

## GAO RELEASES REPORT ON FEDERAL LOBBYING DISCLOSURE COMPLIANCE

*As mandated by the Honest Leadership and Open Government Act of 2007 (“HLOGA”), on September 30, 2008, the U.S. Government Accountability Office (“GAO”) issued a report to congressional committees regarding lobbyist compliance with the new disclosure provisions of HLOGA.*

The GAO report, *Lobbying Disclosure: Observations on Lobbyists’ Compliance with New Disclosure Requirements* is available online at <http://www.gao.gov/new.items/d081099.pdf>. In summary, the GAO found that most registered lobbyists could provide support for their filings and that newly registered lobbyists largely met HLOGA’s reporting requirements.

### HIGHLIGHTS OF THE GAO REPORT

- GAO conducted random audits of 100 LDA reports (“LD-2”) for the first quarter of calendar year 2008. A full list of sampled registrants and clients can be found in Appendix II of the Report.
- Subsequent GAO reports will be submitted annually to congressional committees by the beginning of April and will include a review of registrations and reports filed during the preceding calendar year.
- The GAO review found that lobbyists generally provided accurate supporting information on lobbying income and expenses.
- However, many lobbyists had difficulty providing written support for issues lobbied.
- Many lobbyists also had difficulty providing written support for their identification of which House of Congress or agencies were lobbied.
- Many lobbyists had difficulty providing written documentation to support disclosure of the individuals who acted as a lobbyist for the Registrant or Client.
- Some lobbyists developed and maintain detailed tracking and accounting systems to track lobbying activities, contacts, and expenses.
- Some lobbyists told the GAO that they needed further guidance from Congress on proper reporting because the law and congressional guidance lacked specificity in a number of areas, including affiliated organizations, foreign entities, lobbying codes, lobbying issues, and the definition of lobbying activity.
- Some lobbyists told the GAO that it was difficult to meet the new twenty day filing deadline because of limitations in their own internal billing or record keeping systems.
- Some lobbyists told the GAO that they conducted internal training sessions for their staff and hired outside counsel to give presentations and provide compliance assistance.
- Even though compliance was generally good, the GAO recommended that the lobbying community develop best practices, standards, and training for lobbying organizations and individual lobbyists to better ensure the accuracy and completeness of future lobbying reports.
- The GAO recommended that the U.S. Attorney for the District of Columbia develop a more structured and comprehensive approach for dealing with lobbying compliance and enforcement issues.
- In a written response to the GAO, the U.S. Attorney for the District of Columbia stated that they have limited resources, but will develop a more structured and comprehensive approach for tracking and dealing with lobbyist non-compliance with the Act.

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**FOR MORE INFORMATION**

As new developments regarding HLOGA compliance continue to be announced, we will provide further updates. In the meantime, should you have any legal questions related to HLOGA compliance, please contact:

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