



Highlights of [GAO-09-487](#), a report to congressional committees

## Why GAO Did This Study

The Honest Leadership and Open Government Act (HLOGA) of 2007 amended the Lobbying Disclosure Act of 1995 by doubling the frequency of lobbyists' reporting and increasing criminal and civil penalties. This is GAO's second report in response to the Act's requirement for GAO to annually (1) determine the extent to which lobbyists can demonstrate compliance with the Act by providing support for information on their registrations and reports, (2) describe challenges identified by lobbyists to complying with the Act, and (3) describe the resources and authorities available to the U.S. Attorney's Office for the District of Columbia's efforts to enforce the Act. For this report, GAO placed increased emphasis on written documentation to support disclosure reports. GAO reviewed a random sample of 100 lobbyist disclosure reports filed during the first three quarters of calendar year 2008. GAO also selected a random sample of 100 reports of federal political contributions, filed for the first time, for mid-calendar-year 2008. This methodology allowed GAO to generalize the sample results to the populations of 40,169 lobbying activity disclosure reports and 6,048 reports with contributions filed. GAO met with lobbyists regarding their filings and with the U.S. Attorney's Office for the District of Columbia regarding resources, authorities, and efforts to focus resources on lobbyists who fail to comply with the Act.

## What GAO Recommends

GAO makes no new recommendations in this report.

[View GAO-09-487](#) or [key components](#). For more information, contact George Stalcup at (202) 512-6806 or [stalcupg@gao.gov](mailto:stalcupg@gao.gov).

## 2008 LOBBYING DISCLOSURE

### Observations on Lobbyists' Compliance with Disclosure Requirements

#### What GAO Found

While there are no specific requirements for lobbyists to create or maintain documentation related to disclosure reports they file under HLOGA, GAO's review showed that lobbyists were generally able to provide documentation, although in varying degrees, to support items in their disclosure reports.

For income and expenses, two key elements of the disclosure reports, lobbyists could provide written documentation for an estimated 99 percent of the reports. However, in approximately 14 percent of cases, the documentation provided either was incomplete or contradicted the reported amount of income or expense. In addition to income and expenses, GAO reviewed five other data elements in the disclosure reports, and lobbyists who were required to report on these elements could provide documented support for all items in an estimated 35 percent of the reports. As of March 18, 2009, lobbyists had amended 12 disclosure reports included in GAO's sample to make corrections on one or more data elements.

For political contribution reports, filed for the first time in 2008, GAO estimates that 65 percent of the reports could be supported by FEC data or documentation provided by lobbyists. An estimated 16 percent of the reports contained erroneous entries or failed to disclose required contributions.

The majority of lobbyists who newly registered with the Secretary of the Senate and Clerk of the House in the first three quarters of 2008 filed required disclosure reports for the period. However, for about 13 percent of the registrants, GAO could not identify a corresponding report on file for their lobbying activity, likely because either a report was not filed or reports that were filed contained information, such as client names, that did not match.

Similar to GAO's findings in the first review of lobbying disclosure, most lobbyists felt that existing guidance for filing required registrations and reports was sufficient. However, GAO's review of documentation and lobbyists' statements indicates some opportunities to strengthen lobbyists' understanding of the requirements. Some small firms and sole proprietors indicated they did not understand the requirement for both firms and individual lobbyists to file reports on financial contributions. GAO continues to believe, as noted in its first report, that the lobbying community could benefit from creating an organization to focus on sharing best practices, providing training, and reporting on opportunities to minimize potential confusion.

In response to an earlier GAO recommendation, in April 2009 the U.S. Attorney's Office for the District of Columbia (the Office) plans to put in place a system to better track, analyze, and report on its enforcement activities. The Office also has assigned an additional staff member to assist with lobbying compliance issues.