

108TH CONGRESS
2D SESSION

H. R. 4937

To amend the Lobbying Disclosure Act of 1995 to require certain coalitions and associations to disclose their lobbying activities.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mr. DOGGETT (for himself, Mr. ALLEN, Mr. BAIRD, Mr. BECERRA, Mr. BELL, Mrs. CAPPS, Mr. CARDIN, Ms. CARSON of Indiana, Mr. CASE, Mr. DAVIS of Illinois, Mr. DEFazio, Mr. DELAHUNT, Ms. DELAURO, Mr. EDWARDS, Mr. EVANS, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GONZALEZ, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOEFFEL, Mr. HOLT, Mr. INSLEE, Mr. JEFFERSON, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KUCINICH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARKEY, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McNULTY, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. POMEROY, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Ms. SOLIS, Mr. STARK, Mr. TANNER, Mr. TIERNEY, Mr. UDALL of New Mexico, Mr. WAXMAN, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Lobbying Disclosure Act of 1995 to require certain coalitions and associations to disclose their lobbying activities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stealth Lobbyist Dis-
3 closure Act of 2004”.

4 **SEC. 2. DISCLOSURE OF LOBBYING ACTIVITIES BY CERTAIN**
5 **COALITIONS AND ASSOCIATIONS.**

6 (a) IN GENERAL.—Paragraph (2) of section 3 of the
7 Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is
8 amended to read as follows:

9 “(2) CLIENT.—

10 “(A) IN GENERAL.—The term ‘client’
11 means any person or entity that employs or re-
12 tains another person for financial or other com-
13 pensation to conduct lobbying activities on be-
14 half of that person or entity. A person or entity
15 whose employees act as lobbyists on its own be-
16 half is both a client and an employer of such
17 employees.

18 “(B) TREATMENT OF COALITIONS AND AS-
19 SOCIATIONS.—

20 “(i) IN GENERAL.—Except as pro-
21 vided in clauses (ii) and (iii), in the case
22 of a coalition or association that employs
23 or retains other persons to conduct lob-
24 bying activities, each of the individual
25 members of the coalition or association
26 (and not the coalition or association) is the

1 client. For purposes of section 4(a)(3), the
2 preceding sentence shall not apply, and the
3 coalition or association shall be treated as
4 the client.

5 “(ii) EXCEPTION FOR CERTAIN TAX-
6 EXEMPT ASSOCIATIONS.—In case of an as-
7 sociation—

8 “(I) which is described in para-
9 graph (3) of section 501(c) of the In-
10 ternal Revenue Code of 1986 and ex-
11 empt from tax under section 501(a) of
12 such Code, or

13 “(II) which is described in any
14 other paragraph of section 501(c) of
15 the Internal Revenue Code of 1986
16 and exempt from tax under section
17 501(a) of such Code and which has
18 substantial exempt activities other
19 than lobbying with respect to the spe-
20 cific issue for which it engaged the
21 person filing the registration state-
22 ment under section 4,

23 the association (and not its members) shall
24 be treated as the client.

1 “(iii) EXCEPTION FOR CERTAIN MEM-
2 BERS.—

3 “(I) IN GENERAL.—Information
4 on a member of a coalition or associa-
5 tion need not be included in any reg-
6 istration under section 4 if the
7 amount reasonably expected to be con-
8 tributed by such member toward the
9 activities of the coalition or associa-
10 tion of influencing legislation is less
11 than \$1,000 per any semiannual pe-
12 riod.

13 “(II) EXCEPTION.—Subclause (I)
14 shall not apply with respect to any
15 member who unexpectedly makes ag-
16 gregate contributions of more than
17 \$1,000 in any semiannual period, and
18 the date the aggregate of such con-
19 tributions first exceeds \$1,000 in such
20 period shall be treated as the date of
21 first employment or retention to make
22 a lobbying contact for purposes of sec-
23 tion 4.

24 “(iv) LOOK-THRU RULES.—In the
25 case of a coalition or association which is

1 treated as a client under the first sentence
2 of clause (i)—

3 “(I) such coalition or association
4 shall be treated as employing or re-
5 taining other persons to conduct lob-
6 bying activities for purposes of deter-
7 mining whether any individual mem-
8 ber thereof is treated as a client under
9 clause (i), and

10 “(II) information on such coal-
11 tion or association need not be in-
12 cluded in any registration under sec-
13 tion 4 of the coalition or association
14 with respect to which it is treated as
15 a client under clause (i).”

16 (b) EFFECTIVE DATE.—

17 (1) IN GENERAL.—The amendments made by
18 this section shall apply to—

19 (A) coalitions and associations listed on
20 registration statements filed under section 4 of
21 the Lobbying Disclosure Act of 1995 (2 U.S.C.
22 1603) after the date of the enactment of this
23 Act, and

1 (B) coalitions and associations for whom
2 any lobbying contact is made after the date of
3 the enactment of this Act.

4 (2) SPECIAL RULE.—In the case of any coali-
5 tion or association to which the amendments made
6 by this Act apply by reason of paragraph (1)(B), the
7 person required by such section 4 to file a registra-
8 tion statement with respect to such coalition or asso-
9 ciation shall file a new registration statement within
10 30 days after the date of the enactment of this sec-
11 tion.

○