOSURE

Observations on Lobbyists' Compliance with Disclosure Requirements

Why GAO Did This Study

The LDA, as amended, requires lobbyists to file quarterly lobbying disclosure reports and semiannual reports on certain political contributions. The law also requires that GAO annually audit lobbyists' compliance with the LDA. GAO’s objectives were to (1) determine the extent to which lobbyists can demonstrate compliance with disclosure requirements, (2) identify challenges to compliance that lobbyists report, and (3) describe the resources and authorities available to USAO in its role in enforcing LDA compliance, and the efforts USAO has made to improve enforcement. This is GAO’s 10th report under the mandate.

What GAO Found

For the 2016 reporting period, most lobbyists provided documentation for key elements of their disclosure reports to demonstrate compliance with the Lobbying Disclosure Act of 1995, as amended (LDA). For lobbying disclosure (LD-2) reports filed during the third and fourth quarters of 2015 and the first and second quarters of 2016, GAO estimates that

- 90 percent of lobbyists filed required reports for the quarter in which they first registered; the figure below describes the filing process and enforcement;
- 83 percent (down from 92 percent in 2015) could provide documentation for income and expenses; and
- 94 percent filed year-end 2015 LD-203 reports as required.

These findings, with the exception of fewer lobbyists who could produce documentation for income and expenses, are generally consistent with prior reports GAO issued for the 2010 through 2015 reporting periods. Although the estimated decline in lobbyists who could document expenses is notable, the decrease is not statistically significant.

As in GAO’s other reports, some lobbyists were still unclear about the need to disclose certain previously held covered positions, such as paid congressional internships or certain executive agency positions. GAO estimates that 15 percent of all LD-2 reports may not have properly disclosed 1 or more previously held covered positions. However, over the past several years of reporting on lobbying disclosure, GAO has found that most lobbyists in the sample rated the terms associated with LD-2 reporting as “very easy” or “somewhat easy” to understand.

The U.S. Attorney’s Office for the District of Columbia (USAO) stated it has sufficient resources and authority to enforce compliance with the LDA. USAO continued its efforts to bring lobbyists into compliance by prompting them to file reports or applying civil penalties.

Disclosure Process for Lobbying Firms

Sources: GAO analysis of the Lobbying Disclosure Act of 1995, as amended. | GAO-17-385