



Highlights of [GAO-12-492](#), a report to congressional committees

Why GAO Did This Study

HLOGA requires lobbyists to file quarterly lobbying disclosure reports and semiannual reports on certain political contributions. HLOGA also requires that GAO annually (1) determine the extent to which lobbyists can demonstrate compliance with disclosure requirements, (2) identify any challenges to compliance that lobbyists report, and (3) describe the resources and authorities available to the Office and the efforts the Office has made to improve its enforcement of the LDA. This is GAO's fifth report under the mandate. GAO reviewed a stratified random sample of 100 quarterly LD-2 reports filed for the third and fourth quarters of calendar year 2010 and the first and second quarters of calendar year 2011. GAO also reviewed two random samples totaling 160 LD-203 reports from year-end 2010 and midyear 2011. This methodology allowed GAO to generalize to the population of 51,792 disclosure reports with \$5,000 or more in lobbying activity and 32,301 reports of federal political campaign contributions. GAO also met with officials from the Office regarding efforts to focus resources on lobbyists who fail to comply. GAO provided a draft of this report to the Attorney General for review and comment. The Assistant U.S. Attorney for the District of Columbia responded on behalf of the Attorney General that the Department of Justice had no comments on the draft of this report.

View [GAO-12-492](#). For more information, contact J. Christopher Mihm at (202) 512-6806 or mihmj@gao.gov.

March 2012

2011 LOBBYING DISCLOSURE

Observations on Lobbyists' Compliance with Disclosure Requirements

What GAO Found

Most lobbyists were able to provide documentation to demonstrate compliance with disclosure requirements. This finding is similar to GAO's results from prior reviews. There are no specific requirements for lobbyists to create or maintain documentation related to disclosure reports they file under the Lobbying Disclosure Act of 1995 as amended (LDA). Nonetheless, and similar to last year's results, for two key elements of the reports (income and expenses), GAO estimates that lobbyists could provide documentation to support approximately 93 percent of the disclosure reports for the third and fourth quarters of 2010 and the first and second quarters of 2011. According to documentation lobbyists provided for income and expenses, GAO estimates that the amounts disclosed were properly reported and supported for 63 percent of the quarterly lobbying disclosure (LD-2) reports. For lobbyists and lobbying firms listed on the LD-2 report, an estimated 86 percent filed year-end 2010 or midyear 2011 reports of federal political campaign contributions (LD-203) reports as required. For LD-203 political contributions reports, GAO estimates that a minimum of 4 percent of all LD-203 reports omitted one or more reportable political contributions that were documented in the Federal Election Commission database. Fewer lobbyists—17 this year versus 21 in the prior year—stated that they planned to amend their LD-2 report following GAO's reviews to make correction on one or more data elements. As of March 2012, 9 of 17 amended their disclosure reports.

Lobbyists are required to file LD-2 reports for the quarter in which they first register. The majority of lobbyists who newly registered with the Secretary of the Senate and Clerk of the House of Representatives in the third and fourth quarters of 2010 and first and second quarters of 2011 filed required disclosure reports for that period. GAO could identify corresponding reports on file for lobbying activity for 88 percent of registrants.

The majority of lobbyists felt that the terms associated with disclosure reporting were clear and understandable and the requirements were easy to meet. However, a few lobbyists reported challenges in complying with the LDA.

The U.S. Attorney's Office for the District of Columbia (the Office) stated that it has resources and authorities to pursue civil or criminal cases for noncompliance with LDA requirements. To enhance enforcement efforts and support the 17 staff who have been working on compliance issues on a part-time basis, the Office hired one contract staff member in September 2010 who works full-time on lobbying compliance issues. The Office has primarily focused on contacting lobbyists who have potentially violated the LDA by not filing disclosure reports. In November 2011, the Office settled its first enforcement case since the enactment of the Honest Leadership and Open Government Act of 2007 (HLOGA), and reached a \$45,000 settlement with a lobbying firm that had been referred to the Office repeatedly for failure to file disclosure reports. More than half of the 561 lobbyists who were contacted for noncompliance with LD-2 requirements for calendar years 2009 and 2010 are now compliant. Approximately 1,081 lobbyists were referred by the Secretary of the Senate for noncompliance with LD-203 requirements for calendar year 2009.