

109TH CONGRESS  
1ST SESSION

# H. R. 1302

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2005

Mr. DOGGETT (for himself, Mr. ALLEN, Mr. BAIRD, Mr. BECERRA, Mrs. CAPPS, Ms. CARSON, 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. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOLT, Mr. INSLEE, Mr. JEFFERSON, Ms. KAPTUR, Mr. KUCINICH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARKEY, Mrs. MCCARTHY, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McNULTY, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. POMEROY, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Ms. SOLIS, Mr. STARK, Mr. TIERNEY, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. WAXMAN, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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 2005”.

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 ition 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 Act.

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