



Fighting Special Interest Lobbyist Power Over Public Policy

September 27, 2017

Americans know that wealthy special interests have far too much power over policy-makers, blocking people from receiving fair representation and responsive, accountable governance. Leaders must fight for strong, credible solutions that drive government to work for the people.

Special interest lobbying distorts democracy

1. Business and industry far outstrip any other source of lobbying at a ratio of 34 to 1.¹ In 2015 and 2016, reported lobbying spending was more than \$6 billion dollars,² nearly the same amount as all reported spending on federal campaigns during that period.³ In contrast, Congress spends only \$2 billion per year on professional staff—and therefore spends \$4 billion during a two-year period.⁴ There are roughly 20 registered lobbyists for every member of Congress⁵—not counting the many more unregistered individuals working for those lobbyists or the growing number of shadow lobbyists evading the lax registration requirements and enforcement.
2. Members of Congress are yoked to special interest lobbyists in a variety of ways. During their campaigns, candidates receive substantial amounts of funding from lobbyists. Once in office, members are understaffed and sometimes depend on lobbyists to broaden their policy reach, though only for policies that lobbyists prefer. After retiring from office or losing an election, many lawmakers and staffers go on to work for those same special interests and lobbying firms—a political golden parachute.
3. Although public advocacy and petitioning public officials is an important part of a participatory democracy, massive, lopsided lobbying and campaign spending undermines the democratic process. It does so by aligning the congressional agenda with the special interest lobbyists' agenda; by blocking legislation that lobbyists oppose in order to maintain a favorable status quo; and sometimes, by allowing lobbyists to advance the priorities of their wealthy and corporate clients at the expense of the public interest.

Solution: Reduce the power of special interest lobbyists over lawmakers

- 1. Ban lobbyist fundraising.** Although lobbyists are subject to the same contribution limit as other individuals—\$2,700 per candidate per election—many provide far more financial support to campaigns by holding fundraisers and bundling contributions from other individuals. Banning lobbyist fundraising would end one of the most direct ways that special interests attempt to buy favorable treatment—and such bans have been incorporated into several pieces of legislation.
- 2. Ban members of Congress from accepting contributions from interests in front of their committees.** Members of Congress are getting huge fundraising hauls—up to half of all the money that they raise⁶—from industries and groups that are under the jurisdiction of their committees. Such contributions should be prohibited. New legislation implementing this ban could require the U.S. House Committee on Ethics and the U.S. Senate Select Committee on Ethics to identify which potential contributors are committee-related and to include a safe harbor for contributors who certify that they are not in the identified groups, as well as other reasonable exemptions. Enacting such a ban would mitigate the corrupting conflicts of interest that arise when lawmakers are dependent for funding on the same wealthy special interests that they are supposed to oversee on behalf of the American people.
- 3. Close the revolving door.** As recently described in *The New York Times*, “Underpaid young politicians and retiring lawmakers depend on Beltway lobby shops ... for the high-six-figure salaries that will loft them into Washington’s petite aristocracy.”⁷ Public servants should focus on the public—not on special interest-funded career opportunities. Several bills have been filed that would extend the current ban on lawmakers accepting lobbying positions—from one year after they leave public service to five years. Some proposals would even ban members from lobbying permanently. Extending the ban on lobbying would give lawmakers one less reason to elevate special interest concerns over the concerns of their constituents.
- 4. Expand lobbying disclosure.** Implementing effective policies to fight the corrupting influence of special interest lobbyists depends on an accurate and effective system of lobbyist registration. Unfortunately, the current definition is all too easily evaded and has resulted in many people engaged in lobbying activities deregistering or failing to register in the first place. Fortunately, bills have been introduced in both the House and Senate that would institute a commonsense definition of lobbying that applies to anyone who makes more than one lobbying contact on behalf of a client over a two-year period. In addition to enabling enforcement of the proposals above, expanding lobbying disclosure would also allow the public to better understand who is spending money to try to influence government—as well as how much money is being spent—so that representatives are held accountable.

Endnotes

- 1 Lee Drutman, *The Business of America is Lobbying: How Corporations Became Politicized and Politics Became More Corporate* (New York: Oxford University Press, 2015), p. 13.
- 2 OpenSecrets.org, “Lobbying Database,” available at <https://www.opensecrets.org/lobby/> (last accessed August 2017).
- 3 OpenSecrets.org, “Cost of Election,” available at <https://www.opensecrets.org/overview/cost.php> (last accessed August 2017).
- 4 Lee Drutman, “Senators vote to keep themselves dependent on lobbyists,” *Vox*, May 27, 2016, available at <https://www.vox.com/polyarchy/2016/5/27/11796292/senate-staffing>.
- 5 Authors’ calculations using the total number of registered lobbyists—more than 10,000—divided by the number of members of Congress—535. See OpenSecrets.org, “Lobbying Database,” available at <https://www.opensecrets.org/lobby/> (last accessed September 2017).
- 6 William Gray, “The Price of Power: How Political Parties Squeeze Influential Lawmakers to Boost their Campaign Coffers,” *Issue One*, May 30, 2017, available at <https://www.issueone.org/price-power-political-parties-squeeze-influential-lawmakers-boost-campaign-coffers/>.
- 7 Nicholas Confessore, “How to Get Rich in Trump’s Washington,” *The New York Times*, August 30, 2017, available at <https://www.nytimes.com/2017/08/30/magazine/how-to-get-rich-in-trumps-washington.html>.