

You Can't Legislate Personal Responsibility

By

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Influence peddler. Crook. Con man. Bag man. Criminal. Scum. Prince of Darkness. Since the Jack Abramoff scandal broke over a year ago, these are just a few of the names (that are clean enough for me to mention) that I have been called as President of the American League of Lobbyists.

It amazes me when I hear these terms from people who don't know me or who have never met me. All this abuse because one man broke the law. All this from the public which doesn't truly understand what lobbying is or why it's important.

One would think that a profession that has been around since the 1800's would have a better track record of explaining itself and the importance it serves to the political and legislative processes. Since this scandal I have been fortunate to meet with hundreds of reporters and dozens of school groups. In most cases they want to hear about the scandal and the debate going on in Congress about reform. But in every instance, I make it a point to dig deeper to find out what the individual's or group's perception of lobbyists is, and how and why they have come to that conclusion. Often I find it is driven by what they hear on the news or read in the newspaper.

I can't and don't blame the media for the bad reputation lobbyists have. I have met a lot of very intelligent reporters who do their job extremely well. I can honestly say that only a handful have written slanted stories about lobbying after talking with me. I mention this because our problem with the public is that today's society has become one of sound bites. Everyone in Washington understands that sound bites are what capture the attention of the viewer and reader.

Each election we hear candidates complain about negative campaigning. We read in poll after poll that the public "has had it" with negative campaigns and is going to vote for the candidate who focuses on the issues. The problem, however, is that no one seems to vote according to those polls because negative campaigning still works. The negative portrayal of lobbying is no different. If all anyone ever reads is how lobbying and lobbyists are corrupt, then of course the prevalent viewpoint will be just that. Unless you interact with lobbyists or are one yourself, the images you get are the ones painted in the newspaper or on the news.

Add in the fact that, according to most polls the American people are apathetic to politics, and it is easy to understand how, even after almost two hundred years of existence, lobbying is still a very misunderstood profession.

I was recently asked if I thought there is anything as a profession we could do to clear up misconceptions about how they operate. In a one-word answer I had to honestly say "No." I think

everyone agrees that what Jack Abramoff did was egregious. We had an image problem before this scandal, and we now have one ten times worse. I have explained in interview after interview that no matter what we tell the media or the public about the importance of our profession, it won't get noticed, unless there is a scandalous tilt to it.

Let me lay out a few facts that are overlooked by the press and the American people about who lobbyists are and what they do.

Myth: Lobbyists are men who are out all night drinking, smoking cigars and lying to get their way.

Reality: Lobbyists are Moms and Dads who work hard during the day on behalf of their clients, but who go home and spend time with their kids just like everyone else.

Myth: Lobbyists are only in it for the money they can cheat from their clients.

Reality: Most lobbyists do their job because they love it. We choose our clients because we believe in their issues and because we usually have an expertise in the area where they need help. We do this job because we love making a difference for those we represent.

Myth: Lobbyists only represent those clients who have money.

Reality: Lobbyists seldom discuss their charitable or *pro bono* work. If anyone ever took a survey of the charitable work lobbyists do, I think people would be amazed at the hours, money and resources lobbyists donate to worthwhile causes. We sometimes forget that without lobbyists, a lot of worthwhile charities would not exist or their issues would never be represented.

I want to outline just a FEW of the activities our profession is involved in. It is a very small sampling, but it highlights a very different side of our profession and those of us who are proud to call ourselves lobbyists.

~Since 1999 the American League of Lobbyists (ALL) has raised \$200,000 for children's charities in the Washington, DC area. The three charities we support are Horton's Kids, Hill Help, and The Luke Tiahrt Memorial Foundation. Through the proceeds from our charity basketball game each year, Horton's Kids and Hill Help provide some of D.C.'s neediest children with tutoring, dental care and eyeglasses, special educational testing, emergency food and shelter, as well as holiday celebrations and enrichment activities.

~Since 2004 ALL has collected over 15,000 pieces of clothing as part of its annual Capitol PurSuits Drive to help collect clothing for needy men and women trying to enter or re-enter the workforce.

~League members volunteer to take underprivileged kids to local sporting events, not only offering the kids a chance to see a professional ballgame but also providing an opportunity for lobbyists to mentor some pretty amazing kids.

~Lobbyists take part in a number of reading programs in Washington. Many of these lobbyists give up their lunch hour, evenings, and even weekends to participate in these programs to give some deserving kids extra needed attention and mentoring.

~The lobbying community donated millions to charity after Hurricane Katrina.

~Following 9/11 the lobbying community banded together and offered their services to the Federal government as liaisons to their clients for goods and services the government needed.

~Many lobbyists volunteer their time as coaches and teachers.

I know there are lots of positive works that I haven't listed here. I also know that professionals in many fields, not just lobbyists, do the activities I've described. But the point I'm making is that lobbyists ARE like other people; we do these things because it's the right thing to do, and we feel that we have a responsibility to give back to the city where we work and the communities in which we live.

