

Editorial/Opinion

Real reform must scrutinize lobbying and lawmakers

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By Abbe D. Lowell

Amid the allegations of accepting money or gifts from lobbyists and others swirling around former congressman Randall "Duke" Cunningham and Reps. William Jefferson, D-La., and Jerry Lewis, R-Calif., Congress has once again taken up lobbying and ethics reform.

A number of the "reform" measures, such as increased restrictions on accepting gifts or more frequent public disclosures of contacts with lobbyists, are merely cosmetic. Real reform will not occur until the very relationship between lobbyists and public officials is re-examined.

Recent news reports and denials that Speaker of the House Dennis Hastert was "under investigation" for signing a letter in support of a lobbyist's clients shortly after that lobbyist raised large contributions should have, but did not, start this examination.

What hasn't received much scrutiny is the interplay between lobbyists and fundraising. As long as campaign engines need to be fueled, special interests and lobbyists who have the most immediate interest in legislation will have the most incentive to supply the gas. This gives lobbyists an unfair advantage in access and persuasion.

More often than those simply interested in good government, lobbyists will take on the request from a member or a member's staff that: "Gee, I will consider your position of that bill or your client's interests, and, by the way, I am having a fundraiser next week."

So, the same individuals and companies who promote their causes in legislation are also the ones who can get their clients, friends, colleagues and acquaintances to come to the cocktail party or reception with the large contributions that are now needed.

The payback

And what does that interest group or lobbyist get in return? Honest members of Congress do not agree to a position or compromise their principles just because a proponent of the position or principle raised the campaign funds requested. Even so, that member gets to know that advocate's position in a context that average Americans do not enjoy.

For decades, the Justice Department's practice has been not to consider campaign contributions linked by timing or sequence to official action as illegal bribes. The recent scandals may change this. But lawmakers, not prosecutors reinterpreting policy, should set the stage for change.

Public officials do not need new laws to know they should not accept money or gifts in exchange for public actions or their office.

It should be relatively simple for Congress to declare that if a lobbyist's position has merit, it can be presented in the congressional office and not at a Washington restaurant, a private suite at a sports arena, or on the 15th hole of a country club golf course.

And, as to travel, it is not hard to conclude that a public official's travel is either official business to be paid by the government, campaign business to be paid by the election committee or party, or personal travel to be paid by the public official himself.

Real reform ideas

The more difficult issue is how to weaken the link between lobbying and fundraising. A few ideas:

- Require fundraisers to disclose publicly their interest in legislation.
- Require sponsors of "bundled" contributions (individual contributions arranged together for greater impact) to disclose their roles.
- Impose further limits on the total amount individuals can give in an election cycle.
- Provide additional public financing of campaigns.
- Help candidates pay for access to various media.

No doubt other ideas exist, but in the midst of the current debate about "reform," none of these is being proposed in legislation.

So, it was wrong for someone to leak that Hastert was or should be under investigation. What should have been leaked is that the time has come for the entire process to be under investigation so that a better system can result.

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