

ROLL CALL

Citizens Have a Right to Know About Lobbying Efforts

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In a May 10 Roll Call Guest Observer (“Citizens Don’t Need ‘Protection’ From Lobbying”), Douglas Johnson and Caroline Fredrickson posed a question: “Do ordinary citizens need to be protected from groups that may urge them to contact their elected Representatives in Congress about some pending bill?” The authors were referring to H.R. 2093, the latest proposal to shine a light on who is behind big-money, federal grass-roots lobbying expenditures.

But their question has nothing to do with the bill, which is expected to be offered as an amendment to the leadership's lobbying reform bill in the House Judiciary Committee this week. H.R. 2093, sponsored by Reps. Marty Meehan (D-Mass.) and Christopher Shays (R-Conn.), is not about protecting citizens from grass-roots lobbying messages. Rather, the bill is about empowering the citizenry by providing information on the forces behind hired-gun grass-roots lobbying efforts. In essence, grass-roots lobbying disclosure is about upholding the people’s right to know who is paying for these messages.

Time and time again, we’ve seen what happens when hired-gun firms and shadowy organizations with benign names are allowed to operate under the cover of darkness: An industry-funded think tank that did not disclose the source of its funding conducted a \$700,000 “grass-roots” campaign against Everglades restoration in Florida.

Public relations firms and consultants established front groups in the 1990s to kill then-President Bill Clinton’s health care reform proposals.

A former Congressman built a cozy relationship with a front group whose name provided political cover for his efforts to gut the Endangered Species Act.

Somehow, the goal of providing greater public access to lobbying information has been lost in the debate on disclosure. Opponents of disclosure claim that making such information available to the American people amounts to an unconstitutional regulation of speech. But disclosure is not the same thing as regulation. For decades, nonprofit organizations such as OMB Watch have been required to report on their grass-roots lobbying activities. Labor unions have been required to do the same for many years.

Opponents claim disclosure will chill speech, and they assert that disclosure supporters are seeking that result. This simply isn’t true. Charities and labor unions

that already file disclosure reports haven't seen their speech chilled and groups that disclose under state requirements have not been chilled from lobbying. No organization that supports grass-roots lobbying disclosure is pushing to diminish our cherished freedom of speech. In fact, groups such as OMB Watch work tirelessly to protect the advocacy rights of all Americans and nonprofit groups.

One way to protect those rights is to expose phony "grass-roots" organizations that are really front groups for private, wealthy interests. As Fredrickson and Johnson say, for-profit enterprises and the wealthy have a right to free speech. We agree and would never support squelching such speech, even if it's inaccurate or irresponsible. Instead, disclosure is the alternative to help the public better understand what is really happening and foster openness.

Through disclosure, the perception or reality that money is buying political access and votes can be addressed. The public is tired of political corruption, real or imagined. Grass-roots lobbying disclosure is the antidote.

Those fighting against disclosure also say individuals and everyday citizens will be required to register and disclose under the provisions of H.R. 2093. Opponents then raise the specter of fines and prison time as a consequence of noncompliance. This is a scare tactic. The Meehan-Shays proposal is clear: "No person or entity other than a lobbying firm is required to register or file a report under the amendments made by this section." Only a firm hired "to engage in paid communications campaigns to influence the general public to lobby Congress, and receives income of, or spends or agrees to spend, an aggregate of \$100,000 or more for such efforts in any quarterly period" must report. This means that only for-hire lobbying firms that spend big money — \$100,000 or more in a quarter — would be disclosing, hardly everyday citizens.

We know disclosure is empowering to the public — and powerful special interests pull out all the tricks to kill it. Well, enough is enough. The public learned from the Jack Abramoff scandal that sunlight is the best disinfectant, as former Supreme Court Justice Louis Brandeis said. In order for the public to have more complete information about the influence of money in politics, we must now level the disclosure playing field so that not just some nonprofits and unions are reporting. A good start is to get the big-money grass-roots lobbying firms to disclose.

Those of us who support grass-roots lobbying disclosure believe in the power of the people to effect change in this country. We believe grass-roots lobbying lies at the heart of a vibrant democracy, and we believe every citizen should be encouraged to be an active participant in the governance of our nation. The disclosure of grass-roots lobbying expenditures can help provide the American people the information they need to make decisions about vital public policy matters.

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