Lobbying Scandal

I have learned that I cannot finish any article or interview without addressing the scandal head-on and point out some facts that I hope will put this issue into better perspective.

Our government is not corrupt. Lobbyists are not bribing people. And members of Congress are not being bought for campaign contributions. One man broke the law by lying, cheating, and stealing from his clients. We don't blame all journalists or corporate CEOs for the actions or crimes of a few. Neither should all lobbyists be branded by the actions of Jack Abramoff.

Former Congressman Duke Cunningham wasn't bribed by a lobbyist; he was bribed by the CEO of a firm seeking government contracts. There is a difference and it does matter.

So often in this town when something goes wrong, there is a knee-jerk reaction that somehow legislation will solve the problem. This is what we are seeing with the case against Jack Abramoff.

I for one am not convinced that the current system needs fixing. We don't have any idea if there are problems with the current rules, because no one has taken the time to review the current LDA. Before we begin legislating based on the actions of one individual, should we exercise due diligence and review the current regulations to see what works and what doesn't? Only then can we make an informed decision on what if any changes are needed in the Lobbying Disclosure Act (LDA).

The LDA is not some obscure set of rules and regulations that lobbyists acknowledge then ignore. The current LDA requires lobbyists to report who they represent; the issues they are working on; the committees, agencies, or administration personnel they meet with; how much they are being paid and, amazingly, all of this information is available to the public. These rules also come with stiff penalties for non-compliance, including possible jail time. With an already strict set of rules in place, I would question the wisdom of legislating this issue before we have a real understanding of how the current system is working. Simple enforcement of the current rules and regulations would solve the perceived problem, though it would not have stopped Jack Abramoff. There will always be those who break the law, regardless of what rules are in place. Congress cannot legislate values.

I was talking with a colleague recently about the current situation and he said something that captures exactly what I'm talking about. He told me that before he acts, he asks himself, "What would my Mom think?" As we all know, there's a tremendous amount of cynicism that surrounds our political and legislative processes today and no doubt some will find that statement corny. But to me, it says it all. You can pass all the rules you like but it is one's own moral code that determines behavior.

The American League of Lobbyists (ALL) is 100% supportive of both the LDA and the gift rules that govern lobbying activities. We will support and abide by whatever new restrictions Congress imposes. We have had a Code of Ethics since 1987 – long before this or previous lobbying scandals. We believe that the vast majority of Washington lobbyists are honorable, hard-working people who fulfill a critical role in the democratic process. But all of that will not stop the few bad apples who know they can evade the law with impunity. If Congress really wants to end the corruption they believe to be so rampant, they must set up an enforcement system, either internally or externally.

ALL has asked to have a voice in the deliberations surrounding LDA changes. We are the only organization whose sole purpose is the advancement of the lobbying profession. Our mission statement is "To enhance the development of professionalism, competence and high ethical standards for advocates in the public policy arena, and to collectively address challenges affecting the First Amendment right to petition the government for redress of grievances."

Fortunately, Congress cannot prohibit lobbying, as it is a right guaranteed by the Constitution. Our founding fathers recognized a legitimate role for un-elected participants in government by guaranteeing the right to "redress of grievances." They didn't define whether each citizen had to bring his own grievance to the table, or if he could have a lobbyist address the issue for him. As more than one pundit has pointed out, it's frightening to think of what laws would have been passed...what restrictions might have been enacted...what privileges might be taken away from our citizenry...without lobbyists. Lobbyists help bring out all sides of an issue, something Congress would not necessarily do without prodding.

To be clear for the record, the American League of Lobbyists supports:

- Full review and enforcement of current LDA requirements;
- Equal application of the LDA and gift rules to EVERYONE who lobbies;
- A uniform electronic filing system for both the House and Senate;
- FULL online disclosure of lobbying reports;
- A strong code of ethics not only for lobbyists but also for legislators.

To end where I began, all of our best intentions and all of the laws being proposed will have little or no impact unless Congress determines not only enforcing them, but also internalizing them and

living by a code of ethics. On the other side of a hand offering to pay an expensive dinner check must be one insisting on paying his or her own share. As horrendous as Abramoff's excesses were, no one forced the legislators involved to accept his gifts and contributions. Ethics cannot be legislated; they must spring from one's own moral code.

If I can leave you with three things today, it would be these:

Don't judge an entire profession on the actions of one man. Don't buy into the 30-second sound bites that drive our news. Take some time to really understand what lobbying is and how it impacts your life and the issues and groups you belong to and support.

Don't make changes to a system that worked just to say you did something. I urge caution in any lobbying reform effort. If reform is needed then, let's move forward with crafting rules that work. We must first due our due diligence and do a thorough review of the 1995 Lobbying Disclosure Act to better understand what works and what isn't.

I would encourage all my colleagues to join the American League of Lobbyists. We are your national professional association and you should be proud to be a part of this group. I think former President Theodore Roosevelt said it best "every man owes a part of his time and money to the business or industry in which he is engaged. No man has a moral right to withhold his support from an organization that is striving to improve conditions within his sphere."

Let's be proud of what we do and work together to promote the work we do.